

1 A bill to be entitled
2 An act relating to court fees; amending s. 28.24,
3 F.S.; increasing the service charges a clerk of the
4 circuit court charges for certain services rendered by
5 the clerk's office; requiring the Office of Economic
6 and Demographic Research to prepare a certain report;
7 requiring such report to be submitted to the
8 Legislature within a specified time frame; amending s.
9 28.2401, F.S.; increasing certain filing fees and
10 service charges that may be charged by the clerk in
11 probate matters; requiring the Office of Economic and
12 Demographic Research to prepare a certain report;
13 requiring such report to be submitted to the
14 Legislature within a specified time frame; amending s.
15 28.241, F.S.; increasing certain filing fees and
16 service charges in trial and appellate proceedings;
17 requiring the Office of Economic and Demographic
18 Research to prepare a certain report; requiring such
19 report to be submitted to the Legislature within a
20 specified time frame; amending s. 34.041, F.S.;
21 increasing certain filing fees and service charges for
22 civil actions, suits, or proceedings in county court;
23 deleting provisions requiring clerks to submit
24 portions of fees collected to the Department of
25 Revenue for deposit into the Clerks of the Court Trust

26 Fund; revising the distribution formula for additional
27 filing fees; requiring the Office of Economic and
28 Demographic Research to prepare a certain report;
29 requiring such report to be submitted to the
30 Legislature within a specified time frame; amending s.
31 45.035, F.S.; increasing the service charge the clerk
32 is entitled to for disbursement of surplus proceeds
33 for certain judicial sales procedures; requiring the
34 Office of Economic and Demographic Research to prepare
35 a certain report; requiring such report to be
36 submitted to the Legislature within a specified time
37 frame; amending s. 721.83, F.S.; increasing the filing
38 fee for additional timeshare interests joining a
39 consolidated timeshare foreclosure action; requiring
40 the Office of Economic and Demographic Research to
41 prepare a certain report; requiring such fees and
42 charges to be rounded to a specified amount; requiring
43 such report to be submitted to the Legislature within
44 a specified time frame; amending s. 744.3678, F.S.;
45 increasing the fee a clerk of the circuit court may
46 charge for auditing of the return of ward's estate;
47 requiring the Office of Economic and Demographic
48 Research to prepare a certain report; requiring such
49 report to be submitted to the Legislature within a
50 specified time frame; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3), paragraph (a) of subsection (5), paragraph (a) of subsection (9), paragraph (b) of subsection (11), paragraph (a) of subsection (14), paragraph (a) of subsection (15), subsection (17), paragraph (a) of subsection (18), subsection (19), paragraph (a) of subsection (20), paragraph (a) of subsection (21), and subsection (26) of section 28.24, Florida Statutes, are amended, and subsection (30) is added to that section, to read:

28.24 Service charges.—The clerk of the circuit court shall charge for services rendered manually or electronically by the clerk's office in recording documents and instruments and in performing other specified duties. These charges may not exceed those specified in this section, except as provided in s. 28.345.

(2) For examining, comparing, correcting, verifying, and certifying transcripts of record in appellate proceedings, prepared by attorney for appellant or someone else other than clerk, per page: 6.00 ~~5.00~~, from which the clerk shall remit 0.50 per page to the Department of Revenue for deposit into the General Revenue Fund.

(3) For preparing, numbering, and indexing an original record of appellate proceedings, per instrument: 4.00 ~~3.50~~, from

76 which the clerk shall remit 0.50 per instrument to the
77 Department of Revenue for deposit into the General Revenue Fund.

78 (5)(a) For verifying any instrument presented for
79 certification prepared by someone other than clerk, per page:
80 4.00 ~~3.50~~, from which the clerk shall remit 0.50 per page to the
81 Department of Revenue for deposit into the General Revenue Fund.

82 (9)(a) For writing any paper that is a court record other
83 than a paper otherwise specifically mentioned in this section,
84 including signing and sealing: 8.00 ~~7.00~~, from which the clerk
85 shall remit 1.00 to the Department of Revenue for deposit into
86 the General Revenue Fund.

87 (11) For receiving money into the registry of court:

88 (b) Eminent domain actions, per deposit: 200.00 ~~170.00~~,
89 from which the clerk shall remit 20.00 per deposit to the
90 Department of Revenue for deposit into the General Revenue Fund.

91 (14)(a) Oath, administering, attesting, and sealing of
92 court records not otherwise provided for in this section: 4.00
93 ~~3.50~~, from which the clerk shall remit 0.50 to the Department of
94 Revenue for deposit into the General Revenue Fund.

95 (15)(a) For validating certificates or any authorized
96 bonds that are court records, each: 4.00 ~~3.50~~, from which the
97 clerk shall remit 0.50 each to the Department of Revenue for
98 deposit into the General Revenue Fund.

99 (17) For exemplified certificates, including the signing
100 and sealing of them: 8.00 ~~7.00~~, from which the clerk shall remit

101 1.00 to the Department of Revenue for deposit into the General
102 Revenue Fund.

103 (18) (a) For authenticated certificates that are court
104 records, including the signing and sealing of them: 8.00 ~~7.00~~,
105 from which the clerk shall remit 1.00 to the Department of
106 Revenue for deposit into the General Revenue Fund.

107 (19) (a) For issuing and filing a subpoena for a witness,
108 not otherwise provided for in this section, including the
109 writing, preparing, signing, and sealing of it: 8.00 ~~7.00~~, from
110 which the clerk shall remit 1.00 to the Department of Revenue
111 for deposit into the General Revenue Fund.

112 (b) For signing and sealing only: 3.00 ~~2.00~~, from which
113 the clerk shall remit 0.50 to the Department of Revenue for
114 deposit into the General Revenue Fund.

115 (20) (a) For approving a court bond: 10.00 ~~8.50~~, from which
116 the clerk shall remit 1.00 to the Department of Revenue for
117 deposit into the General Revenue Fund.

118 (21) (a) For searching court records, for each year's
119 search: 3.00 ~~2.00~~, from which the clerk shall remit 0.50 for
120 each year's search to the Department of Revenue for deposit into
121 the General Revenue Fund.

122 (26) For sealing any court file or expungement of any
123 record: 50.00 ~~42.00~~, from which the clerk shall remit 4.50 to
124 the Department of Revenue for deposit into the General Revenue
125 Fund.

126 (30) By January 1, 2030, and every 3 years thereafter, the
127 Office of Economic and Demographic Research shall prepare a
128 report that includes recommendations for increasing the service
129 charges in this section according to the percentage change in
130 the Consumer Price Index. The service charges must be rounded to
131 the nearest \$1. The Office of Economic and Demographic Research
132 shall submit the report to the President of the Senate and the
133 Speaker of the House of Representatives before the start of the
134 next regularly scheduled session of the Legislature.

135 **Section 2. Paragraphs (a), (c), (d), and (g) of subsection**
136 **(1) of section 28.2401, Florida Statutes, are amended, and**
137 **subsection (5) is added to that section, to read:**

138 28.2401 Service charges and filing fees in probate
139 matters.—

140 (1) Except when otherwise provided, the clerk may impose
141 service charges or filing fees for the following services or
142 filings, not to exceed the following amounts:

143 (a) Fee for the opening of any estate of one document or
144 more, including, but not limited to, petitions and orders to
145 approve settlement of minor's claims; to open a safe-deposit
146 box; to enter rooms and places; for the determination of heirs,
147 if not formal administration; and for a foreign guardian to
148 manage property of a nonresident; but not to include issuance of
149 letters or order of summary administration.....\$275 ~~\$230~~

150 (c) Fee for petition and order to admit foreign wills,

authenticated copies, exemplified copies, or transcript to
record..... \$275 ~~\$230~~

(d) Fee for disposition of personal property without
administration.....\$275 ~~\$230~~

(g) Fee for formal administration, guardianship,
ancillary, curatorship, or conservatorship proceedings\$470 ~~\$395~~

The clerk shall remit \$115 of each filing fee collected under
paragraphs (a), (c)-(i), and (k) to the Department of Revenue
for deposit into the State Courts Revenue Trust Fund.

(5) By January 1, 2030, and every 3 years thereafter, the
Office of Economic and Demographic Research shall prepare a
report that includes recommendations for increasing the filing
fees in this section according to the percentage change in the
Consumer Price Index. The filing fees must be rounded to the
nearest \$5. The Office of Economic and Demographic Research
shall submit the report to the President of the Senate and the
Speaker of the House of Representatives before the start of the
next regularly scheduled session of the Legislature.

**Section 3. Present subsection (7) of section 28.241,
Florida Statutes, is redesignated as subsection (8), a new
subsection (7) is added to that section, and subsections (1) and
(2) of that section are amended, to read:**

28.241 Filing fees for trial and appellate proceedings.—

(1) Filing fees are due at the time a party files a

176 pleading to initiate a proceeding or files a pleading for
177 relief. Reopen fees are due at the time a party files a pleading
178 to reopen a proceeding if at least 90 days have elapsed since
179 the filing of a final order or final judgment with the clerk. If
180 a fee is not paid upon the filing of the pleading as required
181 under this section, the clerk must ~~shall~~ pursue collection of
182 the fee pursuant to s. 28.246.

183 (a)1.a. Except as provided in sub-subparagraph b. and
184 subparagraph 2., the party instituting any civil action, suit,
185 or proceeding in the circuit court must ~~shall~~ pay to the clerk
186 of that court a filing fee of up to \$460 ~~\$395~~ in all cases in
187 which there are not more than five defendants and an additional
188 filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit
189 \$0.50 to the Department of Revenue for deposit into the General
190 Revenue Fund, for each defendant in excess of five. Of the first
191 \$200 in filing fees, \$195 must be remitted to the Department of
192 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
193 must be remitted to the Department of Revenue for deposit into
194 the Administrative Trust Fund within the Department of Financial
195 Services and used to fund the contract with the Florida Clerks
196 of Court Operations Corporation created in s. 28.35, and \$1 must
197 be remitted to the Department of Revenue for deposit into the
198 Administrative Trust Fund within the Department of Financial
199 Services to fund audits of individual clerks' court-related
200 expenditures conducted by the Department of Financial Services.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to \$345 ~~\$295~~ in all cases in which there are not more than five defendants and an additional filing fee of up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the first \$100 in filing fees, \$95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services.

c. An additional filing fee of \$5 ~~\$4~~ shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 must ~~shall~~ be paid by the party seeking each severance

226 that is granted, from which the clerk shall remit \$3 to the
227 Department of Revenue for deposit into the General Revenue Fund.
228 The clerk may impose an additional filing fee of up to \$85, from
229 which the clerk shall remit \$10 to the Department of Revenue for
230 deposit into the General Revenue Fund, for all proceedings of
231 garnishment, attachment, replevin, and distress. Postal charges
232 incurred by the clerk of the circuit court in making service by
233 certified or registered mail on defendants or other parties must
234 ~~shall~~ be paid by the party at whose instance service is made.
235 Additional fees, charges, or costs may not be added to the
236 filing fees imposed under this section, except as authorized in
237 this section or by general law.

238 2.a. Notwithstanding the fees prescribed in subparagraph
239 1., a party instituting a civil action in circuit court relating
240 to real property or mortgage foreclosure must ~~shall~~ pay a
241 graduated filing fee based on the value of the claim.

242 b. A party must ~~shall~~ estimate in writing the amount in
243 controversy of the claim upon filing the action. For purposes of
244 this subparagraph, the value of a mortgage foreclosure action is
245 based upon the principal due on the note secured by the
246 mortgage, plus interest owed on the note and any moneys advanced
247 by the lender for property taxes, insurance, and other advances
248 secured by the mortgage, at the time of filing the foreclosure.
249 The value must ~~shall~~ also include the value of any tax
250 certificates related to the property. In stating the value of a

251 mortgage foreclosure claim, a party must ~~shall~~ declare in
252 writing the total value of the claim, as well as the individual
253 elements of the value as prescribed in this sub-subparagraph.

254 c. In its order providing for the final disposition of the
255 matter, the court shall identify the actual value of the claim.
256 The clerk must ~~shall~~ adjust the filing fee if there is a
257 difference between the estimated amount in controversy and the
258 actual value of the claim and collect any additional filing fee
259 owed or provide a refund of excess filing fee paid.

260 d. The party must ~~shall~~ pay a filing fee of:

261 (I) Four hundred and seventy ~~Three hundred and ninety-five~~
262 dollars in all cases in which the value of the claim is \$50,000
263 or less and in which there are not more than five defendants.
264 The party must ~~shall~~ pay an additional filing fee of up to \$5
265 ~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in
266 filing fees, \$195 must be remitted by the clerk to the
267 Department of Revenue for deposit into the General Revenue Fund,
268 \$4 must be remitted to the Department of Revenue for deposit
269 into the Administrative Trust Fund within the Department of
270 Financial Services and used to fund the contract with the
271 Florida Clerks of Court Operations Corporation created in s.
272 28.35, and \$1 must be remitted to the Department of Revenue for
273 deposit into the Administrative Trust Fund within the Department
274 of Financial Services to fund audits of individual clerks'
275 court-related expenditures conducted by the Department of

276 Financial Services;

277 (II) One thousand and seventy ~~Nine hundred~~ dollars in all
278 cases in which the value of the claim is more than \$50,000 but
279 less than \$250,000 and in which there are not more than five
280 defendants. The party must ~~shall~~ pay an additional filing fee of
281 up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the
282 first \$355 in filing fees, \$350 must be remitted by the clerk to
283 the Department of Revenue for deposit into the General Revenue
284 Fund, \$4 must be remitted to the Department of Revenue for
285 deposit into the Administrative Trust Fund within the Department
286 of Financial Services and used to fund the contract with the
287 Florida Clerks of Court Operations Corporation created in s.
288 28.35, and \$1 must be remitted to the Department of Revenue for
289 deposit into the Administrative Trust Fund within the Department
290 of Financial Services to fund audits of individual clerks'
291 court-related expenditures conducted by the Department of
292 Financial Services; or

293 (III) Two thousand two hundred and sixty ~~One thousand nine~~
294 ~~hundred~~ dollars in all cases in which the value of the claim is
295 \$250,000 or more and in which there are not more than five
296 defendants. The party must ~~shall~~ pay an additional filing fee of
297 up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the
298 first \$1,705 in filing fees, \$930 must be remitted by the clerk
299 to the Department of Revenue for deposit into the General
300 Revenue Fund, \$770 must be remitted to the Department of Revenue

for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services.

e. An additional filing fee of \$5 must ~~\$4 shall~~ be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 must ~~shall~~ be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties must ~~shall~~ be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in

326 | this section or by general law.

327 | (b) A party reopening any civil action, suit, or
328 | proceeding in the circuit court must ~~shall~~ pay to the clerk of
329 | court a filing fee set by the clerk in an amount not to exceed
330 | \$60 ~~\$50~~. For purposes of this section, a case is reopened after
331 | all appeals have been exhausted or time to file an appeal from a
332 | final order or final judgment has expired. A reopen fee may be
333 | assessed by the clerk for any motion filed by any party at least
334 | 90 days after a final order or final judgment has been filed
335 | with the clerk in the initial case. A reservation of
336 | jurisdiction by a court does not cause a case to remain open for
337 | purposes of this section or exempt a party from paying a reopen
338 | fee. A party is exempt from paying the fee for any of the
339 | following:

- 340 | 1. A writ of garnishment;
- 341 | 2. A writ of replevin;
- 342 | 3. A distress writ;
- 343 | 4. A writ of attachment;
- 344 | 5. A motion for rehearing filed within 10 days;
- 345 | 6. A motion for attorney's fees filed within 30 days after
346 | entry of a judgment or final order;
- 347 | 7. A motion for dismissal filed after a mediation
348 | agreement has been filed;
- 349 | 8. A disposition of personal property without
350 | administration;

9. Any probate case prior to the discharge of a personal representative;

10. Any guardianship pleading prior to discharge;

11. Any mental health pleading;

12. Motions to withdraw by attorneys;

13. Motions exclusively for the enforcement of child support orders;

14. A petition for credit of child support;

15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested relocation;

16. Stipulations and motions to enforce stipulations;

17. Responsive pleadings;

18. Cases in which there is no initial filing fee; or

19. Motions for contempt.

(c)1. A party in addition to a party described in sub-subparagraph (a)1.a. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a fee of \$470 ~~\$395~~. A party in addition to a party described in sub-subparagraph (a)1.b. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a fee of \$350 ~~\$295~~. The clerk shall deposit the fee into the fine and forfeiture fund established pursuant to s.

142.01.

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a graduated fee of:

a. Four hundred and seventy ~~Three hundred and ninety-five~~ dollars in all cases in which the value of the pleading is \$50,000 or less;

b. One thousand and seventy ~~Nine hundred~~ dollars in all cases in which the value of the pleading is more than \$50,000 but less than \$250,000; or

c. Two thousand two hundred sixty ~~One thousand nine hundred~~ dollars in all cases in which the value of the pleading is \$250,000 or more.

The clerk shall deposit the fees collected under this subparagraph into the fine and forfeiture fund established pursuant to s. 142.01.

(d) The clerk of court shall collect a service charge of \$15 ~~\$10~~ for issuing an original, a certified copy, or an electronic certified copy of a summons, which the clerk shall deposit into the fine and forfeiture fund established pursuant to s. 142.01. The clerk shall assess the fee against the party seeking to have the summons issued.

401 (2) Upon the institution of any appellate proceeding from
402 any lower court to the circuit court of any such county,
403 including appeals filed by a county or municipality as provided
404 in s. 34.041(5), or from the county or circuit court to an
405 appellate court of the state, the clerk shall charge and collect
406 from the party or parties instituting such appellate proceedings
407 a filing fee, as follows:

408 (a) For filing a notice of appeal from the county court to
409 the circuit court, a filing fee not to exceed \$280.

410 (b) For filing a notice of appeal from the county or
411 circuit court to the district court of appeal or to the Supreme
412 Court, in addition to the filing fee required under s. 25.241 or
413 s. 35.22, a filing fee not to exceed \$115 ~~\$100~~, of which the
414 clerk shall remit \$20 to the Department of Revenue for deposit
415 into the General Revenue Fund. If the party is determined to be
416 indigent, the clerk must ~~shall~~ defer payment of the fee
417 otherwise required by this subsection.

418 (7) By January 1, 2030, and every 3 years thereafter, the
419 Office of Economic and Demographic Research shall prepare a
420 report that includes recommendations for increasing the filing
421 fees and service charges in this section according to the
422 percentage change in the Consumer Price Index. The filing fees
423 and service charges must be rounded to the nearest \$5. The
424 Office of Economic and Demographic Research shall submit the
425 report to the President of the Senate and the Speaker of the

House of Representatives before the start of the next regularly scheduled session of the Legislature.

Section 4. Paragraphs (a), (b), (d), and (e) of subsection (1) and subsection (2) of section 34.041, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

34.041 Filing fees.—

(1)(a) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk must ~~shall~~ pursue collection of the fee pursuant to s. 28.246. Upon the institution of any civil action, suit, or proceeding in county court, the party must ~~shall~~ pay the following filing fee, not to exceed:

1. For all claims less than \$100.....\$50.

2. For all claims of \$100 or more but not more than \$500
\$75.

3. For all claims of more than \$500 but not more than \$2,500: \$170, from which the clerk shall remit \$20 to the Department of Revenue for deposit into the General Revenue Fund.

4. For all claims of more than \$2,500 but not more than \$15,000.....\$295.

5. For all claims more than \$15,000.....\$460 ~~\$395~~.

451 6. In addition, for all proceedings of garnishment,
452 attachment, replevin, and distress: \$85, from which the clerk
453 shall remit \$10 to the Department of Revenue for deposit into
454 the General Revenue Fund.

455 7. Notwithstanding subparagraphs 3. and 6., for all claims
456 of not more than \$1,000 filed simultaneously with an action for
457 replevin of property that is the subject of the claim..\$125.

458 8. For removal of tenant action.....\$180.

459
460 The filing fee in subparagraph 7. is the total fee due under
461 this paragraph for that type of filing, and no other filing fee
462 under this paragraph may be assessed against such a filing.

463 (b) The first \$15 of the filing fee collected under
464 subparagraph (a)4. and the first \$10 of the filing fee collected
465 under subparagraph (a)8. must ~~shall~~ be deposited in the State
466 Courts Revenue Trust Fund. ~~By the 10th day of each month, the~~
467 ~~clerk shall submit that portion of the fees collected in the~~
468 ~~previous month which is in excess of one-twelfth of the clerk's~~
469 ~~total budget for the performance of court-related functions to~~
470 ~~the Department of Revenue for deposit into the Clerks of the~~
471 ~~Court Trust Fund.~~ An additional filing fee of \$5 must ~~\$4 shall~~
472 be paid to the clerk. The clerk shall transfer \$3.50 to the
473 Department of Revenue for deposit into the Court Education Trust
474 Fund and shall transfer \$1.50 ~~50 cents~~ to the Department of
475 Revenue for deposit into the Administrative Trust Fund within

the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. Postal charges incurred by the clerk of the county court in making service by mail on defendants or other parties must ~~shall~~ be paid by the party at whose instance service is made. Except as provided in this section, filing fees and service charges for performing duties of the clerk relating to the county court are ~~shall be~~ as provided in ss. 28.24 and 28.241. Except as otherwise provided in this section, all filing fees must ~~shall~~ be retained as fee income of the office of the clerk of the circuit court. Filing fees imposed by this section may not be added to any penalty imposed by chapter 316 or chapter 318.

(d) The clerk of court shall collect a service charge of \$15 ~~\$10~~ for issuing a summons or an electronic certified copy of a summons, which the clerk shall deposit into the fine and forfeiture fund established pursuant to s. 142.01. The clerk shall assess the fee against the party seeking to have the summons issued.

(e) Of the first \$200 in filing fees payable under subparagraph (a)5., \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must

501 be remitted to the Department of Revenue for deposit into the
502 Administrative Trust Fund within the Department of Financial
503 Services to fund audits of individual clerks' court-related
504 expenditures conducted by the Department of Financial Services.
505 ~~By the 10th day of each month, the clerk shall submit that~~
506 ~~portion of the filing fees collected pursuant to this subsection~~
507 ~~in the previous month which is in excess of one-twelfth of the~~
508 ~~clerk's total budget to the Department of Revenue for deposit~~
509 ~~into the Clerks of the Court Trust Fund.~~

510 (2) A party reopening any civil action, suit, or
511 proceeding in the county court must ~~shall~~ pay to the clerk of
512 court a filing fee set by the clerk in an amount not to exceed
513 \$30 ~~\$25~~ for all claims of not more than \$500 and an amount not
514 to exceed \$60 ~~\$50~~ for all claims of more than \$500. For purposes
515 of this section, a case is reopened after all appeals have been
516 exhausted, or time to file an appeal from a final order or final
517 judgment has expired. A reopen fee may be assessed by the clerk
518 for any motion filed by any party at least 90 days after a final
519 order or final judgment has been filed with the clerk in the
520 initial case. A reservation of jurisdiction by a court does not
521 cause a case to remain open for purposes of this section or
522 exempt a party from paying a reopen fee. A party is exempt from
523 paying the fee for any of the following:

- 524 (a) A writ of garnishment;
525 (b) A writ of replevin;

(c) A distress writ;

(d) A writ of attachment;

(e) A motion for rehearing filed within 10 days;

(f) A motion for attorney's fees filed within 30 days of the entry of the judgment or final order;

(g) A motion for dismissal filed after a mediation agreement has been filed;

(h) A motion to withdraw by attorneys;

(i) Stipulations and motions to enforce stipulations;

(j) Responsive pleadings; or

(k) Motions for contempt.

(9) By January 1, 2030, and every 3 years thereafter, the Office of Economic and Demographic Research shall prepare a report that includes recommendations for increasing the filing fees and service charges in this section according to the percentage change in the Consumer Price Index. The filing fees and service charges must be rounded to the nearest \$5. The Office of Economic and Demographic Research shall submit the report to the President of the Senate and the Speaker of the House of Representatives before the start of the next regularly scheduled session of the Legislature.

Section 5. Paragraph (b) of subsection (2) of section 45.035, Florida Statutes, is amended and subsection (4) is added to that section, to read:

45.035 Clerk's fees.—In addition to other fees or service

charges authorized by law, the clerk shall receive service charges related to the judicial sales procedure set forth in ss. 45.031-45.033 and this section:

(2) If there is a surplus resulting from the sale, the clerk may receive the following service charges, which shall be deducted from the surplus:

(b) The clerk is entitled to a service charge of \$20 ~~\$15~~ for each disbursement of surplus proceeds, from which the clerk shall remit \$5 to the Department of Revenue for deposit into the General Revenue Fund.

(4) By January 1, 2030, and every 3 years thereafter, the Office of Economic and Demographic Research shall prepare a report that includes recommendations for increasing the service charges in this section according to the percentage change in the Consumer Price Index. The service charges must be rounded to the nearest \$5. The Office of Economic and Demographic Research shall submit the report to the President of the Senate and the Speaker of the House of Representatives before the start of the next regularly scheduled session of the Legislature.

Section 6. Subsection (3) of section 721.83, Florida Statutes, is amended to read:

721.83 Consolidation of judicial foreclosure actions.—

(3)(a) A consolidated timeshare foreclosure action is ~~shall be~~ considered a single action, suit, or proceeding for the payment of filing fees and service charges pursuant to general

law. In addition to the payment of such filing fees and service charges, an additional filing fee of up to \$15 ~~\$10~~, from which the clerk shall remit \$5 to the Department of Revenue for deposit into the General Revenue Fund, for each timeshare interest joined in that action must ~~shall~~ be paid to the clerk of court.

(b) By January 1, 2030, and every 3 years thereafter, the Office of Economic and Demographic Research shall prepare a report that includes recommendations for increasing the filing fees in this section according to the percentage change in the Consumer Price Index. The filing fees must be rounded to the nearest \$5. The Office of Economic and Demographic Research shall submit the report to the President of the Senate and the Speaker of the House of Representatives before the start of the next regularly scheduled session of the Legislature.

Section 7. Present subsection (5) of section 744.3678, Florida Statutes, is redesignated as subsection (6), a new subsection (5) is added to that section, and subsection (4) of that section is amended, to read:

744.3678 Annual accounting.—

(4) The guardian shall pay from the ward's estate to the clerk of the circuit court a fee based upon the following graduated fee schedule, upon the filing of the annual financial return, for the auditing of the return:

(a) For estates with a value of \$25,000 or less the clerk

601 of the court may charge a fee of up to \$25 ~~\$20~~, from which the
602 clerk shall remit \$5 to the Department of Revenue for deposit
603 into the General Revenue Fund.

604 (b) For estates with a value of more than \$25,000 up to
605 and including \$100,000 the clerk of the court may charge a fee
606 of up to \$100 ~~\$85~~, from which the clerk shall remit \$10 to the
607 Department of Revenue for deposit into the General Revenue Fund.

608 (c) For estates with a value of more than \$100,000 up to
609 and including \$500,000 the clerk of the court may charge a fee
610 of up to \$200 ~~\$170~~, from which the clerk shall remit \$20 to the
611 Department of Revenue for deposit into the General Revenue Fund.

612 (d) For estates with a value in excess of \$500,000 the
613 clerk of the court may charge a fee of up to \$295 ~~\$250~~, from
614 which the clerk shall remit \$25 to the Department of Revenue for
615 deposit into the General Revenue Fund.

616
617 Upon petition by the guardian, the court may waive the auditing
618 fee upon a showing of insufficient funds in the ward's estate.
619 Any guardian unable to pay the auditing fee may petition the
620 court for a waiver of the fee. The court may waive the fee after
621 it has reviewed the documentation filed by the guardian in
622 support of the waiver.

623 (5) By January 1, 2030, and every 3 years thereafter, the
624 Office of Economic and Demographic Research shall prepare a
625 report that includes recommendations for increasing the fees in

this section according to the percentage change in the Consumer
Price Index. The fees must be rounded to the nearest \$5. The
Office of Economic and Demographic Research shall submit the
report to the President of the Senate and the Speaker of the
House of Representatives before the start of the next regularly
scheduled session of the Legislature.

Section 8. This act shall take effect July 1, 2026.