

# FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

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**BILL #:** [CS/HB 925](#)

**TITLE:** Clerks of the Court

**SPONSOR(S):** Trabulsy

**COMPANION BILL:** [CS/CS/SB 532](#) (Simon)

**LINKED BILLS:** None

**RELATED BILLS:** [SB 1322](#) (Martin)

**FINAL HOUSE FLOOR ACTION:** 101 Y's 5 N's

**GOVERNOR'S ACTION:** Approved

## SUMMARY

### Effect of the Bill:

CS/HB 925 increases funding to the Clerks of the Court by:

- Increasing from 50 percent to 100 percent the amount of the cumulative excess of revenues above the annual revenue projection which may be used in the development of the Clerks' budgets, redirecting money that currently goes into the General Revenue Fund.
- Authorizing the Clerks to retain ten percent of all civil penalties imposed for failing to stop for a school bus in specified circumstances, redirecting money that currently goes to the school districts so that it may be used by the Clerks for court-related functions.
- Equally dividing between a municipality and the Clerk the remainder of certain penalties for civil traffic violations that occur within the municipality's jurisdiction after initial payouts are made as specified in law, thereby increasing the portion of such fee remainder paid to the Clerk from 5.6 percent to 28.2 percent.

The bill also expands the legal notice publication options for Clerks and Comptrollers by authorizing those entities to publish legal notices regarding real property on their own websites or private websites which they designate.

### Fiscal or Economic Impact:

The bill will have a positive indeterminate fiscal impact on revenues of the Clerks and a negative fiscal impact on municipalities, school boards, and the General Revenue Fund.

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## ANALYSIS

### **EFFECT OF THE BILL:**

#### Clerk of the Court Funding

CS/HB 925, through several changes to the existing statutory funding structure discussed below, increases funding for the [Clerks of the Court](#). However, the bill does not raise any existing service charges or fees, or create new service charges or fees, which the Clerks may assess.

#### *Annual Revenue Projection Overages*

The bill authorizes the use of 100 percent of revenues collected by the Clerks above the [Revenue Estimating Conference's](#) annual revenue projection in the development of the Clerks' total combined budgets rather than only 50 percent of such cumulative excess as authorized under current law. In doing so, the bill redirects money that currently goes into the General Revenue ("GR") Fund. (Sections [1](#), [2](#), and [3](#))

#### *Civil Traffic Violation Penalties*

The bill increases the Clerk's share of penalties for [civil traffic violations](#) that occur within a municipality and reduces the municipality's share thereof, so that such penalties are divided equally between the Clerk and the municipality. Specifically, the bill directs that, after statutorily-required distributions to DOR from the total penalty

**STORAGE NAME:** h0925z1

**DATE:** 5/27/2026

amount, the Clerk and the municipality would each receive 28.2 percent of the penalty's remainder, thereby increasing the Clerk's share from 5.6 percent of the remainder and reducing the municipality's share from 50.8 percent thereof. (Section [6](#))

The bill also directs ten percent of the civil penalties assessed for failing to stop for a school bus displaying a stop signal in specified circumstances to the Clerks, which percentage is consistent with the percentage of [court-related fines](#) generally directed for the Clerks' benefit under Florida law. In doing so, the bill redirects money that currently goes to the school districts. (Section [5](#))

### [Legal Notices Publication](#)

The bill expands the legal notice publication options for Clerks and [Comptrollers](#) by authorizing those entities to publish legal notices regarding real property on their own websites or private websites which they designate. Under the bill, the Clerks and Comptrollers also retain the option provided in [current law](#) to publish such legal notices in a newspaper or, where doing so is less expensive than newspaper publication, on the county's website or a private website which the county designates. (Section [4](#))

### [Effective Date](#)

The Governor approved the bill on May 22, 2026, ch. 2026-112, L.O.F., and it takes effect on July 1, 2026.

## **FISCAL OR ECONOMIC IMPACT:**

### STATE GOVERNMENT:

In shifting to the Clerks that portion of the cumulative excess of revenues above the annual revenue projection currently directed to the GR Fund, the bill will have a negative fiscal impact on the GR Fund. The Revenue Estimating Conference considered a prior version of the bill and estimated that such increase will result in the redirection of \$13.3 million away from the GR Fund in 2027.<sup>1</sup>

### LOCAL GOVERNMENT:

The bill will have a positive fiscal impact on revenues of the Clerks by increasing their portion of fees for civil traffic violations occurring in municipalities. The Revenue Estimating Conference considered a prior version of the bill and estimated that the increase will generate approximately \$8.1 million in revenue for the Clerk's Fine and Forfeiture Fund in Fiscal Year 2026-2027, with gradual increases for future years.<sup>2</sup> The bill will have a commensurate negative impact on municipal government revenues by shifting such revenues to the Clerks.

The bill will also have a positive fiscal impact on revenues of the Clerks by apportioning ten percent of all civil penalties imposed for failing to stop for a school bus in specified circumstances to the Clerk's Fine and Forfeiture Trust Fund for use in court-related functions. The Revenue Estimating Conference considered SB 654, a bill with a similar provision, and determined that the apportionment will redirect approximately \$1.4 million to the Clerks for fiscal year 2026-27, with annual impacts thereafter.<sup>3</sup> The bill will have a commensurate negative impact on school districts by shifting such revenues to the Clerks.

Finally, the bill will have a positive fiscal impact on the Clerks by increasing from 50 percent to 100 percent the amount of the cumulative excess of revenues above the annual revenue projection which may be used in the

<sup>1</sup> Florida Office of Economic and Demographic Research, Revenue Estimating Impact Conference, 2026 House Bill 925, pp. 157-165, Jan. 16, 2025, <https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2026/pdf/page157-165.pdf> (last visited Mar. 19, 2026).

<sup>2</sup> *Id.*

<sup>3</sup> Florida Office of Economic and Demographic Research, Revenue Estimating Impact Conference, 2026 SB 654, pp. 197-205, Jan. 30, 2026, <https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2026/pdf/impact0130.pdf> (last visited Mar. 19, 2026).

development of the Clerks' total combined budget, instead of redirecting 50 percent of such excess to the GR Fund. The Revenue Estimating Conference considered a prior version of the bill and estimated that such increase will result in the redirection of \$13.3 million to the Clerks in 2027.<sup>4</sup>

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Clerks of the Court and Comptrollers

The Florida Constitution mandates that there be an elected [Clerk of the Court](#) ("Clerk") in each of Florida's 67 counties to serve as *ex officio* of the board of county commissioners, auditor, official records recorder, and custodian of all county funds.<sup>5</sup> As court officers, the Clerks serve in a ministerial capacity, with their duties and authority conferred entirely by law.<sup>6</sup> Such duties include the performance of court-related functions, such as:

- Collecting and distributing certain fines, fees, service charges, and court costs;
- Case maintenance;
- Records management;
- Court preparation and attendance;
- Processing case assignment, reopening, reassignment, and appeals;
- Processing of bond forfeiture payments;
- Data collection and reporting;
- Determination of indigent status;<sup>7</sup> and
- Paying reasonable administrative costs to enable the clerks to carry out these functions.<sup>8</sup>

In 66 of Florida's 67 counties, the Clerk also serves as the county's [Comptroller](#), acting as the Chief Financial Officer, accountant, and custodian of county funds.<sup>9</sup> Only one county (that is, Orange County) has an independently-elected Comptroller.<sup>10</sup>

#### Clerk of the Court Funding

The Florida Constitution mandates that all funding for the Clerks performing court-related functions, except as otherwise provided therein, "shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law."<sup>11</sup> To that end, Florida law provides schedules of service charges and filing fees which the Clerks may impose and collect in connection with judicial proceedings and the performance of court-related functions; a portion of each such charge or fee is then deposited into the Florida Clerk of Court Trust Fund ("FCC Trust Fund"), from which much of the funding for

<sup>4</sup> Florida Office of Economic and Demographic Research, *supra* note 1.

<sup>5</sup> The Clerk of the Circuit Court is elected by the county's electors to serve a four-year term. [Art. V, s. 16](#) and [Art. VIII, s. 1, Fla. Const.](#); Florida Department of State, *County Governments*, <https://dos.myflorida.com/library-archives/research/florida-information/government/local-resources/fl-counties/> (last visited Mar. 19, 2026).

<sup>6</sup> "Ministerial" means acting "in a prescribed manner in obedience to the mandate of legal authority, without the exercise of the person's own judgment or discretion as the propriety of the action taken." The Clerk may appoint deputies, for whose acts the Clerk is liable, which deputies have the same power as the Clerk, excepting the power to appoint deputies. Ss. [28.06](#) and [112.312\(17\), F.S.](#)

<sup>7</sup> Florida law exempts an [indigent person](#) from paying specified fees, charges, and costs in any judicial proceeding. A person seeking to be designated indigent must apply to the Clerk for a determination of his or her status, which application must meet specified statutory requirements. A person is considered "indigent" if he or she has an annual income equal to or below 200 percent of the federal poverty guidelines or is receiving Temporary Assistance for Needy Families-Cash Assistance, poverty-related veterans' benefits, or supplemental Social Security income. Ss. [57.081](#) and [57.082, F.S.](#)

<sup>8</sup> [S. 28.35\(3\)\(a\), F.S.](#)

<sup>9</sup> Florida Court Clerks & Comptrollers, *Role of the Clerk and Comptroller*, <https://www.flclerks.com/page/RoleoftheClerk> (last visited Mar. 19, 2026).

<sup>10</sup> *Id.*

<sup>11</sup> [Art. V, s. 14, Fla. Const.](#)

the Clerks' annual operating budgets come.<sup>12</sup> However, such revenue does not go entirely to the Clerks. Instead, Florida law directs the Clerks to direct a portion of such revenue to the Florida Department of Revenue ("DOR"), which must then distribute such revenue among the Clerks, municipalities, counties, 51 state trust funds of various statutory functions, and the state's General Revenue Fund ("GR Fund").<sup>13</sup>

Furthermore, the Legislature last increased the amount of such service charges and filing fees in 2008.<sup>14</sup> Thus, Florida law generally sets the service charges and filing fees which the Clerks currently may impose at amounts deemed sufficient in 2008 but which have not kept up with inflation rates; even so, the Clerks must still remit a portion of such fees and charges to DOR, and the [Florida Clerks of Court Operations Corporation](#)<sup>15</sup> has now identified a funding gap between what it will take to run the Clerks' offices and the revenue available to do so.<sup>16</sup>

### *Annual Revenue Projection Overages*

Florida law directs that no later than January 25 of each year, for the previous county fiscal year, the Clerks, in consultation with the CCOC, must remit to DOR for deposit in the FCC Trust Fund the cumulative excess of all fines, fees, service charges, and court costs retained by the Clerks, plus any funds received by the Clerks from the FCC Trust Fund, which exceed the amount needed to meet their authorized budget amounts<sup>17</sup> established under Florida law.<sup>18</sup> No later than February 1, DOR must then transfer 50 percent of the cumulative excess of the [Revenue Estimating Conference's](#)<sup>19</sup> original revenue projection<sup>20</sup> from the FCC Trust Fund to the GR Fund.<sup>21</sup> The remaining 50 percent in the FCC Trust Fund may be used in the development of the Clerks' total combined budgets; however, a minimum of ten percent of the Clerk-retained portion of the cumulative excess amount must be held in reserve until such funds reach an amount equal to at least 16 percent of the total budget authority from the current county fiscal year.<sup>22</sup>

### *Civil Traffic Violation Penalties*

Under Florida law, after the imposition of a civil penalty for a [civil traffic violation](#),<sup>23</sup> the Clerk must remit \$2.00 from every such penalty to DOR for deposit into specified trust funds.<sup>24</sup> Of the penalty's remainder, where the violation occurred within a county's unincorporated area, the Clerk may retain 56.4 percent, with the balance going to DOR for deposit into various other trust funds; however, where the violation occurred within a

<sup>12</sup> Other funding sources include grants and payments remitted by counties for the performance of county-related functions.

<sup>13</sup> The GR Fund consists of all moneys received by the state from every source whatsoever, except as otherwise provided in law. Such moneys shall be expended pursuant to GR Fund appropriations acts, transferred as provided in law, or maintained as unallocated general revenue. Unallocated general revenue is considered the working capital balance of the state. [S. 215.32, F.S.](#); Florida Court Clerks & Comptrollers, *Bill Analysis for HB 977* (Mar. 7, 2023).

<sup>14</sup> Ch. 2008-111, Laws of Fla.

<sup>15</sup> The Florida Clerks of Court Operations Corporation is a public corporation which provides budget support to the Clerks. [S. 28.35, F.S.](#)

<sup>16</sup> Florida Court Clerks and Comptrollers, *Please Support House Bill 925 (2026)*, [https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/legislative\\_activity/2026\\_session/comms\\_materials/2026\\_co-sponsor\\_letter\\_-\\_hb\\_.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/legislative_activity/2026_session/comms_materials/2026_co-sponsor_letter_-_hb_.pdf) (last visited Mar. 19, 2026).

<sup>17</sup> Florida law directs the CCOC to ensure that the Clerks' total combined budgets do not exceed the total estimated revenues from fees, service charges, court costs, and fines for court-related functions available for court-related expenditures as determined by the most recent Revenue Estimating Conference, plus the total of unspent budgeted funds for court-related functions carried forward by the Clerks from the previous county fiscal year, plus the balance of funds remaining in the FCC Trust Fund after the required transfer of funds to the GR Fund, and plus any appropriations for court-related functions. [S. 28.35, F.S.](#)

<sup>18</sup> [S. 28.37, F.S.](#)

<sup>19</sup> The Revenue Estimating Conference develops such official information with respect to anticipated state and local government revenues as the conference determines is needed for the state planning and budgeting system. Any principal may request the conference to review and estimate revenues for any trust fund. [S. 216.136, F.S.](#)

<sup>20</sup> "Original revenue projection" means the official estimate, as determined by the Revenue Estimating Conference, of revenues from fines, fees, service charges, and court costs available for court-related functions for the county fiscal year covered by the projection. [S. 28.37, F.S.](#)

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> A civil traffic violation is a non-criminal, non-jailable traffic offense, the penalties for which include fines and, potentially, the assessment of points on the offender's driver license or attendance of a driver improvement course. Examples include minor speeding, failure to yield, running red lights, and improper lane changes. [S. 318.14, F.S.](#)

<sup>24</sup> [S. 318.21, F.S.](#)

municipality, the Clerk must pay 50.8 percent of the penalty's remainder to the municipality and may retain only 5.6 percent of the remainder, with the balance again going to DOR for deposit into various trust funds.<sup>25</sup>

Florida law also generally directs that ten percent of all [court-related fines](#) collected by the Clerk must be deposited into the Fine and Forfeiture Fund to be used by the Clerks for court-related functions.<sup>26</sup> However, certain exceptions exist, including exceptions for civil penalties assessed for failing to stop for a school bus displaying a stop signal in specified circumstances; instead, Florida law directs 100 percent of such penalties to the local school district.<sup>27</sup>

### [Legal Notices Publication](#)

The Florida Constitution requires that, absent a properly-enacted public meetings exemption,<sup>28</sup> all meetings of a county, municipality, school board, or special district at which official acts are to be taken or at which public business is to be discussed or transacted must be open to the public and properly noticed.<sup>29</sup> Further, certain statutory provisions require that public notices and advertisements must be given for certain other local government and judicial actions.<sup>30</sup> Collectively, these notices and advertisements are referred to as "legal notices."

#### *Legal Notice Publication Requirements Before January 1, 2022*

Before January 1, 2022, Florida law required a legal notice to be published in a newspaper that:

- Was published at least once a week;
- Had at least 25 percent of its words in English;
- Was considered a periodical by a post office in its county of publication;
- Was available to the public generally for the publication of legal and other notices;
- Was for sale to the general public; and
- Contained information of interest or value to the general public in the affected area.<sup>31</sup>

Florida law also required that a legal notice published in a newspaper must appear on the newspaper's website the same day it appeared in the print edition at no additional charge, on a separate webpage with a specific title.<sup>32</sup> The website had to have a search function, and the newspaper publisher could not charge a fee or require registration to view or search legal notices.<sup>33</sup> Further, the newspaper had to place a copy of the notice on the Florida Press Association's ("FPA") free repository website, and the FPA had to maintain the copy in a searchable archive for 18 months after the first day of posting.<sup>34</sup> The public could then register to receive e-mailed notifications of notice publication.<sup>35</sup>

However, if no newspaper was published in the county where the legal notice was to be given, at least three copies of the legal notice had to be posted in the county, with one copy posted on the county courthouse's front door and two copies posted at other locations in the county.<sup>36</sup> Florida law also required that the notice be published in a newspaper in the nearest county in which a newspaper was published.<sup>37</sup>

<sup>25</sup> [Id.](#)

<sup>26</sup> [S. 28.37\(6\), F.S.](#)

<sup>27</sup> Ss. [316.172](#) and [318.18](#), F.S.

<sup>28</sup> The Legislature may provide for public meeting exemptions in a bill which includes a statement of public necessity justifying the exemption and which passes both chambers by a two-thirds vote. [Art. I, s. 24, Fla. Const.](#)

<sup>29</sup> [Id.](#)

<sup>30</sup> See, e.g., [s. 45.031, F.S.](#) (requiring publication of notice of judicial sales) and [s. 125.66, F.S.](#) (requiring publication of the tax impact of a value adjustment board's decisions regarding petitions to adjust property taxes).

<sup>31</sup> [S. 50.011, F.S.](#) (2020).

<sup>32</sup> [S. 50.0211, F.S.](#) (2020).

<sup>33</sup> [Id.](#)

<sup>34</sup> [Id.](#); The Florida Press Association's repository is available at <https://floridapublicnotices.com/> (last visited Mar. 19, 2026).

<sup>35</sup> [S. 50.0211, F.S.](#) (2020).

<sup>36</sup> [S. 50.021, F.S.](#) (2020).

<sup>37</sup> [Id.](#)

## 2021 Legislative Changes

In 2021, the Legislature passed CS/HB 35, which took effect on January 1, 2022.<sup>38</sup> Therein, the Legislature significantly modified the criteria a newspaper had to satisfy to publish legal notices; moreover, the Legislature authorized a governmental agency<sup>39</sup> to publish its legal notices on the website of any newspaper in the county to which the legal notice pertained<sup>40</sup> and on the FPA's repository website in lieu of publishing the notice in a newspaper's print edition if the governmental agency, after holding a public hearing, noticed in a print edition of a newspaper of general circulation in the affected governmental agency's jurisdiction,<sup>41</sup> determined that:

- Internet publication of legal notices is in the public interest; and
- Residents within the governmental agency's jurisdiction have sufficient internet access such that internet-only legal notices publication would not unreasonably restrict public access.<sup>42</sup>

Further, the Legislature required the FPA to seek to ensure that Florida's minority populations had equitable access to legal notices posted on the FPA's repository website and publish a report:

- Listing all newspapers that placed notices on the repository website in the preceding calendar quarter.
- Identifying which criteria each newspaper satisfied to become qualified to publish legal notices.
- Including the number of unique visitors to the repository website during the quarter and the number of legal notices that were published during that quarter by Internet-only publication or by publication in a printed newspaper and on the repository website.<sup>43</sup>

## Current Law

In 2022, the Legislature passed CS/HB 7049<sup>44</sup> to once again modify legal notice publication requirements, which requirements remain current law. As a result of these changes, the criteria which a newspaper must satisfy to publish legal notices generally reverted back to the criteria in place before January 1, 2022, with minor exceptions;<sup>45</sup> moreover, a governmental agency<sup>46</sup> may now publish its legal notices on the publicly accessible website<sup>47</sup> of the county in which it lies instead of in a printed newspaper or on a newspaper's website if doing so would cost less than publishing legal notices in a newspaper.<sup>48</sup> However, a:

- Governmental agency with at least 75 percent of its population located in a county with a population of fewer than 160,000 people must first hold a public hearing and determine that the governmental agency's residents have sufficient Internet access before publishing legal notices on a publicly accessible website.<sup>49</sup>
- Special district<sup>50</sup> spanning the geographic boundaries of more than one county and opting to publish legal notices on a publicly accessible website must publish its legal notices on the publicly accessible website of each county it spans.<sup>51</sup>

<sup>38</sup> [Ch. 2021-17, Laws of Fla.](#)

<sup>39</sup> "Governmental agency," as used here, meant a county, a municipality, a district school board, or any other unit of local government or political subdivision in this state. [Id.](#)

<sup>40</sup> A newspaper was deemed to be a newspaper in the county to which the legal notice pertains if it satisfies the criteria to publish legal notices in print. [Id.](#)

<sup>41</sup> A newspaper was deemed to be a newspaper of general circulation within the jurisdiction of the affected governmental agency if it satisfies the criteria to public legal notices in print. [Id.](#)

<sup>42</sup> [Id.](#)

<sup>43</sup> [Id.](#)

<sup>44</sup> [Ch. 2022-103, Laws of Fla.](#)

<sup>45</sup> See [s. 50.011, F.S.](#)

<sup>46</sup> As used in current law, "governmental agency" means a county, municipality, school board, or other unit of local government or political subdivision in the state. This definition carried over from the 2021 legislative changes. [S. 50.0311, F.S.](#)

<sup>47</sup> "Publicly accessible website" means a county's official website or other private website designated by the county for the posting of legal notices and advertisements that is accessible via the Internet. [Id.](#)

<sup>48</sup> [Id.](#)

<sup>49</sup> [Id.](#)

<sup>50</sup> "Special district" means a unit of local government created for a particular purpose with jurisdiction to operate within a limited geographic boundary. A special district is created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. See

In any event, each legal notice published on a publicly accessible website must be in searchable form and indicate the date of first publication, and a link to legal notices published on a publicly accessible website must be conspicuously placed on or accessible through a direct link from the:

- Publicly accessible website’s homepage; and
- Homepage of the website of each governmental agency publishing legal notices online.<sup>52</sup>

A governmental agency with an authorized governmental access channel<sup>53</sup> may also include on such channel a summary of all legal notices posted on its publicly accessible website.<sup>54</sup>

Further, a governmental agency publishing legal notices on a publicly accessible website must give notice in a newspaper or in a mailed or delivered publication, at least annually, that property owners and residents may receive legal notices from the governmental agency by first-class mail or e-mail upon registering with the agency.<sup>55</sup> Such a governmental agency must also maintain a registry of property owners and residents who request in writing to receive legal notices from the governmental agency by first-class mail or e-mail.<sup>56</sup>

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*Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019); see also ss. [189.02\(1\)](#), [189.031\(3\)](#), and [190.005\(1\)](#), F.S.; see generally [s. 189.012\(6\)](#), F.S.

<sup>51</sup> [S. 50.0311](#), F.S.

<sup>52</sup> *Id.*

<sup>53</sup> A government access channel is authorized under [s. 610.109](#), F.S.

<sup>54</sup> [S. 50.0311](#), F.S.

<sup>55</sup> Such notice must be made in a newspaper of general circulation or another publication that is mailed or delivered to all residents and property owners in the government’s jurisdiction. *Id.*

<sup>56</sup> *Id.*