

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 925 (2026)

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Civil Justice & Claims
2 Subcommittee

3 Representative Trabulsky offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Subsection (6) of section 40.29, Florida**

8 **Statutes, is amended to read:**

9 40.29 Payment of due-process costs; reimbursement for
10 petitions and orders.—

11 (6) Subject to legislative appropriation, the Florida
12 Clerks of Court Operations Corporation ~~clerk of the circuit~~
13 ~~court~~ may, on behalf of the clerks of the circuit court, on a
14 quarterly basis, submit to the Justice Administrative Commission
15 a certified request for reimbursement to reimburse the clerks
16 for filing certain petitions, orders, appeals, and summons for

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17 ~~petitions and orders filed under ss. 394.459, 394.463, 394.467,~~
18 ~~and 394.917, at the rate of \$195 \$40 per petition, or order,~~
19 ~~appeal, or summon filed.~~ Such request for reimbursement shall be
20 submitted in the form and manner prescribed by the Justice
21 Administrative Commission pursuant to s. 28.35(2)(i).

22 **Section 2. Subsection (1) of section 57.081, Florida
23 Statutes, is amended to read:**

24 57.081 Costs; right to proceed where prepayment of costs
25 and payment of filing fees waived.—

26 (1) Any indigent person, except a prisoner as defined in
27 s. 57.085, who is a party or intervenor in any judicial or
28 administrative agency proceeding or who initiates such
29 proceeding shall receive the services of the courts, sheriffs,
30 and clerks, with respect to such proceedings, despite his or her
31 present inability to pay for these services. Such services are
32 limited to filing fees; service of process; certified copies of
33 orders or final judgments; a single photocopy of any court
34 pleading, record, or instrument filed with the clerk; examining
35 fees; mediation services and fees; private court-appointed
36 counsel fees; subpoena fees and services; service charges for
37 collecting and disbursing funds; and any other cost or service
38 arising out of pending litigation. In any appeal from an
39 administrative agency decision, for which the clerk is
40 responsible for preparing the transcript, the clerk shall record
41 the cost of preparing the transcripts and the cost for copies of

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any exhibits in the record. A party who has obtained a certification of indigence pursuant to s. 27.52 or s. 57.082 with respect to a proceeding is not required to prepay costs to a court, clerk, or sheriff and is not required to pay filing fees or charges for issuance of a summons. However, pursuant to s. 40.29(6), the clerk may be reimbursed for filing fees and charges for services provided under this subsection.

Section 3. Paragraph (e) of subsection (1), paragraph (e) of subsection (2), and subsection (6) of section 57.082, Florida Statutes, are amended to read:

57.082 Determination of civil indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of an attorney in a civil case eligible for court-appointed counsel, or seeking relief from payment of filing fees and prepayment of costs under s. 57.081, based upon an inability to pay must apply to the clerk of the court for a determination of civil indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(a) The application must include, at a minimum, the following financial information:

1. Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

2. Other income, including, but not limited to, social

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67 security benefits, union funds, veterans' benefits, workers'
68 compensation, other regular support from absent family members,
69 public or private employee pensions, reemployment assistance or
70 unemployment compensation, dividends, interest, rent, trusts,
71 and gifts.

72 3. Assets, including, but not limited to, cash, savings
73 accounts, bank accounts, stocks, bonds, certificates of deposit,
74 equity in real estate, and equity in a boat or a motor vehicle
75 or in other tangible property.

76 4. All liabilities and debts.

77
78 The application must include a signature by the applicant which
79 attests to the truthfulness of the information provided. The
80 application form developed by the corporation must include
81 notice that the applicant may seek court review of a clerk's
82 determination that the applicant is not indigent, as provided in
83 this section.

84 (b) The clerk shall assist a person who appears before the
85 clerk and requests assistance in completing the application, and
86 the clerk shall notify the court if a person is unable to
87 complete the application after the clerk has provided
88 assistance.

89 (c) The clerk shall accept an application that is signed
90 by the applicant and submitted on his or her behalf by a private
91 attorney who is representing the applicant in the applicable

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92 matter.

93 (d) A person who seeks appointment of an attorney in a
94 proceeding under chapter 39, at shelter hearings or during the
95 adjudicatory process, during the judicial review process, upon
96 the filing of a petition to terminate parental rights, or upon
97 the filing of any appeal, or if the person seeks appointment of
98 an attorney in a reopened proceeding, for which an indigent
99 person is eligible for court-appointed representation must pay a
100 \$50 application fee to the clerk for each application filed. A
101 person is not required to pay more than one application fee per
102 case. However, an appeal or the reopening of a proceeding shall
103 be deemed to be a distinct case. The applicant must pay the fee
104 within 7 days after submitting the application. If the applicant
105 has not paid the fee within 7 days, the court shall enter an
106 order requiring payment, and the clerk shall pursue collection
107 under s. 28.246. The clerk shall transfer monthly all
108 application fees collected under this paragraph to the
109 Department of Revenue for deposit into the Indigent Civil
110 Defense Trust Fund, to be used as appropriated by the
111 Legislature. The clerk may retain 10 percent of application fees
112 collected monthly for administrative costs before prior to
113 remitting the remainder to the Department of Revenue. If the
114 person cannot pay the application fee, the clerk shall enroll
115 the person in a payment plan pursuant to s. 28.246.

116 (e) Pursuant to s. 40.29(6), the clerk may be reimbursed

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117 for applications submitted under this subsection.

118 (2) DETERMINATION BY THE CLERK.—The clerk of the court
119 shall determine whether an applicant seeking such designation is
120 indigent based upon the information provided in the application
121 and the criteria prescribed in this subsection.

122 (e) The applicant may seek review of the clerk's
123 determination that the applicant is not indigent in the court
124 having jurisdiction over the matter by filing a petition to
125 review the clerk's determination of nonindigent status, for
126 which a filing fee may not be charged. However, pursuant to s.
127 40.29(6), the clerk may be reimbursed for the filing fee. If the
128 applicant seeks review of the clerk's determination of indigent
129 status, the court shall make a final determination as provided
130 in subsection (4).

131 (6) PROCESSING CHARGE; PAYMENT PLANS.—A person who the
132 clerk or the court determines is indigent for civil proceedings
133 under this section shall be enrolled in a payment plan under s.
134 28.246 and shall be charged a one-time administrative processing
135 charge under s. 28.24(27)(c). A monthly payment amount,
136 calculated based upon all fees and all anticipated costs, is
137 presumed to correspond to the person's ability to pay if it does
138 not exceed 2 percent of the person's annual net income, as
139 defined in subsection (1), divided by 12. The person may seek
140 review of the clerk's decisions regarding a payment plan
141 established under s. 28.246 in the court having jurisdiction

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142 over the matter. A case may not be impeded in any way, delayed
143 in filing, or delayed in its progress, including the final
144 hearing and order, due to nonpayment of any fees or costs by an
145 indigent person. Filing fees included in a request for
146 reimbursement waived from payment under s. 57.081 may not be
147 included in the calculation related to a payment plan
148 established under this section.

149 **Section 4. Paragraph (g) of subsection (2) of section
150 318.21, Florida Statutes, is amended to read:**

151 318.21 Disposition of civil penalties by county courts.—
152 All civil penalties received by a county court pursuant to the
153 provisions of this chapter shall be distributed and paid monthly
154 as follows:

155 (2) Of the remainder:

156 (g)1. If the violation occurred within a special
157 improvement district of the Seminole Indian Tribe or Miccosukee
158 Indian Tribe, 56.4 percent shall be paid to that special
159 improvement district.

160 2. If the violation occurred within a municipality, 28.2
161 50.8 percent shall be paid to that municipality and 28.2 5.6
162 percent shall be deposited into the fine and forfeiture ~~trust~~
163 fund established pursuant to s. 142.01.

164 3. If the violation occurred within the unincorporated
165 area of a county, including the unincorporated areas, if any, of
166 a government created pursuant to s. 6(e), Art. VIII of the State

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167 Constitution, that is not within a special improvement district
168 of the Seminole Indian Tribe or Miccosukee Indian Tribe, 56.4
169 percent shall be deposited into the fine and forfeiture fund
170 established pursuant to s. 142.01.

171 **Section 5. Paragraph (d) of subsection (8) of section
172 394.459, Florida Statutes, is amended to read:**

173 394.459 Rights of patients.—

174 (8) HABEAS CORPUS.—

175 (d) A no fee may not shall be charged for the filing of a
176 petition under this subsection. However, pursuant to s.
177 40.29(6), the clerk may be reimbursed for filing the petition.

178 **Section 6. Paragraph (a) of subsection (2) of section
179 394.463, Florida Statutes, is amended to read:**

180 394.463 Involuntary examination.—

181 (2) INVOLUNTARY EXAMINATION.—

182 (a) An involuntary examination may be initiated by any one
183 of the following means:

184 1. A circuit or county court may enter an ex parte order
185 stating that a person appears to meet the criteria for
186 involuntary examination and specifying the findings on which
187 that conclusion is based. The ex parte order for involuntary
188 examination must be based on written or oral sworn testimony
189 that includes specific facts that support the findings. If other
190 less restrictive means are not available, such as voluntary
191 appearance for outpatient evaluation, a law enforcement officer,

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192 or other designated agent of the court, must take the person
193 into custody and deliver him or her to an appropriate, or the
194 nearest, facility within the designated receiving system
195 pursuant to s. 394.462 for involuntary examination. The order of
196 the court must be made a part of the patient's clinical record.
197 A fee may not be charged for the filing of an order under this
198 subsection. However, pursuant to s. 40.29(6), the clerk of the
199 court may be reimbursed for filing the order. A facility
200 accepting the patient based on this order must send a copy of
201 the order to the department within 5 working days. Within 6
202 hours after the court issues an order, the clerk of the court
203 shall electronically submit the order to the sheriff or a law
204 enforcement agency in the county where the order is to be
205 served. The order is valid only until the person is delivered to
206 the facility or for the period specified in the order itself,
207 whichever comes first. If a time limit is not specified in the
208 order, the order is valid for 7 days after the date that the
209 order was signed.

210 2. A law enforcement officer may take a person who appears
211 to meet the criteria for involuntary examination into custody
212 and deliver the person or have him or her delivered to an
213 appropriate, or the nearest, facility within the designated
214 receiving system pursuant to s. 394.462 for examination. A law
215 enforcement officer transporting a person pursuant to this
216 section shall restrain the person in the least restrictive

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217 manner available and appropriate under the circumstances. If
218 transporting a minor and the parent or legal guardian of the
219 minor is present, before departing, the law enforcement officer
220 must provide the parent or legal guardian of the minor with the
221 name, address, and contact information for the facility within
222 the designated receiving system to which the law enforcement
223 officer is transporting the minor, subject to any safety and
224 welfare concerns for the minor. The officer shall execute a
225 written report detailing the circumstances under which the
226 person was taken into custody, which must be made a part of the
227 patient's clinical record. The report must include all emergency
228 contact information for the person that is readily accessible to
229 the law enforcement officer, including information available
230 through electronic databases maintained by the Department of Law
231 Enforcement or by the Department of Highway Safety and Motor
232 Vehicles. Such emergency contact information may be used by a
233 receiving facility only for the purpose of informing listed
234 emergency contacts of a patient's whereabouts pursuant to s.
235 119.0712(2)(d). Any facility accepting the patient based on this
236 report must send a copy of the report to the department within 5
237 working days.

238 3. A physician, a physician assistant, a clinical
239 psychologist, a psychiatric nurse, an advanced practice
240 registered nurse registered under s. 464.0123, a mental health
241 counselor, a marriage and family therapist, or a clinical social

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242 worker may execute a certificate stating that he or she has
243 examined a person within the preceding 48 hours and finds that
244 the person appears to meet the criteria for involuntary
245 examination and stating the observations upon which that
246 conclusion is based. If other less restrictive means, such as
247 voluntary appearance for outpatient evaluation, are not
248 available, a law enforcement officer must take into custody the
249 person named in the certificate and deliver him or her to the
250 appropriate, or nearest, facility within the designated
251 receiving system pursuant to s. 394.462 for involuntary
252 examination. The law enforcement officer shall execute a written
253 report detailing the circumstances under which the person was
254 taken into custody and include all emergency contact information
255 required under subparagraph 2. Such emergency contact
256 information may be used by a receiving facility only for the
257 purpose of informing listed emergency contacts of a patient's
258 whereabouts pursuant to s. 119.0712(2)(d). The report and
259 certificate must be made a part of the patient's clinical
260 record. Any facility accepting the patient based on this
261 certificate must send a copy of the certificate to the
262 department within 5 working days. The document may be submitted
263 electronically through existing data systems, if applicable.

264
265 When sending the order, report, or certificate to the
266 department, a facility shall, at a minimum, provide information

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267 about which action was taken regarding the patient under
268 paragraph (g), which information must also be made a part of the
269 patient's clinical record.

270 **Section 7. Paragraph (f) of subsection (4) of section
271 394.467, Florida Statutes, is amended to read:**

272 394.467 Involuntary inpatient placement and involuntary
273 outpatient services.—

274 (4) PETITION FOR INVOLUNTARY SERVICES.—

275 (f) When the petition has been filed, the clerk of the
276 court shall provide copies of the petition and the recommended
277 services plan, if applicable, to the department, the managing
278 entity, the patient, the patient's guardian or representative,
279 the state attorney, and the public defender or the patient's
280 private counsel. A fee may not be charged for the filing of a
281 petition under this subsection. However, pursuant to s.
282 40.29(6), the clerk of the court may be reimbursed for filing
283 the petition.

284 **Section 8. Section 394.914, Florida Statutes, is amended
285 to read:**

286 394.914 Petition; contents.—After receipt from the
287 multidisciplinary team of the written assessment and positive or
288 negative recommendation as to whether the person meets the
289 definition of a sexually violent predator, the state attorney,
290 in accordance with s. 394.913, may file a petition with the
291 circuit court alleging that the person is a sexually violent

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292 predator and stating facts sufficient to support such
293 allegation. A fee may not be charged for the filing of a
294 petition under this section. However, pursuant to s. 40.29(6),
295 the clerk of the circuit court may be reimbursed for filing the
296 petition.

297 **Section 9. Subsection (3) of section 394.917, Florida
298 Statutes, is amended to read:**

299 394.917 Determination; commitment procedure; mistrials;
300 housing; counsel and costs in indigent appellate cases.—

301 (3) The public defender of the circuit in which a person
302 was determined to be a sexually violent predator shall be
303 appointed to represent the person on appeal. That public
304 defender may request the public defender who handles criminal
305 appeals for the circuit to represent the person on appeal in the
306 manner provided in s. 27.51(4). If the public defender is unable
307 to represent the person on appeal due to a conflict, the court
308 shall appoint other counsel, who shall be compensated at a rate
309 not less than that provided for appointed counsel in criminal
310 cases. Filing fees for indigent appeals under this section ~~act~~
311 are waived. However, pursuant to s. 40.29(6), the clerk of the
312 circuit court may be reimbursed for filing the appeal. Costs and
313 fees related to such appeals, including the amounts paid for
314 records, transcripts, and compensation of appointed counsel,
315 shall be authorized by the trial court and paid from state funds
316 that are appropriated for such purposes.

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317 **Section 10. Subsection (1) of section 397.681, Florida**
318 **Statutes, is amended to read:**

319 397.681 Involuntary petitions; general provisions; court
320 jurisdiction and right to counsel.—

321 (1) JURISDICTION.—The courts have jurisdiction of
322 involuntary treatment petitions for substance abuse impaired
323 persons, and such petitions must be filed with the clerk of the
324 court in the county where the person is located. The clerk of
325 the court may not charge a fee for the filing of a petition
326 under this section, but, pursuant to s. 40.29(6), may be
327 reimbursed for filing the petition. The chief judge may appoint
328 a general or special magistrate to preside over all or part of
329 the proceedings. The alleged impaired person is named as the
330 respondent.

331 **Section 11. Paragraph (a) of subsection (2) of section**
332 **741.30, Florida Statutes, is amended to read:**

333 741.30 Domestic violence; injunction; powers and duties of
334 court and clerk; petition; notice and hearing; temporary
335 injunction; issuance of injunction; statewide verification
336 system; enforcement; public records exemption.—

337 (2) (a) Notwithstanding any other law, the assessment of a
338 filing fee for a petition for protection against domestic
339 violence is prohibited. However, pursuant to s. 40.29(6), the
340 clerk of the court may be reimbursed for filing the petition
341 subject to legislative appropriation, the clerk of the circuit

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342 ~~court may, on a quarterly basis, submit to the Justice~~
343 ~~Administrative Commission a certified request for reimbursement~~
344 ~~for petitions for protection against domestic violence issued by~~
345 ~~the court, at the rate of \$40 per petition. The request for~~
346 ~~reimbursement must be submitted in the form and manner~~
347 ~~prescribed by the Justice Administrative Commission. From this~~
348 ~~reimbursement, the clerk shall pay any law enforcement agency~~
349 ~~serving the injunction the fee requested by the law enforcement~~
350 ~~agency; however, this fee may not exceed \$20.~~

351 **Section 12. Paragraph (b) of subsection (3) of section**
352 **784.046, Florida Statutes, is amended to read:**

353 784.046 Action by victim of repeat violence, sexual
354 violence, or dating violence for protective injunction; dating
355 violence investigations, notice to victims, and reporting;
356 pretrial release violations; public records exemption.—

357 (3)

358 (b) Notwithstanding any other law, the clerk of the court
359 may not assess a fee for filing a petition for protection
360 against repeat violence, sexual violence, or dating violence,
361 but, pursuant to s. 40.29(6), may be reimbursed for filing the
362 petition. However, subject to legislative appropriation, the
363 clerk of the court may, each quarter, submit to the Justice
364 Administrative Commission a certified request for reimbursement
365 for petitions for protection issued by the court under this
366 section at the rate of \$40 per petition. The request for

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367 ~~reimbursement must be submitted in the form and manner~~
368 ~~prescribed by the Justice Administrative Commission.~~ From this
369 reimbursement, the clerk shall pay the law enforcement agency
370 serving the injunction the fee requested by the law enforcement
371 agency; however, this fee may not exceed \$20.

372 **Section 13. Paragraph (a) of subsection (2) of section**
373 **784.0485, Florida Statutes, is amended to read:**

374 784.0485 Stalking; injunction; powers and duties of court
375 and clerk; petition; notice and hearing; temporary injunction;
376 issuance of injunction; statewide verification system;
377 enforcement.—

378 (2) (a) Notwithstanding any other law, the clerk of court
379 may not assess a filing fee to file a petition for protection
380 against stalking, but, pursuant to s. 40.29(6), may be
381 reimbursed for filing the petition. However, subject to
382 legislative appropriation, the clerk of the circuit court may,
383 on a quarterly basis, submit to the Justice Administrative
384 Commission a certified request for reimbursement for petitions
385 for protection against stalking issued by the court, at the rate
386 of \$40 per petition. The request for reimbursement must be
387 submitted in the form and manner prescribed by the Justice
388 Administrative Commission. From this reimbursement, the clerk
389 shall pay any law enforcement agency serving the injunction the
390 fee requested by the law enforcement agency; however, this fee
391 may not exceed \$20.

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392 **Section 14. Paragraph (i) of subsection (4) of section**
393 **825.1035, Florida Statutes, is amended to read:**

394 825.1035 Injunction for protection against exploitation of
395 a vulnerable adult.—

396 (4) CLERK'S DUTIES, RESPONSIBILITIES, AND CHARGES.—

397 (i) Notwithstanding any other provision of law, the clerk
398 of the circuit court may not assess an initial filing fee or
399 service charge for petitions filed under this section, but,
400 pursuant to s. 40.29(6), may be reimbursed for filing the
401 petition. However, subject to legislative appropriation, the
402 clerk of the circuit court may, on a quarterly basis, submit a
403 certified request for reimbursement to the Justice
404 Administrative Commission for the processing of such petitions,
405 at the rate of \$40 per petition. The request for reimbursement
406 must be submitted in the form and manner prescribed by the
407 Justice Administrative Commission. From each reimbursement
408 received, the clerk of the circuit court shall pay any law
409 enforcement agency serving the injunction for protection against
410 exploitation of a vulnerable adult the fee requested by the law
411 enforcement agency, to not exceed \$20.

412 **Section 15. Paragraph (i) of subsection (2) of section**
413 **28.35, Florida Statutes, are amended to read:**

414 28.35 Florida Clerks of Court Operations Corporation.—

415 (2) The duties of the corporation shall include the
416 following:

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417 (i) Annually preparing a budget request which,
418 notwithstanding the provisions of chapter 216 and in accordance
419 with s. 216.351, provides the anticipated amount necessary for
420 reimbursement pursuant to s. 40.29(6) ~~ss. 40.29(6),~~
421 ~~741.30(2)(a), 784.046(3)(b), 784.0485(2)(a), and 825.1035(4)(i).~~
422 The request for the anticipated reimbursement amount must be
423 submitted in the form and manner prescribed by the Justice
424 Administrative Commission. Such request is not subject to change
425 by the Justice Administrative Commission, except for technical
426 changes necessary to conform to the legislative budget
427 instructions, and must be submitted to the Governor for
428 transmittal to the Legislature.

429 **Section 16.** This act shall take effect July 1, 2026.

430
431 -----
432 **T I T L E A M E N D M E N T**

433 Remove everything before the enacting clause and insert:
434 An act relating to clerks of the court; amending s.
435 40.29, F.S. authorizing the Florida Clerks of Court
436 Operations Corporation, on behalf of clerks, to submit
437 a request for reimbursement to reimburse the clerks
438 for filing certain petitions, orders, appeals, and
439 summons; increasing the rate at which the clerks may
440 be reimbursed for filing certain petitions, orders,
441 appeals, and summons; amending ss. 57.081, 57.082,

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442 394.459, 394.463, 394.467, 394.914, 394.917, 397.681,
443 741.30, 784.046, 784.046, 784.0485, and 825.1035,
444 F.S., authorizing the clerk to be reimbursed for
445 certain fees and charges; amending s. 318.21, F.S.;
446 increasing the percentage of certain penalties that
447 must be deposited into the fine and forfeiture fund
448 and decreasing the percentage of certain penalties
449 that must be paid to a municipality; amending ss.
450 28.35, F.S.; conforming cross-references; providing an
451 effective date.