

<b>Tab 1</b>	<b>SB 144</b> by <b>Rouson</b> ; Identical to H 01373 Public Records/Judicial Qualifications Commission				
<b>Tab 2</b>	<b>SB 192</b> by <b>Martin (CO-INTRODUCERS) Trumbull</b> ; Identical to H 00259 Patient Funds Held in Trust by Chiropractic Physicians				
<b>Tab 3</b>	<b>SB 332</b> by <b>Bradley</b> ; Compare to CS/H 00655 Public Meetings				
865486	D	S	RCS	JU, Bradley	Delete everything after 01/27 03:52 PM
<b>Tab 4</b>	<b>SB 532</b> by <b>Simon (CO-INTRODUCERS) Wright, Osgood, Rodriguez, Calatayud, Jones, Smith, Bracy Davis, Boyd, Massullo, Rouson</b> ; Identical to CS/H 00759 Court Fees				
491654	D	S		JU, Simon	Delete everything after 01/26 12:31 PM
<b>Tab 5</b>	<b>SB 620</b> by <b>Mayfield</b> ; Identical to H 00535 Candidate Qualifying				
<b>Tab 6</b>	<b>SB 694</b> by <b>Bracy Davis (CO-INTRODUCERS) Smith, Osgood, Berman, Davis, Arrington, Bernard, Leek, Gaetz, Sharief, Mayfield, DiCeglie, Massullo, Rouson</b> ; Identical to H 06523 Compensation of the Descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas				
412616	A	S	RCS	JU, Bracy Davis	Delete L.95 - 98: 01/27 03:52 PM
<b>Tab 7</b>	<b>SB 820</b> by <b>Bradley</b> ; Identical to H 00831 Problem-solving Court Reports				
<b>Tab 8</b>	<b>SB 888</b> by <b>Martin</b> ; Compare to H 00699 Professional Services Contracts				
<b>Tab 9</b>	<b>SB 1000</b> by <b>Grall</b> ; Identical to H 00893 Trust Fund Interest for Purposes Approved by the Supreme Court				
<b>Tab 10</b>	<b>SB 1224</b> by <b>Rodriguez</b> ; Compare to H 01293 Fraudulent Entry of Residential Dwellings				
809630	D	S	RCS	JU, Rodriguez	Delete everything after 01/27 03:52 PM
<b>Tab 11</b>	<b>SB 1396</b> by <b>Burton</b> ; Similar to H 01157 Litigation Financing Consumer Protection				
<b>Tab 12</b>	<b>SB 1500</b> by <b>Bradley</b> ; Identical to H 01337 Estates				

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**JUDICIARY**  
**Senator Yarborough, Chair**  
**Senator Burton, Vice Chair**

**MEETING DATE:** Tuesday, January 27, 2026  
**TIME:** 1:00—3:00 p.m.  
**PLACE:** *Toni Jennings Committee Room*, 110 Senate Building

**MEMBERS:** Senator Yarborough, Chair; Senator Burton, Vice Chair; Senators Berman, DiCeglie, Gaetz, Hooper, Leek, Osgood, Passidomo, Polsky, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 144</b> Rouson (Identical H 1373)	Public Records/Judicial Qualifications Commission; Providing an exemption from public records requirements for the personal identifying and location information of current and former employees of the Judicial Qualifications Commission and the personal identifying and location information of the spouses and children of such employees; providing for legislative review and repeal of the exemption; providing for retroactive application of the exemption; providing a statement of public necessity, etc.  JU      01/27/2026 Favorable GO RC	Favorable Yeas 9 Nays 1
2	<b>SB 192</b> Martin (Identical H 259)	Patient Funds Held in Trust by Chiropractic Physicians; Deleting the limitation on the amount of patient funds a chiropractic physician may hold in trust for specified purposes, etc.  HP      01/20/2026 Favorable JU      01/27/2026 Favorable RC	Favorable Yeas 10 Nays 0
3	<b>SB 332</b> Bradley (Compare CS/H 655)	Public Meetings; Providing that specified entities may meet in private with their attorneys to discuss certain claims concerning private property rights; requiring that such meetings be transcribed; providing that such transcripts become public records at specified times, etc.  JU      01/27/2026 Fav/CS GO RC	Fav/CS Yeas 10 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Judiciary

Tuesday, January 27, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 532</b> Simon (Identical CS/H 759)	Court Fees; Increasing the service charges a clerk of the circuit court charges for certain services rendered by the clerk's office; increasing certain filing fees that may be charged by the clerk in probate matters; increasing certain filing fees and service charges in trial and appellate proceedings; increasing certain filing fees and service charges for civil actions, suits, or proceedings in county court; increasing the service charge the clerk is entitled to for disbursement of surplus proceeds for certain judicial sales procedures, etc.  JU 01/27/2026 Temporarily Postponed ACJ AP	Temporarily Postponed
5	<b>SB 620</b> Mayfield (Identical H 535)	Candidate Qualifying; Requiring certain candidates to provide the filing officer a statement disclosing dual citizenship for nomination and election to federal, state, county, multicounty, district, or judicial office or to a district school board, etc.  EE 01/13/2026 Favorable JU 01/27/2026 Favorable RC	Favorable Yeas 10 Nays 0
6	<b>SB 694</b> Bracy Davis (Identical H 6523)	Compensation of the Descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas; Providing that a sum is appropriated from the General Revenue Fund to the Department of State for specified relief; providing that specified persons are ineligible for further compensation, etc.  JU 01/27/2026 Fav/CS ATD AP	Fav/CS Yeas 10 Nays 0
7	<b>SB 820</b> Bradley (Identical H 831)	Problem-solving Court Reports; Requiring that specified data be included in problem-solving court reports; revising the frequency with which mental health and treatment-based drug court program reports, respectively, must be reported to the Office of the State Courts Administrator, etc.  JU 01/27/2026 Favorable ACJ RC	Favorable Yeas 10 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Judiciary

Tuesday, January 27, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	<b>SB 888</b> Martin (Compare H 699)	Professional Services Contracts; Providing that a professional services contract between a design professional and a contracting party, rather than between a design professional and a public agency, may require the design professional to indemnify and hold harmless the contracting party, and its officers and employees, only against certain liability and damages; specifying that a professional services contract must require a design professional to perform to a certain level of professional skill and care; prohibiting a professional services contract from subjecting a design professional to a different standard of care, etc.  JU 01/27/2026 Favorable CM RC	Favorable Yeas 10 Nays 0
9	<b>SB 1000</b> Grall (Identical H 893)	Trust Fund Interest for Purposes Approved by the Supreme Court; Authorizing financial institutions to hold funds in specified trust accounts used for specified purposes expressly authorized by Supreme Court rule; requiring certain entities to use interest and dividends for specified purposes; requiring certain financial institutions to pay specified interest or dividends, etc.  JU 01/27/2026 Favorable BI RC	Favorable Yeas 10 Nays 0
10	<b>SB 1224</b> Rodriguez (Compare H 1293)	Fraudulent Entry of Residential Dwellings; Defining the term "fraudulent entry"; providing a cause of action against a person who obtains possession of certain real property by fraudulent entry; authorizing a property owner to request that the sheriff remove a person unlawfully occupying a residential dwelling if the unauthorized person obtained possession through fraudulent entry, etc.  JU 01/27/2026 Fav/CS CJ RC	Fav/CS Yeas 10 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Judiciary

Tuesday, January 27, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	<b>SB 1396</b> Burton (Similar H 1157)	Litigation Financing Consumer Protection; Citing this act as the "Litigation Investment Safeguards and Transparency Act"; authorizing courts to consider the existence of a litigation financing agreement to determine if a class representative or lead counsel or co-lead counsel to a class action lawsuit would adequately and fairly represent the interests of the class; prohibiting specified acts by litigation financiers; requiring certain parties to a legal proceeding which have entered into a litigation financing agreement with a foreign person, a foreign principal, or a sovereign wealth fund to file and serve a notice identifying specified information with the court, agency, or tribunal and all other parties to the legal proceeding within a specified timeframe; providing for sanctions, etc.  JU      01/27/2026 Favorable RC	Favorable Yeas 8 Nays 2
12	<b>SB 1500</b> Bradley (Identical H 1337)	Estates; Revising the issues a court may resolve for a personal representative; requiring the court to award taxable costs and attorney fees in certain proceedings; authorizing the court to direct such payment from certain persons; revising when summary administration proceedings may commence for either a resident or nonresident decedent's estate; revising the sum for funds certain financial institutions may make payable to a decedent's family member, etc.  JU      01/27/2026 Favorable BI RC	Favorable Yeas 10 Nays 0
Other Related Meeting Documents			

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 144

INTRODUCER: Senator Rouson

SUBJECT: Public Records/Judicial Qualifications Commission

DATE: January 26, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Collazo	Cibula	JU	<b>Favorable</b>
2. _____	_____	GO	_____
3. _____	_____	RC	_____

---

**I. Summary:**

SB 144 exempts from public records copying and inspection requirements certain identifying information of current and former employees of the Judicial Qualifications Commission (Commission) and their spouses and children. The exemption restricts access to their information in the public records which may identify or locate them.

Specifically, the bill exempts from public disclosure the following information:

- The home addresses, telephone numbers, dates of birth, and photographs of current and former employees of the Commission.
- The names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current and former employees of the Commission.
- The names and locations of schools and day care facilities attended by the children of current and former employees of the Commission.

This exemption applies to information held by an agency before, on, or after July 1, 2026. It is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. Because the bill creates a new public records exemption, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill may increase costs minimally for state and local government agencies.

The bill takes effect July 1, 2026.

## II. Present Situation:

### Access to Public Records – Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

### Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>5</sup>

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”<sup>6</sup>

---

<sup>1</sup> FLA. CONST. art. I, s. 24(a).

<sup>2</sup> *Id.* See also, *Sarasota Citizens for Responsible Gov’t v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

<sup>3</sup> See Rule 1.48, *Rules and Manual of the Florida Senate* (2024-2026) and Rules 14.1 and 14.2, *Rules of the Florida House of Representatives*, Edition 1 (2024-2026).

<sup>4</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>5</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

<sup>6</sup> *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person's right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.<sup>7</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>8</sup>

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>9</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>10</sup>

General exemptions from the public records requirements are contained in the Public Records Act.<sup>11</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>12</sup>

When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.<sup>13</sup> Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute.<sup>14</sup> Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances.<sup>15</sup>

### **Public Records Exemptions for Specified Personnel and their Families (s. 119.071(4), F.S.)**

Section 119.071(4), F.S., exempts from public record disclosure the personal information of specific government employees when held by government agencies. In paragraph (d), "home addresses" is defined as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address. Additionally, "telephone numbers" is defined to include home telephone numbers, personal cellular telephone

---

<sup>7</sup> Section 119.07(1)(a), F.S.

<sup>8</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>9</sup> FLA. CONST. art. I, s. 24(c).

<sup>10</sup> *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

<sup>11</sup> *See, e.g., s. 119.071(1)(a), F.S.* (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

<sup>12</sup> *See, e.g., s. 213.053(2)(a), F.S.* (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>13</sup> *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5<sup>th</sup> DCA 2004).

<sup>14</sup> *Id.*

<sup>15</sup> *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5<sup>th</sup> DCA 1991).



numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

Section 119.071(4)(d)2., F.S., generally exempts from public disclosure the home addresses, dates of birth, photographs, and telephone numbers of specified public employees and their spouses and children. Additionally exempted, typically, are the spouse's place of work as well as the name and location of any schools or day care facilities of the public employee's children, if any.

Records that include exempt information about the above-specified personnel and their spouses and children (minor or adult) may be held by, among others, their employing agency, clerks of court and comptrollers, county tax collectors and property appraisers, school districts, and law enforcement agencies. County property appraisers<sup>16</sup> and county tax collectors<sup>17</sup> holding exempted information need only remove the name of an individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exemption status from all publicly available records. County property appraisers and county tax collectors may not remove the street address, legal description, or other information identifying real property so long as the name or personal information otherwise exempt is not associated with the property or otherwise displayed in the public records.<sup>18</sup>

The personnel, their spouses or children, or their employing agency claiming an exemption under s. 119.071(4)(d)2., F.S., must affirmatively assert the right to the exemption by submitting a written and notarized request to each non-employer agency that holds the employee's or their spouse or child's information. The individual or entity asserting the exemption must provide, under oath, the statutory basis for the individual's exemption and confirm the individual's status as a party eligible for exempt status.<sup>19</sup>

These exemptions under s. 119.071(4)(d)2., F.S., have retroactive application, applying to information held by an agency before, on, or after the effective date of the exemption.<sup>20</sup> Home addresses, however, are no longer exempt in the Official Records if the protected party no longer resides at the dwelling<sup>21</sup> or upon his or her death.<sup>22</sup>

---

<sup>16</sup> See s. 192.001(3), F.S.

<sup>17</sup> See s. 192.001(4), F.S.

<sup>18</sup> Section 119.071(4)(d)4., F.S.

<sup>19</sup> Section 119.071(4)(d)3., F.S.

<sup>20</sup> Section 119.071(4)(d)6., F.S.

<sup>21</sup> The protected individual must submit a notarized, written request to release the removed information. Section 119.071(4)(d)8., F.S.

<sup>22</sup> A certified copy of a death certificate or court order must be presented with a notarized request to release the information to remove the exemption. Section 119.071(4)(d)9., F.S. Note, the Clerk is also called the "county recorder." See s. 28.222(2), F.S.

## Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act<sup>23</sup> (the Act), prescribe a legislative review process for newly created or substantially amended<sup>24</sup> public records or open meetings exemptions, with specified exceptions.<sup>25</sup> The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>26</sup>

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>27</sup> An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption, and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>28</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;<sup>29</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>30</sup>

The Act also requires specified questions to be considered during the review process.<sup>31</sup> In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.<sup>32</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds

<sup>23</sup> Section 119.15, F.S.

<sup>24</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

<sup>25</sup> Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

<sup>26</sup> Section 119.15(3), F.S.

<sup>27</sup> Section 119.15(6)(b), F.S.

<sup>28</sup> Section 119.15(6)(b)1., F.S.

<sup>29</sup> Section 119.15(6)(b)2., F.S.

<sup>30</sup> Section 119.15(6)(b)3., F.S.

<sup>31</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>32</sup> See generally s. 119.15, F.S.

vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.<sup>33</sup>

### Judicial Qualifications Commission

The Judicial Qualifications Commission is an independent state agency<sup>34</sup> created by the State Constitution.<sup>35</sup> It is charged with investigating allegations of judicial misconduct and disability against state judges.<sup>36</sup> It has jurisdiction to review complaints about judges of county and circuit courts and district courts of appeal, as well as justices of the State Supreme Court.<sup>37</sup>

In 1990, the Commission was divided into an investigative panel and a hearing panel.<sup>38</sup> The investigative panel functions much like a grand jury and investigates allegations of judicial misconduct. If probable cause is found and formal charges are filed, then the hearing panel serves as a special master making findings of fact and recommendations to the State Supreme Court as to the appropriate discipline.<sup>39</sup>

The Commission is comprised of 6 judges, 4 members of The Florida Bar, and 5 laypersons selected by the Governor.<sup>40</sup> The chair of the Commission selects 9 members to serve on the investigative panel and 6 members to serve on the hearing panel.<sup>41</sup> The Commission also employs a staff of 3 people, including an executive director, a general counsel, and an assistant general counsel.<sup>42</sup>

### Doxing

“Doxing” (sometimes spelled doxxing), short for “dropping documents,”<sup>43</sup> is a type of cyber-harassment where the victim—or “target’s”—personal identifiable information is maliciously published and made readily and widely available without the victim’s consent.<sup>44</sup> To constitute doxing, the person doxing the target’s information—referred to as a doxer—must intend for the target to experience some level of harassment.<sup>45</sup>

While the definition of doxing—specifically in relation to the type of information released (personal identifiable information)—is intentionally broad because “each instance [of doxing]

<sup>33</sup> Section 119.15(7), F.S.

<sup>34</sup> Florida Judicial Qualifications Commission (FJQC), *Home*, <https://floridajqc.com/> (last visited Jan. 15, 2026).

<sup>35</sup> FLA. CONST. art. V, s. 12(a).

<sup>36</sup> FJQC, *Home*, <https://floridajqc.com/> (last visited Jan. 15, 2026).

<sup>37</sup> FJQC, *Frequently Asked Questions*, <https://floridajqc.com/faq/> (last visited Jan. 15, 2026).

<sup>38</sup> FLA. CONST. art. V, s. 12(b); *see also* FJQC, *About*, <https://floridajqc.com/about/> (last visited Jan. 15, 2026).

<sup>39</sup> *Id.*

<sup>40</sup> FLA. CONST. art. V, s. 12(a)(1); *see also* FJQC, *About*, <https://floridajqc.com/about/> (last visited Jan. 15, 2026).

<sup>41</sup> FLA. CONST. art. V, s. 12(f)(2); *see also* FJQC, *About*, <https://floridajqc.com/about/> (last visited Jan. 15, 2026).

<sup>42</sup> FJQC, *Commission Staff*, <https://floridajqc.com/commission-staff/> (last visited Jan. 15, 2026).

<sup>43</sup> *Vangheluwe v. Got News, LLC*, 365 F. Supp. 3d 850, 858 (E.D. Mich. 2019).

<sup>44</sup> Hannah Shankman, *How to Close Pandora's Dox: A Case for the Federal Regulation of Doxing*, 33 UNI. FLA. J.L. & PUB. POL'Y 273, 273, 276, 279-281 (2023); David Cremins, *Defending the Public Quad: Doxxing, Campus Speech Policies, and the First Amendment*, 76 STAN. L. REV. 1813, 1813 (2024); Wolsters Kluwer, CHH Incorp., *Technology/Internet News: Ican Urged To Reject Display of Website Owner Addresses*, 2015 WEST LAW 4082814, July 7, 2025.

<sup>45</sup> Shankman, *supra* note 44 at 279; *see Vangheluwe*, 365 F. Supp. at 859 (“The goal of doxxing is typically retribution, harassment or humiliation.” (internal quotation marks and citation omitted)).

does not necessarily involve the same release of information,”<sup>46</sup> at a minimum, the doxed information includes the target’s full name.<sup>47</sup> Other information released usually includes the victim’s home address and telephone number. Releasing this information may lead to “a wide range of crowdsourced harassment and intimidation.”<sup>48</sup> Harassment ranges from relatively innocuous harassment, such as unwanted pizza deliveries, to “barrages of rape and death threats,” unrelenting phone calls, stalking, job loss, and becoming “‘radioactive’ on the job market and unhirable down the line.”<sup>49</sup> Depending on the information released, the victim’s employers and associates may also suffer a barrage of communications “urg[ing] them to take punitive actions against the target.”<sup>50</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 119.071(4)(d)2., F.S., to exempt certain information relating to current and former employees of the Judicial Qualifications Commission (Commission) from public records disclosure requirements.<sup>51</sup> The following information will be exempt from public records disclosure:

- The home addresses, telephone numbers, dates of birth, and photographs of current and former employees of the Commission.
- The names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current and former employees of the Commission.
- The names and locations of schools and day care facilities attended by the children of current and former employees of the Commission.

Pursuant to s. 119.071(4)(d)6., F.S., the exemption applies to information held by an agency before, on, or after July 1, 2026.

Consistent with s. 119.15, F.S., the new exemption is subject to the Open Government Sunset Review Act<sup>52</sup> and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

**Section 2** provides the public necessity statement, as required by the State Constitution. The public necessity statement provides that the responsibilities of the Commission include the investigation of allegations of judicial misconduct which are routinely received from criminal and civil litigants who are dissatisfied with adverse results in judicial proceedings. If the Commission, after review and investigation of such complaints, does not discipline a judge or does not take the complainant’s preferred course of action against a judge, dissatisfied litigants sometimes turn their ire toward Commission employees as part of their campaign against the actions of the judge in the underlying litigation. Employees of the Commission have been subject

<sup>46</sup> Shankman, *supra* note 44 at 279.

<sup>47</sup> *Id.*

<sup>48</sup> Wolsters Kluwer, CHH Incorp., *supra* note 44.

<sup>49</sup> *Id.*; Shankman, *supra* note 44 at 276-277, 301.

<sup>50</sup> 1 RIGHTS OF PUBLICITY AND PRIVACY 2D s. 5:78, *Disclosure of private facts form of privacy—Disclosure privacy rights and the First Amendment—Identifying individuals and naming names* (2024).

<sup>51</sup> Section 119.07(1), F.S.; FLA. CONST. art. I, s. 24(a).

<sup>52</sup> *See* s. 119.15, F.S.

to acts of intimidation by such dissatisfied litigants, including online doxing of staff members, posting of false and defamatory statements concerning employees on social media, threatening e-mails and telephone calls, and inappropriate contact regarding Commission affairs at the personal residences of employees and employees' family members. These acts of intimidation have left Commission employees in fear of harm by disgruntled litigants who seek punishment of judges by the Commission for unfavorable litigation results. The Legislature finds that the release of personal identifying and location information of current or former employees of the Commission and their family members may place them at risk of physical harm and harassment and that the risk of such harm and harassment outweighs any public benefit that may be derived from the public disclosure of such information.

**Section 3** provides that the bill takes effect on July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

##### **B. Public Records/Open Meetings Issues:**

###### **Vote Requirement**

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. This bill enacts a new exemption for current and former employees of the Judicial Qualifications Commission and their spouses and children; thus, the bill requires a two-thirds vote to be enacted.

###### **Public Necessity Statement**

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records disclosure requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption which provides that, as a result of their responsibilities and duties to the Commission, current and former employees of the Commission and their families may be subject to physical harm and harassment.

###### **Breadth of Exemption**

Article I, section 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect current and former Judicial Qualifications Commission employees and their spouses and children from physical harm and harassment that may result from their responsibilities to the Commission. This bill

exempts only current and former Commission employees and their spouses and children from the public records disclosure requirements. The records to a large degree mirror existing exemptions for other sensitive public officers and employees in s. 119.071(4)(d), F.S. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The private sector will be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

**C. Government Sector Impact:**

This bill may increase costs minimally for agencies holding records that contain personal identifying information of current and former Judicial Qualifications Commission employees and their spouses and children, because staff responsible for complying with public records requests may require training related to the new public record exemption. Additionally, agencies may incur costs associated with redacting the exempt information prior to releasing a record. However, the costs should be absorbed as part of the day-to-day responsibilities.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 119.071 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

By Senator Rouson

16-00421-26

2026144

1 A bill to be entitled  
 2 An act relating to public records; amending s.  
 3 119.071, F.S.; providing an exemption from public  
 4 records requirements for the personal identifying and  
 5 location information of current and former employees  
 6 of the Judicial Qualifications Commission and the  
 7 personal identifying and location information of the  
 8 spouses and children of such employees; providing for  
 9 legislative review and repeal of the exemption;  
 10 providing for retroactive application of the  
 11 exemption; providing a statement of public necessity;  
 12 providing an effective date.  
 13  
 14 Be It Enacted by the Legislature of the State of Florida:  
 15  
 16 Section 1. Paragraph (d) of subsection (4) of section  
 17 119.071, Florida Statutes, is amended to read:  
 18 119.071 General exemptions from inspection or copying of  
 19 public records.—  
 20 (4) AGENCY PERSONNEL INFORMATION.—  
 21 (d)1. For purposes of this paragraph, the term:  
 22 a. "Home addresses" means the dwelling location at which an  
 23 individual resides and includes the physical address, mailing  
 24 address, street address, parcel identification number, plot  
 25 identification number, legal property description, neighborhood  
 26 name and lot number, GPS coordinates, and any other descriptive  
 27 property information that may reveal the home address.  
 28 b. "Judicial assistant" means a court employee assigned to  
 29 the following class codes: 8140, 8150, 8310, and 8320.

Page 1 of 19

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

16-00421-26

2026144

30 c. "Telephone numbers" includes home telephone numbers,  
 31 personal cellular telephone numbers, personal pager telephone  
 32 numbers, and telephone numbers associated with personal  
 33 communications devices.  
 34 2.a. The home addresses, telephone numbers, dates of birth,  
 35 and photographs of active or former sworn law enforcement  
 36 personnel or of active or former civilian personnel employed by  
 37 a law enforcement agency, including correctional and  
 38 correctional probation officers, personnel of the Department of  
 39 Children and Families whose duties include the investigation of  
 40 abuse, neglect, exploitation, fraud, theft, or other criminal  
 41 activities, personnel of the Department of Health whose duties  
 42 are to support the investigation of child abuse or neglect, and  
 43 personnel of the Department of Revenue or local governments  
 44 whose responsibilities include revenue collection and  
 45 enforcement or child support enforcement; the names, home  
 46 addresses, telephone numbers, photographs, dates of birth, and  
 47 places of employment of the spouses and children of such  
 48 personnel; and the names and locations of schools and day care  
 49 facilities attended by the children of such personnel are exempt  
 50 from s. 119.07(1) and s. 24(a), Art. I of the State  
 51 Constitution.  
 52 b. The home addresses, telephone numbers, dates of birth,  
 53 and photographs of current or former nonsworn investigative  
 54 personnel of the Department of Financial Services whose duties  
 55 include the investigation of fraud, theft, workers' compensation  
 56 coverage requirements and compliance, other related criminal  
 57 activities, or state regulatory requirement violations; the  
 58 names, home addresses, telephone numbers, dates of birth, and

Page 2 of 19

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



16-00421-26 2026144

59 places of employment of the spouses and children of such  
 60 personnel; and the names and locations of schools and day care  
 61 facilities attended by the children of such personnel are exempt  
 62 from s. 119.07(1) and s. 24(a), Art. I of the State  
 63 Constitution.

64 c. The home addresses, telephone numbers, dates of birth,  
 65 and photographs of current or former nonsworn investigative  
 66 personnel of the Office of Financial Regulation's Bureau of  
 67 Financial Investigations whose duties include the investigation  
 68 of fraud, theft, other related criminal activities, or state  
 69 regulatory requirement violations; the names, home addresses,  
 70 telephone numbers, dates of birth, and places of employment of  
 71 the spouses and children of such personnel; and the names and  
 72 locations of schools and day care facilities attended by the  
 73 children of such personnel are exempt from s. 119.07(1) and s.  
 74 24(a), Art. I of the State Constitution.

75 d. The home addresses, telephone numbers, dates of birth,  
 76 and photographs of current or former firefighters certified in  
 77 compliance with s. 633.408; the names, home addresses, telephone  
 78 numbers, photographs, dates of birth, and places of employment  
 79 of the spouses and children of such firefighters; and the names  
 80 and locations of schools and day care facilities attended by the  
 81 children of such firefighters are exempt from s. 119.07(1) and  
 82 s. 24(a), Art. I of the State Constitution.

83 e. The home addresses, dates of birth, and telephone  
 84 numbers of current or former justices of the Supreme Court,  
 85 district court of appeal judges, circuit court judges, and  
 86 county court judges and current judicial assistants; the names,  
 87 home addresses, telephone numbers, dates of birth, and places of

16-00421-26 2026144

88 employment of the spouses and children of current or former  
 89 justices and judges and current judicial assistants; and the  
 90 names and locations of schools and day care facilities attended  
 91 by the children of current or former justices and judges and of  
 92 current judicial assistants are exempt from s. 119.07(1) and s.  
 93 24(a), Art. I of the State Constitution. This sub-subparagraph  
 94 is subject to the Open Government Sunset Review Act in  
 95 accordance with s. 119.15 and shall stand repealed on October 2,  
 96 2028, unless reviewed and saved from repeal through reenactment  
 97 by the Legislature.

98 f. The home addresses, telephone numbers, dates of birth,  
 99 and photographs of current or former state attorneys, assistant  
 100 state attorneys, statewide prosecutors, or assistant statewide  
 101 prosecutors; the names, home addresses, telephone numbers,  
 102 photographs, dates of birth, and places of employment of the  
 103 spouses and children of current or former state attorneys,  
 104 assistant state attorneys, statewide prosecutors, or assistant  
 105 statewide prosecutors; and the names and locations of schools  
 106 and day care facilities attended by the children of current or  
 107 former state attorneys, assistant state attorneys, statewide  
 108 prosecutors, or assistant statewide prosecutors are exempt from  
 109 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

110 g. The home addresses, dates of birth, and telephone  
 111 numbers of general magistrates, special magistrates, judges of  
 112 compensation claims, administrative law judges of the Division  
 113 of Administrative Hearings, and child support enforcement  
 114 hearing officers; the names, home addresses, telephone numbers,  
 115 dates of birth, and places of employment of the spouses and  
 116 children of general magistrates, special magistrates, judges of

16-00421-26 2026144  
 117 compensation claims, administrative law judges of the Division  
 118 of Administrative Hearings, and child support enforcement  
 119 hearing officers; and the names and locations of schools and day  
 120 care facilities attended by the children of general magistrates,  
 121 special magistrates, judges of compensation claims,  
 122 administrative law judges of the Division of Administrative  
 123 Hearings, and child support enforcement hearing officers are  
 124 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 125 Constitution.

126 h. The home addresses, telephone numbers, dates of birth,  
 127 and photographs of current or former human resource, labor  
 128 relations, or employee relations directors, assistant directors,  
 129 managers, or assistant managers of any local government agency  
 130 or water management district whose duties include hiring and  
 131 firing employees, labor contract negotiation, administration, or  
 132 other personnel-related duties; the names, home addresses,  
 133 telephone numbers, dates of birth, and places of employment of  
 134 the spouses and children of such personnel; and the names and  
 135 locations of schools and day care facilities attended by the  
 136 children of such personnel are exempt from s. 119.07(1) and s.  
 137 24(a), Art. I of the State Constitution.

138 i. The home addresses, telephone numbers, dates of birth,  
 139 and photographs of current or former code enforcement officers;  
 140 the names, home addresses, telephone numbers, dates of birth,  
 141 and places of employment of the spouses and children of such  
 142 personnel; and the names and locations of schools and day care  
 143 facilities attended by the children of such personnel are exempt  
 144 from s. 119.07(1) and s. 24(a), Art. I of the State  
 145 Constitution.

16-00421-26 2026144  
 146 j. The home addresses, telephone numbers, places of  
 147 employment, dates of birth, and photographs of current or former  
 148 guardians ad litem, as defined in s. 39.01; the names, home  
 149 addresses, telephone numbers, dates of birth, and places of  
 150 employment of the spouses and children of such persons; and the  
 151 names and locations of schools and day care facilities attended  
 152 by the children of such persons are exempt from s. 119.07(1) and  
 153 s. 24(a), Art. I of the State Constitution.

154 k. The home addresses, telephone numbers, dates of birth,  
 155 and photographs of current or former juvenile probation  
 156 officers, juvenile probation supervisors, detention  
 157 superintendents, assistant detention superintendents, juvenile  
 158 justice detention officers I and II, juvenile justice detention  
 159 officer supervisors, juvenile justice residential officers,  
 160 juvenile justice residential officer supervisors I and II,  
 161 juvenile justice counselors, juvenile justice counselor  
 162 supervisors, human services counselor administrators, senior  
 163 human services counselor administrators, rehabilitation  
 164 therapists, and social services counselors of the Department of  
 165 Juvenile Justice; the names, home addresses, telephone numbers,  
 166 dates of birth, and places of employment of spouses and children  
 167 of such personnel; and the names and locations of schools and  
 168 day care facilities attended by the children of such personnel  
 169 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 170 Constitution.

171 l. The home addresses, telephone numbers, dates of birth,  
 172 and photographs of current or former public defenders, assistant  
 173 public defenders, criminal conflict and civil regional counsel,  
 174 and assistant criminal conflict and civil regional counsel; the

16-00421-26 2026144  
 175 names, home addresses, telephone numbers, dates of birth, and  
 176 places of employment of the spouses and children of current or  
 177 former public defenders, assistant public defenders, criminal  
 178 conflict and civil regional counsel, and assistant criminal  
 179 conflict and civil regional counsel; and the names and locations  
 180 of schools and day care facilities attended by the children of  
 181 current or former public defenders, assistant public defenders,  
 182 criminal conflict and civil regional counsel, and assistant  
 183 criminal conflict and civil regional counsel are exempt from s.  
 184 119.07(1) and s. 24(a), Art. I of the State Constitution.

185 m. The home addresses, telephone numbers, dates of birth,  
 186 and photographs of current or former investigators or inspectors  
 187 of the Department of Business and Professional Regulation; the  
 188 names, home addresses, telephone numbers, dates of birth, and  
 189 places of employment of the spouses and children of such current  
 190 or former investigators and inspectors; and the names and  
 191 locations of schools and day care facilities attended by the  
 192 children of such current or former investigators and inspectors  
 193 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 194 Constitution.

195 n. The home addresses, telephone numbers, and dates of  
 196 birth of county tax collectors; the names, home addresses,  
 197 telephone numbers, dates of birth, and places of employment of  
 198 the spouses and children of such tax collectors; and the names  
 199 and locations of schools and day care facilities attended by the  
 200 children of such tax collectors are exempt from s. 119.07(1) and  
 201 s. 24(a), Art. I of the State Constitution.

202 o. The home addresses, telephone numbers, dates of birth,  
 203 and photographs of current or former personnel of the Department

16-00421-26 2026144  
 204 of Health whose duties include, or result in, the determination  
 205 or adjudication of eligibility for social security disability  
 206 benefits, the investigation or prosecution of complaints filed  
 207 against health care practitioners, or the inspection of health  
 208 care practitioners or health care facilities licensed by the  
 209 Department of Health; the names, home addresses, telephone  
 210 numbers, dates of birth, and places of employment of the spouses  
 211 and children of such personnel; and the names and locations of  
 212 schools and day care facilities attended by the children of such  
 213 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
 214 the State Constitution.

215 p. The home addresses, telephone numbers, dates of birth,  
 216 and photographs of current or former impaired practitioner  
 217 consultants who are retained by an agency or current or former  
 218 employees of an impaired practitioner consultant whose duties  
 219 result in a determination of a person's skill and safety to  
 220 practice a licensed profession; the names, home addresses,  
 221 telephone numbers, dates of birth, and places of employment of  
 222 the spouses and children of such consultants or their employees;  
 223 and the names and locations of schools and day care facilities  
 224 attended by the children of such consultants or employees are  
 225 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 226 Constitution.

227 q. The home addresses, telephone numbers, dates of birth,  
 228 and photographs of current or former emergency medical  
 229 technicians or paramedics certified under chapter 401; the  
 230 names, home addresses, telephone numbers, dates of birth, and  
 231 places of employment of the spouses and children of such  
 232 emergency medical technicians or paramedics; and the names and

16-00421-26 2026144

233 locations of schools and day care facilities attended by the  
 234 children of such emergency medical technicians or paramedics are  
 235 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 236 Constitution.

237 r. The home addresses, telephone numbers, dates of birth,  
 238 and photographs of current or former personnel employed in an  
 239 agency's office of inspector general or internal audit  
 240 department whose duties include auditing or investigating waste,  
 241 fraud, abuse, theft, exploitation, or other activities that  
 242 could lead to criminal prosecution or administrative discipline;  
 243 the names, home addresses, telephone numbers, dates of birth,  
 244 and places of employment of spouses and children of such  
 245 personnel; and the names and locations of schools and day care  
 246 facilities attended by the children of such personnel are exempt  
 247 from s. 119.07(1) and s. 24(a), Art. I of the State  
 248 Constitution.

249 s. The home addresses, telephone numbers, dates of birth,  
 250 and photographs of current or former directors, managers,  
 251 supervisors, nurses, and clinical employees of an addiction  
 252 treatment facility; the home addresses, telephone numbers,  
 253 photographs, dates of birth, and places of employment of the  
 254 spouses and children of such personnel; and the names and  
 255 locations of schools and day care facilities attended by the  
 256 children of such personnel are exempt from s. 119.07(1) and s.  
 257 24(a), Art. I of the State Constitution. For purposes of this  
 258 sub-subparagraph, the term "addiction treatment facility" means  
 259 a county government, or agency thereof, that is licensed  
 260 pursuant to s. 397.401 and provides substance abuse prevention,  
 261 intervention, or clinical treatment, including any licensed

16-00421-26 2026144

262 service component described in s. 397.311(27).

263 t. The home addresses, telephone numbers, dates of birth,  
 264 and photographs of current or former directors, managers,  
 265 supervisors, and clinical employees of a child advocacy center  
 266 that meets the standards of s. 39.3035(2) and fulfills the  
 267 screening requirement of s. 39.3035(3), and the members of a  
 268 Child Protection Team as described in s. 39.303 whose duties  
 269 include supporting the investigation of child abuse or sexual  
 270 abuse, child abandonment, child neglect, and child exploitation  
 271 or to provide services as part of a multidisciplinary case  
 272 review team; the names, home addresses, telephone numbers,  
 273 photographs, dates of birth, and places of employment of the  
 274 spouses and children of such personnel and members; and the  
 275 names and locations of schools and day care facilities attended  
 276 by the children of such personnel and members are exempt from s.  
 277 119.07(1) and s. 24(a), Art. I of the State Constitution.

278 u. The home addresses, telephone numbers, places of  
 279 employment, dates of birth, and photographs of current or former  
 280 staff and domestic violence advocates, as defined in s.  
 281 90.5036(1)(b), of domestic violence centers certified by the  
 282 Department of Children and Families under chapter 39; the names,  
 283 home addresses, telephone numbers, places of employment, dates  
 284 of birth, and photographs of the spouses and children of such  
 285 personnel; and the names and locations of schools and day care  
 286 facilities attended by the children of such personnel are exempt  
 287 from s. 119.07(1) and s. 24(a), Art. I of the State  
 288 Constitution.

289 v. The home addresses, telephone numbers, dates of birth,  
 290 and photographs of current or former inspectors or investigators

16-00421-26 2026144  
 of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

w. The home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and the names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office. This sub-subparagraph is subject to the Open Government

16-00421-26 2026144  
 Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

x. The home addresses, telephone numbers, dates of birth, and photographs of current or former commissioners of the Florida Gaming Control Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of such current or former commissioners; and the names and locations of schools and day care facilities attended by the children of such current or former commissioners are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

y. The home addresses, telephone numbers, dates of birth, and photographs of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel; and the names and locations of schools and day care facilities attended by the children of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15

16-00421-26 2026144

and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

z.(I) As used in this sub-subparagraph, the term:

(A) "Congressional member" means a person who is elected to serve as a member of the United States House of Representatives or is elected or appointed to serve as a member of the United States Senate.

(B) "Partial home address" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the partial home address, except for the city and zip code.

(C) "Public officer" means a person who holds one of the following offices: Governor, Lieutenant Governor, Chief Financial Officer, Attorney General, Agriculture Commissioner, state representative, state senator, property appraiser, supervisor of elections, school superintendent, school board member, mayor, city commissioner, or county commissioner.

(II) The following information is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

(A) The partial home addresses of a current congressional member or public officer and his or her spouse or adult child.

(B) The telephone numbers of a current congressional member or public officer and his or her spouse or adult child.

(C) The name, home addresses, telephone numbers, and date of birth of a minor child of a current congressional member or public officer and the name and location of the school or day

16-00421-26 2026144

care facility attended by the minor child.

(III) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

aa. The home addresses, telephone numbers, dates of birth, and photographs of current and former employees of the Judicial Qualifications Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current and former employees of the Judicial Qualifications Commission; and the names and locations of schools and day care facilities attended by the children of current and former employees of the Judicial Qualifications Commission are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

3.a. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt

16-00421-26

2026144\_\_

407 status.

408       b. An agency that is the custodian of information specified  
 409 in sub-subparagraph 2.z. and that is not the employer of the  
 410 congressional member, public officer, or other person specified  
 411 in sub-subparagraph 2.z. must maintain the exempt status of that  
 412 information only if an individual requests the maintenance of an  
 413 exemption pursuant to sub-subparagraph 2.z. on the basis of  
 414 eligibility as a current congressional member or public officer  
 415 and his or her spouse or child submits, as part of the written  
 416 and notarized request required by sub-subparagraph a., the date  
 417 of the congressional member's or public officer's election or  
 418 appointment to public office, the date on which that office is  
 419 next subject to election, and, if applicable, the date on which  
 420 the current congressional member's or public officer's minor  
 421 child reaches the age of majority. The custodian must maintain  
 422 an exemption granted pursuant to sub-subparagraph 2.z. until the  
 423 qualifying conditions for the exemption no longer apply to the  
 424 person subject to the exemption.

425       4.a. A county property appraiser, as defined in s.  
 426 192.001(3), or a county tax collector, as defined in s.  
 427 192.001(4), who receives a written and notarized request for  
 428 maintenance of the exemption pursuant to subparagraph 3. must  
 429 comply by removing the name of the individual with exempt status  
 430 and the instrument number or Official Records book and page  
 431 number identifying the property with the exempt status from all  
 432 publicly available records maintained by the property appraiser  
 433 or tax collector. For written requests received on or before  
 434 July 1, 2021, a county property appraiser or county tax  
 435 collector must comply with this sub-subparagraph by October 1,

Page 15 of 19

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

16-00421-26

2026144\_\_

436 2021. A county property appraiser or county tax collector may  
 437 not remove the street address, legal description, or other  
 438 information identifying real property within the agency's  
 439 records so long as a name or personal information otherwise  
 440 exempt from inspection and copying pursuant to this section is  
 441 not associated with the property or otherwise displayed in the  
 442 public records of the agency.

443       b. Any information restricted from public display,  
 444 inspection, or copying under sub-subparagraph a. must be  
 445 provided to the individual whose information was removed.

446       5. An officer, an employee, a justice, a judge, or other  
 447 person specified in subparagraph 2. may submit a written request  
 448 for the release of his or her exempt information to the  
 449 custodial agency. The written request must be notarized and must  
 450 specify the information to be released and the party authorized  
 451 to receive the information. Upon receipt of the written request,  
 452 the custodial agency must release the specified information to  
 453 the party authorized to receive such information.

454       6. The exemptions in this paragraph apply to information  
 455 held by an agency before, on, or after the effective date of the  
 456 exemption.

457       7. Information made exempt under this paragraph may be  
 458 disclosed pursuant to s. 28.2221 to a title insurer authorized  
 459 pursuant to s. 624.401 and its affiliates as defined in s.  
 460 624.10; a title insurance agent or title insurance agency as  
 461 defined in s. 626.841(1) or (2), respectively; or an attorney  
 462 duly admitted to practice law in this state and in good standing  
 463 with The Florida Bar.

464       8. The exempt status of a home address contained in the

Page 16 of 19

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

16-00421-26

2026144

Official Records is maintained only during the period when a protected party resides at the dwelling location. Upon conveyance of real property after October 1, 2021, and when such real property no longer constitutes a protected party's home address as defined in sub-subparagraph 1.a., the protected party must submit a written request to release the removed information to the county recorder. The written request to release the removed information must be notarized, must confirm that a protected party's request for release is pursuant to a conveyance of his or her dwelling location, and must specify the Official Records book and page, instrument number, or clerk's file number for each document containing the information to be released.

9. Upon the death of a protected party as verified by a certified copy of a death certificate or court order, any party can request the county recorder to release a protected decedent's removed information unless there is a related request on file with the county recorder for continued removal of the decedent's information or unless such removal is otherwise prohibited by statute or by court order. The written request to release the removed information upon the death of a protected party must attach the certified copy of a death certificate or court order and must be notarized, must confirm the request for release is due to the death of a protected party, and must specify the Official Records book and page number, instrument number, or clerk's file number for each document containing the information to be released. A fee may not be charged for the release of any document pursuant to such request.

Section 2. The Legislature finds that it is a public

16-00421-26

2026144

necessity that the home addresses, telephone numbers, dates of birth, and photographs of current or former employees of the Judicial Qualifications Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current or former employees of the Judicial Qualifications Commission; and the names and locations of schools and day care facilities attended by the children of current or former employees of the Judicial Qualifications Commission be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The responsibilities of the Judicial Qualifications Commission include the investigation of allegations of judicial misconduct which are routinely received from criminal and civil litigants who are dissatisfied with adverse results in judicial proceedings. If the commission, after review and investigation of such complaints, does not discipline a judge or does not take the complainant's preferred course of action against a judge, dissatisfied litigants sometimes turn their ire toward commission employees as part of their campaign against the actions of the judge in the underlying litigation. Employees of the commission have been subject to acts of intimidation by such dissatisfied litigants, including online doxing of staff members, posting of false and defamatory statements concerning employees on social media, threatening e-mails and telephone calls, and inappropriate contact regarding commission affairs at the personal residences of employees and employees' family members. These acts of intimidation have left commission employees in fear of harm by disgruntled litigants who seek punishment of judges by the



16-00421-26

2026144

523 commission for unfavorable litigation results. The Legislature  
524 finds that the release of personal identifying and location  
525 information of current or former employees of the Judicial  
526 Qualifications Commission and their family members may place  
527 them at risk of physical harm and harassment and that the risk  
528 of such harm and harassment outweighs any public benefit that  
529 may be derived from the public disclosure of such information.

530 Section 3. This act shall take effect July 1, 2026.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations, *Vice Chair*  
Agriculture  
Appropriations Committee on Criminal and  
Civil Justice  
Appropriations Committee on Health and  
Human Services  
Children, Families, and Elder Affairs  
Ethics and Elections  
Rules

### JOINT COMMITTEE:

Joint Legislative Budget Commission

### SENATOR DARRYL ERVIN ROUSON

16th District

January 12, 2026

Sen. Clay Yarborough  
Chairman, Committee on Judiciary  
515 Knot Building  
404 S Monroe St  
Tallahassee, FL 32399

Dear Chairman Yarborough,

I am respectfully requesting SB 144, Public Records/Judicial Qualifications Commission, be added to the agenda of a forthcoming meeting of the Committee on Community Affairs for consideration.

I am available for any questions you may have about this legislation. Thank you in advance for the committee's time and consideration.

Sincerely –

A handwritten signature in green ink that reads "Darryl E. Rouson".

Senator Darryl E. Rouson  
Florida Senate District 16

### REPLY TO:

- ☐ 535 Central Avenue, Suite 302, St. Petersburg, Florida 33701 (727) 822-6828
- ☐ 212 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5016

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

Judiciary  
Committee

SB 144

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jon Bielby

Phone

850-756-1927

Address

Street

Email

jbielby@floridajgc.com

City

State

Zip

Speaking:

☒ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 192

INTRODUCER: Senators Martin and Trumbull

SUBJECT: Patient Funds Held in Trust by Chiropractic Physicians

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Smith	Brown	HP	<b>Favorable</b>
2.	Davis	Cibula	JU	<b>Favorable</b>
3.			RC	

---

**I. Summary:**

SB 192 deletes the \$1,500 cap on advances a chiropractic physician may collect for examination or treatment. The bill provides an effective date of July 1, 2026.

**II. Present Situation:**

**Regulation of Chiropractic Physicians**

The Department of Health (DOH) reports that, as of July 1, 2025, Florida had 8,994 licensed chiropractic practitioners.<sup>1</sup> Chiropractic physicians are licensed health care practitioners regulated by the DOH through the Board of Chiropractic Medicine (Board), which is created within the DOH.<sup>2</sup>

Under the chiropractic practice act (chapter 460, F.S.), the practice of chiropractic medicine consists of the adjustment, manipulation, and treatment of vertebral subluxations and other malpositioned articulations and structures that interfere with the normal generation, transmission, and expression of nerve impulse, thereby restoring the normal flow of nerve impulse which produces normal function and consequent health.<sup>3</sup>

Licensed chiropractic physicians are subject to discipline under ch. 456, F.S., and the chiropractic-specific grounds in ch. 460, F.S., and the DOH and the Board may take action for rule violations, fraud, and other enumerated misconduct. The Board's implementing rules are codified in Rule Chapter 64B2, F.A.C., addressing matters such as licensure and renewal, continuing education, advertising, and disciplinary guidelines.

---

<sup>1</sup> Department of Health, *Senate Bill 192 Legislative Analysis* (Oct. 17, 2025) (on file with the Senate Committee on Judiciary).

<sup>2</sup> Section 460.404, F.S.

<sup>3</sup> Section 460.403(9), F.S.

### ***Patient Funds Held in Trust***

Section 460.413(1)(y), F.S., makes it a disciplinary violation for a chiropractic physician to fail to preserve the identity of patient funds or property valued at more than \$501. The statute provides that, as specified by Board rule, money or property entrusted to a chiropractic physician for a specific purpose, including advances for costs and expenses of examination or treatment, is to be held in trust and applied only for that purpose. In 2012, the Legislature imposed a statutory cap on advances which remains in effect today.<sup>4</sup> Such advances may not exceed the value of \$1,500.<sup>5</sup>

Accordingly, because the \$1,500 limitation is stated within paragraph (y)'s description of the trust obligation, collecting an advance for examination or treatment exceeding \$1,500 constitutes grounds for discipline. Since 2012, the DOH has received 12 complaints alleging violations of s. 460.413(1)(y), F.S., nine of which involved collecting amounts greater than \$1,500.<sup>6</sup>

Rule 64B2-14.001, F.A.C., applies to trust funds received or disbursed by chiropractors and defines "trust funds" as unearned fees received before services are rendered or goods sold. The rule specifies minimum trust accounting records (e.g., separate trust account, journals, receipts, ledgers, cancelled checks) and procedures, including:

- Reconciliation at least quarterly with retention for 6 years; and
- Annual filing (between June 1 and August 15) of a certificate of substantial compliance with s. 460.413(1)(y), F.S., and the rule.

### **Patient Overpayment Refund Requirement**

Effective January 1, 2026, s. 456.0625, F.S., requires health care practitioners (including chiropractic physicians) who accept payment from insurance for services rendered to refund any overpayment made by the patient no later than 30 days after determining that the patient made an overpayment.<sup>7</sup> A violation of this requirement to refund an overpayment constitutes grounds for discipline under s. 456.072, F.S. The DOH notes that this requirement will include monies held in trust and reports that the Board proposed disciplinary rule amendments in August 2025 to address such violations (citations and penalty ranges).<sup>8</sup>

## **III. Effect of Proposed Changes:**

**Section 1** of the bill deletes the phrase limiting patient advances for examination or treatment to amounts that "may not exceed the value of \$1,500." This change repeals the maximum monetary amount chiropractic physicians may collect in advance and hold in trust for examination or treatment, effectively allowing any amount to be collected in advance. If enacted, chiropractic physicians will no longer be subject to Board discipline for collecting advanced payments in

---

<sup>4</sup> Ch. 2012-171, s.4, Laws of Fla.

<sup>5</sup> Based on U.S. Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) data, \$1,500 in 2012 is approximately equivalent to \$2,120 in December 2025 dollars.

*Calculation:  $\$1,500 \times (\text{CPI-U Dec. 2025} / \text{CPI-U 2012 annual average}) = \$1,500 \times (324.054 / 229.594) \approx \$2,117$ . Source: U.S. Bureau of Labor Statistics, CPI-U Index.*

<sup>6</sup> See supra note 1.

<sup>7</sup> Ch. 2025-48, s.3, Laws of Fla.

<sup>8</sup> See supra note 1.

excess of \$1,500 for costs and expenses of examination and treatment. The DOH states it would review any pending complaints involving collection of more than \$1,500, and such complaints “would likely be closed” if the only alleged violation is collecting above the cap.<sup>9</sup>

The bill retains the current law relating to patient trusts accounts. If a chiropractic physician is entrusted with patient funds and property exceeding \$501 in value, those monies remain subject to trust status, must be applied only to the specified patient and purpose, and remain subject to existing accounting requirements in rule.

Along with other health care practitioners, chiropractic physicians who accept payment from insurance for services rendered remain subject to the new requirement in s. 456.0625, F.S., to refund patient overpayments within 30 days after determining an overpayment occurred, with disciplinary consequences for noncompliance. The DOH indicates this includes monies held in trust and reports proposed Board disciplinary guidance for violations.<sup>10</sup>

**Section 2** of the bill provides an effective date of July 1, 2026.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

---

<sup>9</sup> See supra note 1.

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

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 460.413 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Martin

33-00484-26

2026192\_\_

A bill to be entitled

An act relating to patient funds held in trust by chiropractic physicians; amending s. 460.413, F.S.; deleting the limitation on the amount of patient funds a chiropractic physician may hold in trust for specified purposes; providing an effective date.

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

Section 1. Paragraph (y) of subsection (1) of section 460.413, Florida Statutes, is amended to read:

460.413 Grounds for disciplinary action; action by board or department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(y) Failing to preserve identity of funds and property of a patient, the value of which is greater than \$501. As provided by rule of the board, money or other property entrusted to a chiropractic physician for a specific purpose, including advances for costs and expenses of examination or treatment ~~which may not exceed the value of \$1,500~~, is to be held in trust and must be applied only to that purpose. Money and other property of patients coming into the hands of a chiropractic physician are not subject to counterclaim or setoff for chiropractic physician's fees, and a refusal to account for and deliver over such money and property upon demand shall be deemed a conversion. This is not to preclude the retention of money or other property upon which the chiropractic physician has a valid lien for services or to preclude the payment of agreed fees from

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

33-00484-26

2026192\_\_

the proceeds of transactions for examinations or treatments. Controversies as to the amount of the fees are not grounds for disciplinary proceedings unless the amount demanded is clearly excessive or extortionate, or the demand is fraudulent. All funds of patients paid to a chiropractic physician, other than advances for costs and expenses, shall be deposited into one or more identifiable bank accounts maintained in the state in which the chiropractic physician's office is situated, and funds belonging to the chiropractic physician may not be deposited therein except as follows:

1. Funds reasonably sufficient to pay bank charges may be deposited therein.

2. Funds belonging in part to a patient and in part presently or potentially to the physician must be deposited therein, but the portion belonging to the physician may be withdrawn when due unless the right of the physician to receive it is disputed by the patient, in which event the disputed portion may not be withdrawn until the dispute is finally resolved.

Every chiropractic physician shall maintain complete records of all funds, securities, and other properties of a patient coming into the possession of the physician and render appropriate accounts to the patient regarding them. In addition, every chiropractic physician shall promptly pay or deliver to the patient, as requested by the patient, the funds, securities, or other properties in the possession of the physician which the patient is entitled to receive.

Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Criminal Justice, *Chair*  
Appropriations Committee on Criminal  
and Civil Justice, *Vice Chair*  
Appropriations  
Appropriations Committee on  
Transportation, Tourism, and Economic  
Development  
Banking and Insurance  
Rules  
Transportation

**SENATOR JONATHAN MARTIN**  
33rd District

January 21<sup>st</sup>, 2026

### **RE: SB 192: Patient Funds Held in Trust by Chiropractic Physicians**

Dear Chair Yarborough,

Please allow this letter to serve as my respectful request to place SB 192 on the next committee agenda.

Your kind consideration of this request is greatly appreciated. Please feel free to contact my office for any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Martin".

Jonathan Martin  
Senate District 33

### REPLY TO:

- ☐ 2000 Main Street, Suite 401, Fort Myers, Florida 33901 (239) 338-2570
- ☐ 315 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5033

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/2026

Meeting Date

SB 192

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Dr. Rick Means

Phone

239-560-9766

Address

7721 Hidden Pond Ln

Email

RAMeansDC@gmail.com

Street

N. Ft. Myers

City

FL

State

33917

Zip

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 192

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

Name

Phone

Address

Email

Street

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

The Florida  
Chiropractic Association

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



## 2026 AGENCY LEGISLATIVE BILL ANALYSIS

### AGENCY: Department of Health

BILL INFORMATION	
BILL NUMBER:	SB 192
BILL TITLE:	Patient Funds Held in Trust by Chiropractic Physicians
BILL SPONSOR:	Martin
EFFECTIVE DATE:	July 1, 2026

COMMITTEES OF REFERENCE
1) Health Professions and Programs Subcommittee
2) Health and Human Services Committee
3) N/A
4) N/A
5) N/A

PREVIOUS LEGISLATION	
BILL NUMBER:	Click or tap here to enter text.
SPONSOR:	Click or tap here to enter text.
YEAR:	Click or tap here to enter text.
LAST ACTION:	Click or tap here to enter text.

CURRENT COMMITTEE
Health Professions and Programs Subcommittee

SIMILAR BILLS	
BILL NUMBER:	Click or tap here to enter text.
SPONSOR:	

IDENTICAL BILLS	
BILL NUMBER:	HB 259
SPONSOR:	Yarkosky

Is this bill part of an agency package?
Y <input type="checkbox"/> N <input checked="" type="checkbox"/>

BILL ANALYSIS INFORMATION	
DATE OF ANALYSIS:	10/17/2025
LEAD AGENCY ANALYST:	For further information, please contact JP Bell at (850) 245-4006. Evalee Taylor, Acting Executive Director, Board of Chiropractic Medicine
ADDITIONAL ANALYST(S):	Click or tap here to enter text.
LEGAL ANALYST:	Click or tap here to enter text.
FISCAL ANALYST:	Click or tap here to enter text.

---

**POLICY ANALYSIS**

---

**1. EXECUTIVE SUMMARY**

The bill amends section 460.413, Florida Statutes (F.S.), to repeal the \$1,500.00 maximum amount chiropractic physicians are permitted to collect from patients as advanced payment for examination and treatment, effectively allowing any amount to be collected in advance for patient treatments and held in trust.

**2. SUBSTANTIVE BILL ANALYSIS****1. PRESENT SITUATION:**

The practice of Chiropractic Medicine is regulated in accordance with Chapters 460 and 456, F.S., and rules promulgated by the Board of Chiropractic Medicine (Board). As of July 1, 2025, there are 8,994 health care practitioners licensed to practice chiropractic medicine in Florida.

Rule 64B2-14.001, Florida Administrative Code (F.A.C.), defines "Trust Fund" as, "unearned fees in the form of cash or property other than cash, which are received by a chiropractor prior to the chiropractor rendering his services or his selling of goods and appliances."

Section 460.413(1)(y), F.S., requires chiropractic physicians who collect money or other property with a value greater than \$501.00 as advance payment for examination or treatment are required to place such payments in trust. Currently, chiropractic physicians are prohibited from collecting amounts or property which exceed \$1,500.00 in value. Monies may only be used for the specified patient and purpose and must be kept with records of specific accounting principles set forth in Rule 64B2-14.001, F.A.C.

Since 2012, the Department of Health (Department) has received a total of 12 complaints alleging violation of section 460.413(1)(y), F.S., of which nine involved collecting amounts greater than \$1,500.00. Probable cause was found in eight cases. Two cases are still in litigation, pending formal hearings before the Division of Administrative Hearings; one has not yet been presented to the Board. The other outstanding was determined to be a violation and the Board issued a reprimand, one year probation with quarterly record monitoring, mandatory reimbursement to the patient, and payment of the Department's costs. Four cases were resolved via settlement agreements that included reprimands or letters of concern, fines ranging between \$6,500.00 and \$10,000.00, reimbursement of patient monies held in trust, mandatory continuing education hours, and payment of the Department's costs.

Beginning January 1, 2026, health care practitioners, including chiropractic physicians, will be required to refund patients within 30 days of identifying that an overpayment was made, as required by Chapter 2025-48, Laws of Florida. This will include monies held in trust. Violations will be grounds for disciplinary action under s. 456.072, F.S. In August of 2025, the Board proposed amendments to Rules 64B2-16.003 and 64B2-16.0075, F.A.C., to include citations and disciplinary guidelines for such violations. Proposed rule language provides options, dependent on offense history or aggravating circumstances, ranging from a \$500.00 citation for first offense to a fine between \$1,000.00 and \$10,000.00 and penalties of a letter of concern through revocation. All discipline includes the mandatory refund of any overpayment not yet made.

**2. EFFECT OF THE BILL:**

The bill repeals the maximum monetary amount that chiropractic physicians can hold in a trust, effectively allowing any amount to be collected in advanced from patients. Chiropractic physicians will no longer be subject to disciplinary action by the Board for collecting advanced payments in excess of \$1,500.00 for costs and expenses of examination and treatment. Monies in excess of \$501.00 would continue to be required to be placed in trust and only applied to the specified patient and purpose.

If passed, the Department would review any pending complaints that involve the collection of more than \$1,500.00 and those complaints would likely be closed.

The Department would communicate this change to chiropractic physicians through multiple media platforms.

**3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/ DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?**

Y ☐ N ☒

If yes, explain:	N/A
Is this change consistent with the agency's core mission?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Rule(s) impacted (provide references to F.A.C., etc.):	N/A

**4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?**

List any known proponents and opponents:	Unknown
Provide a summary of the proponents' and opponents' positions:	Unknown

**5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS LEGISLATION?**

Y ☐ N ☒

If yes, provide a description:	N/A
Date Due:	N/A
Bill Section Number(s):	N/A

**6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS LEGISLATION?**

Y ☐ N ☒

Board:	N/A
Board Purpose:	N/A
Who Appoints:	N/A
Appointee Team:	N/A
Changes:	N/A
Bill Section Number(s):	N/A

## FISCAL ANALYSIS

### 1. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT?

Y ☐ N ☒

Does the legislation increase local taxes or fees?	N/A
--	-----

### 2. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO STATE GOVERNMENT?

Y ☐ N ☒

Revenues:	N/A
Expenditures:	N/A
Does the legislation contain a State Government appropriation?	N/A
If yes, was this appropriated last year?	N/A

### 3. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?

Y ☐ N ☐

Revenues:	Unknown
Expenditures:	Unknown
Other:	Unknown

### 4. DOES THE LEGISLATION INCREASE OR DECREASE TAXES, FEES, OR FINES?

Y ☐ N ☒

Does the bill increase taxes, fees or fines?	N/A
Does the bill decrease taxes, fees or fines?	N/A
What is the impact of the increase or decrease?	N/A
Bill Section Number:	N/A

## TECHNOLOGY IMPACT

### 1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?

Y ☐ N ☒

If yes, describe the anticipated impact to the agency including any fiscal impact.	N/A
--	-----

## FEDERAL IMPACT

### 1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?

Y ☐ N ☒

If yes, describe the anticipated impact including any fiscal impact.	N/A
--	-----

## ADDITIONAL COMMENTS

MQA has indicated no fiscal impact. -CAA

---

**LEGAL - GENERAL COUNSEL'S OFFICE REVIEW**

---

<p>Does the proposed legislation conflict with existing federal law, or regulations? If so, what laws and/or regulations?</p> <p>Does the proposed legislation raise significant constitutional concerns under the U.S. or Florida Constitutions (e.g. separation of powers, access to the courts, equal protection, free speech, establishment clause, impairment of contracts)?</p> <p>Is the proposed legislation likely to generate litigation and, if so, from what interest groups or parties?</p>	<p>No legal issues or concerns at this time.</p>
--	--



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: CS/SB 332

INTRODUCER: Judiciary Committee and Senator Bradley

SUBJECT: Public Meetings

DATE: January 27, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	Fav/CS
2.			GO	
3.			RC	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

---

**I. Summary:**

CS/SB 332 creates a public meetings exemption to allow the members of a local government board to meet privately to review a claim made against the government pursuant to the Bert J. Harris, Jr., Property Rights Protection Act. Once the claim is resolved, the records of the meeting, including a transcript, will be open to the public.

The Bert Harris Act creates a means for a landowner to seek compensation in certain instances where a local government entity has taken an action that has reduced the fair market value of the property. A claimant must make a claim prior to filing a lawsuit and the local government must respond to the claim.

Under current law, the meeting among government officials to discuss the claim and determine potential settlement offers must be open to the public. However, similar meetings of a public body to discuss lawsuit strategies and settlement offers are closed to the public during the course of the lawsuit but open when the litigation is concluded.

The bill may have an undetermined positive impact on state and local government expenditures.

The bill is subject to Article I, section 24 of the State Constitution, which requires a two-thirds vote of each house of the Legislature on final passage.

The bill is effective July 1, 2025.

## II. Present Situation:

### Open Meetings Law

The Florida Constitution provides that the public has a right to access governmental meetings.<sup>1</sup> Each collegial body must provide notice of its meetings to the public and permit the public to attend any meeting at which official acts are taken or at which public business is transacted or discussed.<sup>2</sup> This applies to the meetings of any collegial body of the executive branch of state government, counties, municipalities, school districts, or special districts.

Public policy regarding access to government meetings is also addressed in the Florida Statutes. Section 286.011, F.S., which is also known as the “Government in the Sunshine Law,”<sup>3</sup> or the “Sunshine Law,”<sup>4</sup> requires all meetings of any board or commission of any state or local agency or authority at which official acts are to be taken be open to the public.<sup>5</sup> A commonly used exception creates an exception for meetings often referred to as a “shade meeting.” By general law passed by a two-thirds vote of each house, the Legislature may exempt any meeting from the public meeting requirements.<sup>6</sup>

### Shade Meetings

A shade meeting refers to a private meeting of any public board or commission to discuss litigation strategy with an attorney hired by that board or commission.<sup>7</sup> To be lawful, a shade meeting must comply with these requirements:

- The board or commission’s attorney must advise the board or commission at a public meeting that the attorney desires advice concerning the litigation.
- The subject matter of the meeting must be confined to settlement negotiations or strategy sessions related to litigation expenditures.
- The entire private session must be recorded by a certified court reporter.
- The entity must give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session.
- The transcript must be made part of the public record upon conclusion of the litigation.<sup>8</sup>

### Bert Harris Act

The “Bert J. Harris, Jr., Private Property Rights Protection Act” was first enacted by the 1995 Legislature.<sup>9</sup> The stated purpose for the law is:

---

<sup>1</sup> FLA. CONST., art. I, s. 24(b).

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

<sup>3</sup> *Times Pub. Co. v. Williams*, 222 So. 2d 470, 472 (Fla. 2d DCA 1969).

<sup>4</sup> *Board of Public Instruction of Broward County v. Doran*, 224 So. 2d 693, 695 (Fla. 1969).

<sup>5</sup> Section 286.011(1)-(2), F.S.

<sup>6</sup> FLA. CONST., art. I, s. 24(c).

<sup>7</sup> Section 286.011(8), F.S.

<sup>8</sup> Sections 286.011(8)(a)-(e), F.S.

<sup>9</sup> Chapter 95-181, Laws of Fla. Bert J. Harris, Jr. was known as a champion of private property rights in Florida. He was a state Representative who represented the Lake Placid area from 1982 to 1996. He made the promotion of agriculture his life’s avocation. A 1943 honors graduate of the University of Florida with a degree in agriculture, Harris served as a corporal in the U.S. Army Air Corps during World War II. A citrus grower and rancher himself, Harris owned Rainbow Caladiums and was an independent farming consultant until his election into the Legislature. Harris’ efforts with the passage of private property

The Legislature recognizes that some laws, regulations, and ordinances of the state and political entities in the state, as applied, may inordinately burden, restrict, or limit private property rights without amounting to a taking under the State Constitution or the United States Constitution. The Legislature determines that there is an important state interest in protecting the interests of private property owners from such inordinate burdens. Therefore, it is the intent of the Legislature that, as a separate and distinct cause of action from the law of takings, the Legislature herein provides for relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity in the state, as applied, unfairly affects real property.<sup>10</sup>

The act provides that, when a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government.<sup>11</sup> The stated intent of the act is to provide relief in cases that may not rise to the level of a taking under the State Constitution or the United States Constitution.<sup>12</sup>

The act creates a civil cause of action for an affected property owner.<sup>13</sup> Prior to filing a lawsuit, the property owner must file a claim with the entity. The claim must include a written appraisal report that supports the claim and demonstrates the loss in fair market value to the real property.<sup>14</sup> During the 90-day-notice period, unless extended by agreement of the parties, the governmental entity must reply with a written settlement offer that includes actions that the entity may take to mitigate the impact, including one or more of the following:

- An adjustment of land development or permit standards or other provisions controlling the development or use of land.
- Increases or modifications in the density, intensity, or use of areas of development.
- Transfer of development rights.
- Land swaps or exchanges.
- Other mitigation including payments in lieu of onsite mitigation, or location on the least sensitive portion of the property.
- Conditioning the amount of development or use permitted.
- A requirement that issues be addressed on a more comprehensive basis than a single proposed use or development.

---

rights to protect landowners from excessive government resulted in the naming of the bill the “Bert J. Harris Jr. Private Property Rights Protection Act.” He also sponsored legislation to settle citrus canker cases, passed legislation to prevent the disparagement of perishable food products and worked to meet the Greenbelt Law. He passed away in 2019. This note is a compilation of historical data gleaned from the Florida Agricultural Hall of Fame, at <https://floridaaghalloffame.org/1999/10/bert-j-harris-jr/> and other sources, including [https://en.wikipedia.org/wiki/Bert\\_J.\\_Harris\\_Jr.](https://en.wikipedia.org/wiki/Bert_J._Harris_Jr.)

<sup>10</sup> Section 70.001(1), F.S.

<sup>11</sup> Section 70.001(2), F.S.

<sup>12</sup> Section 70.0001(9), F.S.

<sup>13</sup> Section 70.001(5)(b), F.S.

<sup>14</sup> Section 70.001(4)(a), F.S.

- Issuance of the development order, a variance, a special exception, or any other extraordinary relief.
- Purchase of the real property, or an interest therein, by an appropriate governmental entity or payment of compensation.

Alternatively, the entity may reply with a statement that there will be no changes to the action of the governmental entity.

Replying to the claim is required. To reply to the claim, the entity must meet with the attorney and at the meeting discuss anticipated results if they do not settle, together with alternative settlement strategies. Ordinarily, lawyers and clients can meet in private regarding litigation strategy, whether they are private actors or public.<sup>15</sup> The reason for this privacy is:

The attorney-client privilege is the backbone of the legal profession. It encourages the client to be open and honest with his or her attorney without fear that others will be able to pry into those conversations. Further, being fully informed by the client enables the attorney to provide the best legal advice.<sup>16</sup>

However, the current law creating the authority to conduct a shade meeting does not apply to the mandatory discussion of a Bert Harris claim.<sup>17</sup> Thus, a public meeting must occur and claimants can attend these meetings and discover the entity's view of the claim and possible responses.

### **III. Effect of Proposed Changes:**

CS/SB 332 creates a public meetings exemption allowing a public entity to conduct a private meeting with an attorney for the purpose of discussing a claim submitted pursuant to the Bert J. Harris, Jr. Private Property Rights Protection Act. Upon resolution of the claim, the exemption ends and the records of the meeting, including transcripts, are open to public inspection and copying. The process created for this pre-suit meeting is the same as the process that currently applies to the very similar attorney-client meetings of a governing body.

The bill also includes a public necessity statement and complies with the Open Government Sunset Review Act.

The bill is effective July 1, 2025, and is repealed October 2, 2031 unless saved from repeal.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

---

<sup>15</sup> Section 90.502, F.S.

<sup>16</sup> Jacqueline Kate Unger, *Maintaining the Privilege: A Refresher on Important Aspects of the Attorney-Client Privilege*, ABA Law Today (Oct. 2013), [https://www.americanbar.org/groups/business\\_law/resources/business-law-today/2013-october/maintaining-the-privilege/](https://www.americanbar.org/groups/business_law/resources/business-law-today/2013-october/maintaining-the-privilege/).

<sup>17</sup> Op. Att'y Gen, Fla. 09-25 (2009).

**B. Public Records/Open Meetings Issues:**

Art. I, s. 24(b) of the state constitution requires that “[a]ll meetings of any collegial public body of . . . any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public . . . .”

This bill appears to create an exemption from this requirement. Accordingly, s. 24(c) requires that this bill relate solely to the exemption, must state with specificity the public necessity justifying the exemption, and may be no broader than necessary to accomplish the stated purpose of the law.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 286.011 of the Florida Statutes.  
This bill creates section 70.90 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Judiciary on January 27, 2026:**

The amendment changed the placement of the exemption to a standalone section without changing process or effect, added a public necessity statement, and added a future repeal to comply with the Open Government Sunset Review Act.

- B. **Amendments:**

None.



865486

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/27/2026	.	
	.	
	.	
	.	

---

The Committee on Judiciary (Bradley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 70.90, Florida Statutes, is created to  
read:

70.90 Public meetings and records regarding a claim under  
the Bert J. Harris, Jr. Private Property Rights Protection Act.—

(1) Notwithstanding section 286.011(1), any board or  
commission of any state agency or authority or any agency or  
authority of any county, municipal corporation, or political



865486

subdivision, and the chief administrative or executive officer of the governmental entity may meet in private with the entity's attorney during the 90-day-notice period specified in s. 70.001(4) to discuss claims submitted in accordance with that subsection provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning a claim submitted in accordance with s. 70.001(4).

(b) The subject matter of the meeting must be confined to settlement negotiations or strategy sessions relating to a claim submitted in accordance with s. 70.001(4).

(c) The entire session must be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session may be off the record. The court reporter's notes must be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session must commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting must be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript must be made part of the public record





865486

upon settlement of a claim under s. 70.001, or upon the  
expiration of the statute of limitations for the claim arising  
under chapter 70 in the event that no litigation is filed and  
there is no settlement of a claim under s. 70.001.

(2) This section is subject to the Open Government Sunset  
Review Act in accordance with s. 119.15 and shall stand repealed  
on October 2, 2031, unless reviewed and saved from repeal  
through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public  
necessity that meetings to discuss a presuit claim under the  
Bert J. Harris, Jr., Private Property Rights Protection Act be  
made confidential and closed to the public. When those meetings  
are conducted in an open meeting, the governing body cannot  
effectively review, discuss, and prepare strategies for  
resolution of the claim. Similar meetings regarding ongoing  
litigation are currently confidential. Making these hearings  
confidential and closed to the public encourages a local  
government to reasonably develop negotiation strategies that  
make presuit resolution more likely. Requiring public hearings  
relating to a Bert Harris claim defeats the purpose of having a  
presuit claim process, namely, to foster settlement quickly  
while limiting attorney fees of all parties. The public is  
protected by the requirement that the records of the meeting is  
open once the claim is settled.

Section 3. This act shall take effect July 1, 2026.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause



865486

and insert:

A bill to be entitled

An act relating to public meetings; creating s. 70.90,  
F.S.; providing that specified entities may meet in  
private with their attorneys to discuss certain claims  
concerning private property rights; specifying what  
may be discussed during such closed meetings;  
requiring that such meetings be transcribed; providing  
that such transcripts become public records at  
specified times; providing for future review;  
providing a public necessity statement; providing an  
effective date.

By Senator Bradley

6-00375-26

2026332\_\_

1 A bill to be entitled  
 2 An act relating to public meetings; amending s.  
 3 286.011, F.S.; providing that specified entities may  
 4 meet in private with their attorneys to discuss  
 5 certain claims concerning private property rights;  
 6 specifying what may be discussed during such closed  
 7 meetings; requiring that such meetings be transcribed;  
 8 providing that such transcripts become public records  
 9 at specified times; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13 Section 1. Subsection (8) of section 286.011, Florida  
 14 Statutes, is amended to read:

15 286.011 Public meetings and records; public inspection;  
 16 criminal and civil penalties.—

17 (8) Notwithstanding ~~the provisions of~~ subsection (1), any  
 18 board or commission of any state agency or authority or any  
 19 agency or authority of any county, municipal corporation, or  
 20 political subdivision, and the chief administrative or executive  
 21 officer of the governmental entity, may meet in private with the  
 22 entity's attorney during the 90-day-notice period specified in  
 23 s. 70.001(4) to discuss claims submitted in accordance with that  
 24 subsection, and may meet in private with the entity's attorney  
 25 to discuss pending litigation to which the entity is presently a  
 26 party before a court or administrative agency, provided that the  
 27 following conditions are met:

28 (a) The entity's attorney shall advise the entity at a  
 29 public meeting that he or she desires advice concerning the

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-00375-26

2026332\_\_

30 litigation or concerning a claim submitted in accordance with s.  
 31 70.001(4).

32 (b) The subject matter of the meeting ~~must~~ shall be  
 33 confined to settlement negotiations or strategy sessions related  
 34 to litigation expenditures or relating to a claim submitted in  
 35 accordance with s. 70.001(4).

36 (c) The entire session ~~must~~ shall be recorded by a  
 37 certified court reporter. The reporter shall record the times of  
 38 commencement and termination of the session, all discussion and  
 39 proceedings, the names of all persons present at any time, and  
 40 the names of all persons speaking. No portion of the session ~~may~~  
 41 ~~shall~~ be off the record. The court reporter's notes must ~~shall~~  
 42 be fully transcribed and filed with the entity's clerk within a  
 43 reasonable time after the meeting.

44 (d) The entity shall give reasonable public notice of the  
 45 time and date of the attorney-client session and the names of  
 46 persons who will be attending the session. The session must  
 47 ~~shall~~ commence at an open meeting at which the persons chairing  
 48 the meeting shall announce the commencement and estimated length  
 49 of the attorney-client session and the names of the persons  
 50 attending. At the conclusion of the attorney-client session, the  
 51 meeting ~~must~~ shall be reopened, and the person chairing the  
 52 meeting shall announce the termination of the session.

53 (e) The transcript ~~must~~ shall be made part of the public  
 54 record upon conclusion of the litigation, upon settlement of a  
 55 claim under s. 70.001, or upon the expiration of the statute of  
 56 limitations for the claim arising under chapter 70 in the event  
 57 that no litigation is filed and there is no settlement of a  
 58 claim under s. 70.001.

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-00375-26

2026332\_\_

59

Section 2. This act shall take effect July 1, 2026.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Regulated Industries, *Chair*  
Appropriations Committee on Higher  
Education, *Vice Chair*  
Appropriations Committee on Pre-K - 12 Education  
Criminal Justice  
Ethics and Elections  
Fiscal Policy  
Rules

### JOINT COMMITTEES:

Joint Committee on Public Counsel Oversight,  
*Alternating Chair*

### SENATOR JENNIFER BRADLEY

6th District

November 18, 2025

Senator Clay Yarborough, Chairman  
Judiciary Committee  
308 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

Dear Chair Yarborough:

I respectfully request that Senate Bill 332 be placed on the agenda of the Judiciary Committee at your earliest convenience. The bill would authorize local governments and other government bodies to hold closed attorney-client meetings during the 90-day notice period to discuss claims.

Thank you for your consideration and please reach out if you have any questions or concerns about the bill.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Bradley". The signature is fluid and cursive.

Jennifer Bradley

cc: Tom Cibula, Staff Director  
Lisa Larson, Administrative Assistant

### REPLY TO:

- ☐ 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- ☐ 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

S  
HB 332  
Bill Number or Topic

Amendment Barcode (if applicable)

Jan 27, 2026  
Meeting Date

Judiciary  
Committee

Name Wendy Vivas

Phone 352-222-7501

Address 14182 NE 138th St  
Street

Email makingcakes@gmail.com

Waldo FL 32694  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27

Meeting Date

332

Bill Number or Topic

Judiciary

Committee

Name

JEFF SCALA

Phone

(727) 637-4051

Address

100 S Monroe

Email

jscal@fl-counties.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Florida Association of Counties

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flcourts.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

SB 332

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Ed Book

Phone

352-222-7968

Address

4933 NW 11 Place

Email

bookea@cityofgainesville.org

Street

Gainesville FL

32605

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/24

Meeting Date

Judiciary

Committee

332

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Councilman Marc Wiger

Phone

561 334 9709

Address

201 W. Palmetto Park Rd

Email

mwiger@mybca.us

Street

Boca Raton

FL

33496

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

JANUARY 27, 2026

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

332

Bill Number or Topic

Judiciary

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Matthew Singer

Phone

850-701-3652

Address

301 S. Bronough St, Ste #301

Email

MSinger@FLCities.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Florida League of Cities

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

01/27/24

Meeting Date

Judiciary

Committee

332

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Amina Spanic

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

Florida For All

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 532

INTRODUCER: Senator Simon and others

SUBJECT: Court Fees

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	<b>Pre-meeting</b>
2.			ACJ	
3.			AP	

---

## **I. Summary:**

SB 532 increases numerous civil court filing fees and service charges that are paid by litigants in cases filed in the state court system. The increases benefit the clerks of court, none directly accrue to the state. The bill also requires the Office of Economic and Demographic Research to prepare reports with recommendations for increasing filing fees and service charges collected by the clerks of court. The first report is due January 1, 2030, and future reports are required every 3 years thereafter.

The bill will increase revenues to the clerks of courts by approximately \$47 million annually.

This bill requires approval by a two-thirds vote of the membership of each chamber on final passage, pursuant to Article VII, section 19 of the State Constitution.

The bill is effective July 1, 2026.

## **II. Present Situation:**

The clerk of the circuit court is a constitutional officer elected at the county level.<sup>1</sup> Historically, the clerk not only managed the court system (keeping court files, staffing the courtroom, and collecting criminal court fines and court-related filing fees and service charges), but also acted as the clerk to the county commission, auditor, recorder, and custodian of county funds. Most counties still follow this model, although some historical county-level functions of individual clerks are now assigned to other offices or officials.

---

<sup>1</sup> FLA. CONST. art. V, s. 16.

Before 2004, all monies collected by the clerk went first to any fund or funds if any, that the authorizing statute required.<sup>2</sup> The remaining monies collected by a clerk were deposited in either the county general fund or the county's fine and forfeiture fund. The clerk's budget was adopted by the county commission, which used the fine and forfeiture fund together with county general funds to pay for the services of the clerk. The county has always been responsible for providing a clerk appropriate office space and utilities, and thus, most of a clerk's budget today is for staff (wages and benefits).

A constitutional amendment, which was approved by the voters in 1998 and took effect in 2004, requires a clerk to internally split the office budget into court-related functions and county-related functions.<sup>3</sup> The amendment requires that a county must fund the clerk's county-related functions, and the state must fund court-related functions of a clerk by authorizing the clerk to retain filing fees, service charges, and other monies collected. The state is required to implement sufficient filing fees and service charges to cover a clerk's expenses and may be required to provide supplemental appropriations if necessary.

Current law provides a framework that complies with the constitutional requirements.<sup>4</sup> Each office of the clerk of court retains whatever funds it collects that are not otherwise allocated. The state authorizes each clerk to develop a budget subject to statutory guidelines. To the extent that a clerk collects court-related monies in excess of budgeted expenses, the clerk must send the excess to the Clerks of Court Operations Corporation (CCOC), a corporation wholly owned by the state. To the extent that a clerk's revenues are less than the budgeted expense for operations, a clerk may seek additional funding from the CCOC payable from the excess funds of other clerks. If at the end of the fiscal year the CCOC has a surplus, it reverts to the state. If at the end of the fiscal year the CCOC is short of funds needed for some clerks, the CCOC may ask for supplemental state funding. Current year projections are that 18 counties will have a surplus, and the remaining counties will incur a deficit. The overall current year estimated statewide deficit is \$29.2 million.<sup>5</sup>

### **III. Effect of Proposed Changes:**

Primarily, the bill increases many civil court filing fees and service charges that are collected by the clerks of court, as shown on the tables below.

---

<sup>2</sup> For an example of the extreme distribution requirements, a payment for a traffic ticket may be spread among as many as 20 funds, the clerk keeping the remainder. See s. 318.21, F.S. To see the current complexity of the system, there is a 125-page manual. See Florida Association of Court Clerks & Comptrollers, *2025 Distribution Schedule*, at [https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025\\_Distribution\\_Schedule\\_-.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-.pdf).

<sup>3</sup> Revision 7, 1998 general election. See FLA. CONST. art. V, s. 14(b)-(c).

<sup>4</sup> See generally, ss. 28.35, 28.36, 28.37, 28.42, and 28.44, F.S.

<sup>5</sup> See, untitled spreadsheet at <https://flccoc.org/wp-content/uploads/2025/08/CFY-2025-26-Funded-Depository-Calculation.pdf>.

SB 532 Proposed Changes to Court-Related Fees			
Statute	Description	Current	Proposed
<i>Clerk Fees Applicable to All Case Types</i>			
28.24(2)	Service charge for examining, comparing, correcting, verifying, and certifying transcripts of record in appellate proceedings, per page.	\$ 5.00	\$ 6.00
28.24(3)	Service charge for preparing, numbering, and indexing an original record of appellate proceedings, per instrument.	\$ 3.50	\$ 4.00
28.24(5)(a)	Service charge for verifying any instrument presented for certification prepared by someone other than clerk, per page.	\$ 3.50	\$ 4.00
28.24(9)(a)	Service charge for writing any paper that is a court record (unless other service charge applies).	\$ 7.00	\$ 8.00
28.24(11)(b)	Service charge for collecting and holding a deposit in an eminent domain lawsuit, per deposit.	\$ 170.00	\$ 200.00
28.24(14)(a)	Service charge for an oath, administering, attesting, and sealing of court records not otherwise provided for.	\$ 3.50	\$ 4.00
28.24(15)(a)	Service charge for validating certificates or any authorized bonds that are court records.	\$ 3.50	\$ 4.00
28.24(17)	Service charge for exemplified certificates, including the signing and sealing of them.	\$ 7.00	\$ 8.00
28.24(18)(a)	Service charge for authenticated certificates that are court records, including the signing and sealing of them.	\$ 7.00	\$ 8.00
28.24(19)(a)	Service charge for issuing and filing a subpoena for a witness, including the writing, preparing, signing, and sealing of the subpoena.	\$ 7.00	\$ 8.00
28.24(19)(b)	Service charge for signing and sealing only.	\$ 2.00	\$ 3.00
28.24(20)(a)	Service charge for approving a court bond.	\$ 8.50	\$ 10.00
28.24(21)(a)	Service charge for searching court records, per year.	\$ 2.00	\$ 3.00
28.24(26)	Service charge for sealing any court file or expungement of any record.	\$ 42.00	\$ 50.00

<i>Circuit Court Fees</i>			
28.241(1)(a)1.a.	Circuit court filing fee, where other specialized filing fees do not apply, up to 5 defendants.	\$ 395.00	\$ 460.00
	If more than 5 defendants named, additional filing fee per defendant.	\$ 2.50	\$ 5.00
28.241(1)(a)1.b.	Reduced circuit court filing fee applicable to proceedings related to children, dissolution of marriage, paternity, conservatorship, temporary custody of minor children by extended family, grandparent visitation, and supervised visitation.	\$ 295.00	\$ 345.00
	If more than 5 defendants named, additional filing fee per defendant.	\$ 2.50	\$ 5.00
28.241(1)(a)1.c.	Additional civil court filing fee applicable to all circuit civil actions. Fee is designated for court education and clerk education trust funds.	\$ 4.00	\$ 5.00
28.241(1)(a)1.d.	Civil filing fee for mortgage foreclosure, where outstanding debt is \$50,000 or less, up to 5 defendants.	\$ 395.00	\$ 470.00
	If more than 5 defendants named, additional filing fee per defendant.	\$ 2.50	\$ 5.00
28.241(1)(a)1.d.	Civil filing fee for mortgage foreclosure, where outstanding debt is between \$50,000 and \$250,000, up to 5 defendants.	\$ 900.00	\$ 1,070.00
	If more than 5 defendants named, additional filing fee per defendant.	\$ 2.50	\$ 5.00
28.241(1)(a)1.d.	Civil filing fee for mortgage foreclosure where the outstanding debt is in excess of \$250,000, up to 5 defendants.	\$ 1,900.00	\$ 2,260.00
	If more than 5 defendants named, additional filing fee per defendant.	\$ 2.50	\$ 5.00
28.241(1)(a)1.e.	Additional filing fee in all foreclosure actions, designated for court education and clerk education trust funds.	\$ 4.00	\$ 5.00
28.241(1)(b)	Filing fee for motion to reopen civil action (with numerous exceptions).	\$ 50.00	\$ 60.00
28.241(1)(c)1.	Filing fee for initial filing of defensive pleading if the defendant is seeking affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, if s. 24.241(1)(a)1.a. applied to initial complaint or petition.	\$ 395.00	\$ 470.00
	Filing fee for the initial filing of a defensive pleading seeking affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, if s. 24.241(1)(a)1.b. applied to the initial complaint or petition (in general, family law proceedings).	\$ 295.00	\$ 350.00

28.241(1)(c)2.a.	Filing fee for the initial filing of a defensive pleading seeking affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, in foreclosure case where the outstanding debt is \$50,000 or less	\$ 395.00	\$ 470.00
28.241(1)(c)2.b.	Filing fee for the initial filing of a defensive pleading seeking affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, in foreclosure case where the outstanding debt is between \$50,000 and \$250,000.	\$ 900.00	\$ 1,070.00
28.241(1)(c)2.c.	Filing fee for the initial filing of a defensive pleading seeking affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, in foreclosure case where the outstanding debt is in excess of \$250,000.	\$ 1,900.00	\$ 2,260.00
28.241(1)(d)	Service charge for issuing an original, a certified copy, or an electronic certified copy of a summons.	\$ 10.00	\$ 15.00
28.241(2)(b)	Additional filing fee for filing a notice of appeal from the county or circuit court to the district court of appeal or to the Supreme Court.	\$ 100.00	\$ 115.00

#### *County Court Fees*

34.041(1)(a)5.	County court civil action filing fee for a claim in excess of \$15,000. <sup>6</sup>	\$ 395.00	\$ 460.00
34.041(1)(b)	Additional case filing fee for court and clerk education programs.	\$ 4.00	\$ 5.00
34.041(1)(d)	Service charge for issuing a summons.	\$ 10.00	\$ 15.00
34.041(2)	County court civil action filing fee for a motion to reopen a civil action, claim under \$500.	\$ 25.00	\$ 30.00
	County court civil action filing fee for a motion to reopen a civil action, claim over \$500.	\$ 50.00	\$ 60.00

#### *Probate Fees*

28.2401(1)(a)	Case filing fee for the opening of any estate of one document or more, including, but not limited to, petitions and orders to approve settlement of minor's claims; to open a safe-deposit box; to enter rooms and places; for the determination of heirs, if not formal administration; and for a foreign guardian to manage property of a nonresident; but not to	\$ 230.00	\$ 275.00
---------------	---	-----------	-----------

<sup>6</sup> Note that this bill does not change the county court case filing fees applicable to claims of less than \$15,000.



	include issuance of letters or order of summary administration.		
28.2401(1)(c)	Case filing fee for a petition and order to admit foreign wills, authenticated copies, exemplified copies, or transcript to record.	\$ 230.00	\$ 275.00
28.2401(1)(d)	Case filing fee for disposition of personal property without administration.	\$ 230.00	\$ 275.00
28.2401(1)(g)	Case filing fee for formal administration, guardianship, ancillary, curatorship, or conservatorship proceedings.	\$ 395.00	\$ 470.00

<i>Guardianship Fees</i>			
744.3678(4)(a)	Annual guardianship audit fee, if guardianship estate is less than \$25,000.	\$ 20.00	\$ 25.00
744.3678(4)(b)	Annual guardianship audit fee, if guardianship estate is valued between \$25,000 and \$100,000.	\$ 85.00	\$ 100.00
744.3678(4)(c)	Annual guardianship audit fee, if guardianship estate is valued between \$100,000 and \$500,000.	\$ 170.00	\$ 200.00
744.3678(4)(d)	Annual guardianship audit fee, if guardianship estate is valued in excess of \$500,000.	\$ 250.00	\$ 295.00

<i>Other</i>			
45.035(2)(b)	Service charge for distribution of a foreclosure sale surplus in a foreclosure action.	\$ 15.00	\$ 20.00
721.83(3)	Additional filing fee per timeshare unit in a consolidated timeshare foreclosure action.	\$ 10.00	\$ 15.00

Many of these filing fees and service charges have a portion specifically directed to a particular fund or to the state General Revenue Fund, with the clerk retaining the remainder. The bill does not affect the amounts directed to the state nor does it impact remittances to other funds or entities.

The bill also directs the Office of Economic and Demographic Research to prepare a report by January 1, 2030. The report must examine the filing fees and service charges and must include recommendations for increasing the filing fees and service charges according to the percentage change in the Consumer Price Index. Most of the recommended filing fees and service charges must be rounded to the nearest \$5. The reports must be furnished 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. Future reports are required every 3 years thereafter.

The bill is effective July 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

This bill appears to increase state taxes or fees, and thus, appears to be subject to the requirements of Article VII, section 19 of the Florida Constitution. That section requires that a bill imposing, approving, or raising any tax or fee be contained in a separate bill that contains no other subject. The section also requires approval of this bill by a two-thirds vote of the membership of each chamber on final passage.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

This bill increases fees and thus is subject to Article VII, section 19 of the State Constitution.

**B. Private Sector Impact:**

This bill will increase the filing fees and service charges paid by the private sector by \$47 million annually.

**C. Government Sector Impact:**

This bill will increase revenues of the clerks of court by \$47 million annually.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The effective date of the bill is July 1, 2026. Using July 1 as an effective date of Florida legislation is traditional as a reflection of the state budget cycle that starts every fiscal year on

July 1. The clerks of court, however, are a part of local government, and thus, their fiscal year starts on October 1.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 28.24, 28.2401, 28.241, 34.041, 45.035, 721.83, and 744.3678.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



491654

LEGISLATIVE ACTION

Senate

.  
.  
.  
.  
.  
.

House

---

The Committee on Judiciary (Simon) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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 to read:



491654

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

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

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

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

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



491654

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

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

(17) For exemplified certificates, including the signing and sealing of them: 8.00 ~~7.00~~, from which the clerk shall remit 1.00 to the Department of Revenue for deposit into the General Revenue Fund.

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

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

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

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

(21) (a) For searching court records, for each year's search: 3.00 ~~2.00~~, from which the clerk shall remit 0.50 for



491654

each year's search to the Department of Revenue for deposit into the General Revenue Fund.

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

Section 2. Paragraphs (a), (c), (d), and (g) of subsection (1) of section 28.2401, Florida Statutes, are amended to read:

28.2401 Service charges and filing fees in probate matters.—

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

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

(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



491654

paragraphs (a), (c)-(i), and (k) to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.

Section 3. Subsections (1) and (2) of section 28.241, Florida Statutes, 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 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.

(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court must ~~shall~~ pay to the clerk of that court a filing fee of up to \$460 ~~\$395~~ in all cases in which there are not more than five defendants and an additional filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit \$0.50 to the Department of Revenue for deposit into the General Revenue Fund, for each defendant in excess of five. Of the first \$200 in filing fees, \$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 be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial





491654

Services to fund audits of individual clerks' court-related 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 that is granted, from which the clerk shall remit \$3 to the Department of Revenue for deposit into the General Revenue Fund.



491654

The clerk may impose an additional filing fee of up to \$85, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund, 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 this section or by general law.

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

b. A party must ~~shall~~ estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any moneys advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value must ~~shall~~ also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party must ~~shall~~ declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this sub-subparagraph.

c. In its order providing for the final disposition of the matter, the court shall identify the actual value of the claim. The clerk must ~~shall~~ adjust the filing fee if there is a



491654

difference between the estimated amount in controversy and the actual value of the claim and collect any additional filing fee owed or provide a refund of excess filing fee paid.

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

(I) Four hundred and seventy ~~Three hundred and ninety-five~~ dollars in all cases in which the value of the claim is \$50,000 or less and in which there are not more than five defendants. The party must ~~shall~~ pay an additional filing fee of up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in filing fees, \$195 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue 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;

(II) One thousand and seventy ~~Nine hundred~~ dollars in all cases in which the value of the claim is more than \$50,000 but less than \$250,000 and in which there are not more than five defendants. The party must ~~shall~~ pay an additional filing fee of up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the first \$355 in filing fees, \$350 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department



491654

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; or

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



491654

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 this section or by general law.

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

1. A writ of garnishment;
2. A writ of replevin;
3. A distress writ;
4. A writ of attachment;



491654

5. A motion for rehearing filed within 10 days;

6. A motion for attorney's fees filed within 30 days after entry of a judgment or final order;

7. A motion for dismissal filed after a mediation agreement has been filed;

8. A disposition of personal property without 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,



491654

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.

(2) Upon the institution of any appellate proceeding from



491654

any lower court to the circuit court of any such county, including appeals filed by a county or municipality as provided in s. 34.041(5), or from the county or circuit court to an appellate court of the state, the clerk shall charge and collect from the party or parties instituting such appellate proceedings a filing fee, as follows:

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

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

Section 4. Paragraphs (a), (b), (d), and (e) of subsection (1) and subsection (2) of section 34.041, Florida Statutes, are amended 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





491654

~~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~~.
6. In addition, for all proceedings of garnishment,  
attachment, replevin, and distress: \$85, from which the clerk  
shall remit \$10 to the Department of Revenue for deposit into  
the General Revenue Fund.
7. Notwithstanding subparagraphs 3. and 6., for all claims  
of not more than \$1,000 filed simultaneously with an action for  
replevin of property that is the subject of the claim.....\$125.
8. For removal of tenant action.....\$180.

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

(b) The first \$15 of the filing fee collected under  
subparagraph (a)4. and the first \$10 of the filing fee collected  
under subparagraph (a)8. must ~~shall~~ be deposited in the State  
Courts Revenue Trust Fund. ~~By the 10th day of each month, the  
clerk shall submit that portion of the fees collected in the  
previous month which is in excess of one twelfth of the clerk's  
total budget for the performance of court-related functions to~~



491654

~~the Department of Revenue for deposit into the Clerks of the~~  
~~Court Trust Fund.~~ An additional filing fee of \$5 must ~~\$4 shall~~  
be paid to the clerk. The clerk shall transfer \$3.50 to the  
Department of Revenue for deposit into the Court Education Trust  
Fund and shall transfer \$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.  
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



491654

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. ~~By the 10th day of each month, the clerk shall submit that portion of the filing fees collected pursuant to this subsection in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.~~

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

- (a) A writ of garnishment;
- (b) A writ of replevin;
- (c) A distress writ;
- (d) A writ of attachment;



491654

- 447 (e) A motion for rehearing filed within 10 days;  
448 (f) A motion for attorney's fees filed within 30 days of  
449 the entry of the judgment or final order;  
450 (g) A motion for dismissal filed after a mediation  
451 agreement has been filed;  
452 (h) A motion to withdraw by attorneys;  
453 (i) Stipulations and motions to enforce stipulations;  
454 (j) Responsive pleadings; or  
455 (k) Motions for contempt.

456 Section 5. Paragraph (b) of subsection (2) of section  
457 45.035, Florida Statutes, is amended to read:

458 45.035 Clerk's fees.—In addition to other fees or service  
459 charges authorized by law, the clerk shall receive service  
460 charges related to the judicial sales procedure set forth in ss.  
461 45.031-45.033 and this section:

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

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

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

471 721.83 Consolidation of judicial foreclosure actions.—

472 (3) A consolidated timeshare foreclosure action is ~~shall be~~  
473 considered a single action, suit, or proceeding for the payment  
474 of filing fees and service charges pursuant to general law. In  
475 addition to the payment of such filing fees and service charges,



491654

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.

Section 7. Subsection (4) of section 744.3678, Florida Statutes, 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 of the court may charge a fee of up to \$25 ~~\$20~~, from which the clerk shall remit \$5 to the Department of Revenue for deposit into the General Revenue Fund.

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

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

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

Upon petition by the guardian, the court may waive the auditing



491654

fee upon a showing of insufficient funds in the ward's estate.  
Any guardian unable to pay the auditing fee may petition the  
court for a waiver of the fee. The court may waive the fee after  
it has reviewed the documentation filed by the guardian in  
support of the waiver.

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

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to court fees; amending s. 28.24,  
F.S.; increasing the service charges a clerk of the  
circuit court charges for certain services rendered by  
the clerk's office; amending s. 28.2401, F.S.;  
increasing certain filing fees that may be charged by  
the clerk in probate matters; amending s. 28.241,  
F.S.; increasing certain filing fees and service  
charges in trial and appellate proceedings; amending  
s. 34.041, F.S.; increasing certain filing fees and  
service charges for civil actions, suits, or  
proceedings in county court; deleting provisions  
requiring clerks to submit portions of fees collected  
to the Department of Revenue for deposit into the  
Clerks of the Court Trust Fund; revising the  
distribution formula for additional filing fees;  
amending s. 45.035, F.S.; increasing the service  
charge the clerk is entitled to for disbursement of



491654

534 surplus proceeds for certain judicial sales  
535 procedures; amending s. 721.83, F.S.; increasing the  
536 filing fee for additional timeshare interests joining  
537 a consolidated timeshare foreclosure action; amending  
538 s. 744.3678, F.S.; increasing the fee a clerk of the  
539 circuit court may charge for auditing the return of a  
540 ward's estate; providing an effective date.

By Senator Simon

3-00016-26

2026532\_\_

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 that such report be submitted to the  
 8 Legislature within a specified timeframe; amending s.  
 9 28.2401, F.S.; increasing certain filing fees that may  
 10 be charged by the clerk in probate matters; requiring  
 11 the Office of Economic and Demographic Research to  
 12 prepare a certain report; requiring that such report  
 13 be submitted to the Legislature within a specified  
 14 timeframe; amending s. 28.241, F.S.; increasing  
 15 certain filing fees and service charges in trial and  
 16 appellate proceedings; requiring the Office of  
 17 Economic and Demographic Research to prepare a certain  
 18 report; requiring that such report be submitted to the  
 19 Legislature within a specified timeframe; amending s.  
 20 34.041, F.S.; increasing certain filing fees and  
 21 service charges for civil actions, suits, or  
 22 proceedings in county court; deleting provisions  
 23 requiring clerks to submit portions of fees collected  
 24 to the Department of Revenue for deposit into the  
 25 Clerks of the Court Trust Fund; revising the  
 26 distribution formula for additional filing fees;  
 27 requiring the Office of Economic and Demographic  
 28 Research to prepare a certain report; requiring that  
 29 such report be submitted to the Legislature within a

Page 1 of 22

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532\_\_

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

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

52  
 53 Section 1. Subsections (2) and (3), paragraph (a) of  
 54 subsection (5), paragraph (a) of subsection (9), paragraph (b)  
 55 of subsection (11), paragraph (a) of subsection (14), paragraph  
 56 (a) of subsection (15), subsection (17), paragraph (a) of  
 57 subsection (18), subsection (19), paragraph (a) of subsection  
 58 (20), paragraph (a) of subsection (21), and subsection (26) of

Page 2 of 22

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



3-00016-26

2026532

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

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

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

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

(b) Eminent domain actions, per deposit: 200.00 ~~170.00~~,

Page 3 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

from which the clerk shall remit 20.00 per deposit to the Department of Revenue for deposit into the General Revenue Fund.

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

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

(17) For exemplified certificates, including the signing and sealing of them: 8.00 ~~7.00~~, from which the clerk shall remit 1.00 to the Department of Revenue for deposit into the General Revenue Fund.

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

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

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

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

Page 4 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

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

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

(30) 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 \$1. 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 2. Paragraphs (a), (c), (d), and (g) of subsection (1) of section 28.2401, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

28.2401 Service charges and filing fees in probate matters.—

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

(a) Fee for the opening of any estate of one document or more, including, but not limited to, petitions and orders to approve settlement of minor's claims; to open a safe-deposit box; to enter rooms and places; for the determination of heirs,

3-00016-26

2026532

if not formal administration; and for a foreign guardian to manage property of a nonresident; but not to include issuance of letters or order of summary administration.....~~\$275~~ ~~\$230~~

(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

3-00016-26

2026532

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.

(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court must ~~shall~~ pay to the clerk of that court a filing fee of up to \$460 ~~\$395~~ in all cases in which there are not more than five defendants and an additional filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit \$0.50 to the Department of Revenue for deposit into the General Revenue Fund, for each defendant in excess of five. Of the first \$200 in filing fees, \$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 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.

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

Page 7 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

\$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 that is granted, from which the clerk shall remit \$3 to the Department of Revenue for deposit into the General Revenue Fund. The clerk may impose an additional filing fee of up to \$85, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund, 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

Page 8 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

~~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 this section or by general law.

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

b. A party must ~~shall~~ estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any moneys advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value must ~~shall~~ also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party must ~~shall~~ declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this sub-subparagraph.

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

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

(I) Four hundred and seventy ~~Three hundred and ninety five~~ dollars in all cases in which the value of the claim is \$50,000

3-00016-26

2026532

or less and in which there are not more than five defendants. The party must ~~shall~~ pay an additional filing fee of up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in filing fees, \$195 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue 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;

(II) One thousand and seventy ~~Nine hundred~~ dollars in all cases in which the value of the claim is more than \$50,000 but less than \$250,000 and in which there are not more than five defendants. The party must ~~shall~~ pay an additional filing fee of up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the first \$355 in filing fees, \$350 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue 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

3-00016-26

2026532

291 Financial Services; or

292 (III) ~~Two thousand two hundred and sixty One thousand nine~~  
 293 ~~hundred~~ dollars in all cases in which the value of the claim is  
 294 \$250,000 or more and in which there are not more than five  
 295 defendants. The party ~~must~~ shall pay an additional filing fee of  
 296 up to ~~\$5 \$2.50~~ for each defendant in excess of five. Of the  
 297 first \$1,705 in filing fees, \$930 must be remitted by the clerk  
 298 to the Department of Revenue for deposit into the General  
 299 Revenue Fund, \$770 must be remitted to the Department of Revenue  
 300 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
 301 remitted to the Department of Revenue for deposit into the  
 302 Administrative Trust Fund within the Department of Financial  
 303 Services to fund the contract with the Florida Clerks of Court  
 304 Operations Corporation created in s. 28.35, and \$1 must be  
 305 remitted to the Department of Revenue for deposit into the  
 306 Administrative Trust Fund within the Department of Financial  
 307 Services to fund audits of individual clerks' court-related  
 308 expenditures conducted by the Department of Financial Services.

309 e. An additional filing fee of \$5 ~~must \$4 shall~~ be paid to  
 310 the clerk. The clerk shall remit \$3.50 to the Department of  
 311 Revenue for deposit into the Court Education Trust Fund and  
 312 shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for  
 313 deposit into the Administrative Trust Fund within the Department  
 314 of Financial Services to fund clerk education provided by the  
 315 Florida Clerks of Court Operations Corporation. An additional  
 316 filing fee of up to \$18 must ~~shall~~ be paid by the party seeking  
 317 each severance that is granted. The clerk may impose an  
 318 additional filing fee of up to \$85 for all proceedings of  
 319 garnishment, attachment, replevin, and distress. Postal charges

Page 11 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

320 incurred by the clerk of the circuit court in making service by  
 321 certified or registered mail on defendants or other parties must  
 322 ~~shall~~ be paid by the party at whose instance service is made.  
 323 Additional fees, charges, or costs may not be added to the  
 324 filing fees imposed under this section, except as authorized in  
 325 this section or by general law.

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

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

Page 12 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

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

3-00016-26

2026532

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 ~~\$40~~ 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.

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

3-00016-26

2026532

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

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

(7) 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 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

3-00016-26

2026532

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~~.
6. In addition, for all proceedings of garnishment, attachment, replevin, and distress: \$85, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund.
7. Notwithstanding subparagraphs 3. and 6., for all claims of not more than \$1,000 filed simultaneously with an action for replevin of property that is the subject of the claim.....\$125.
8. For removal of tenant action.....\$180.

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

(b) The first \$15 of the filing fee collected under subparagraph (a)4. and the first \$10 of the filing fee collected under subparagraph (a)8. must ~~shall~~ be deposited in the State

3-00016-26

2026532

Courts Revenue Trust Fund. ~~By the 10th day of each month, the clerk shall submit that portion of the fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget for the performance of court-related functions to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.~~ An additional filing fee of \$5 ~~must \$4~~ shall be paid to the clerk. The clerk shall transfer \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall transfer \$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. 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

3-00016-26

2026532

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 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. ~~By the 10th day of each month, the clerk shall submit that portion of the filing fees collected pursuant to this subsection in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.~~

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



3-00016-26

2026532

523 (a) A writ of garnishment;  
 524 (b) A writ of replevin;  
 525 (c) A distress writ;  
 526 (d) A writ of attachment;  
 527 (e) A motion for rehearing filed within 10 days;  
 528 (f) A motion for attorney's fees filed within 30 days of  
 529 the entry of the judgment or final order;  
 530 (g) A motion for dismissal filed after a mediation  
 531 agreement has been filed;  
 532 (h) A motion to withdraw by attorneys;  
 533 (i) Stipulations and motions to enforce stipulations;  
 534 (j) Responsive pleadings; or  
 535 (k) Motions for contempt.  
 536 (9) By January 1, 2030, and every 3 years thereafter, the  
 537 Office of Economic and Demographic Research shall prepare a  
 538 report that includes recommendations for increasing the filing  
 539 fees and service charges in this section according to the  
 540 percentage change in the Consumer Price Index. The filing fees  
 541 and service charges must be rounded to the nearest \$5. The  
 542 Office of Economic and Demographic Research shall submit the  
 543 report to the President of the Senate and the Speaker of the  
 544 House of Representatives before the start of the next regularly  
 545 scheduled session of the Legislature.  
 546 Section 5. Paragraph (b) of subsection (2) of section  
 547 45.035, Florida Statutes, is amended and subsection (4) is added  
 548 to that section, to read:  
 549 45.035 Clerk's fees.—In addition to other fees or service  
 550 charges authorized by law, the clerk shall receive service  
 551 charges related to the judicial sales procedure set forth in ss.

Page 19 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

552 45.031-45.033 and this section:  
 553 (2) If there is a surplus resulting from the sale, the  
 554 clerk may receive the following service charges, which shall be  
 555 deducted from the surplus:  
 556 (b) The clerk is entitled to a service charge of \$20 ~~\$15~~  
 557 for each disbursement of surplus proceeds, from which the clerk  
 558 shall remit \$5 to the Department of Revenue for deposit into the  
 559 General Revenue Fund.  
 560 (4) By January 1, 2030, and every 3 years thereafter, the  
 561 Office of Economic and Demographic Research shall prepare a  
 562 report that includes recommendations for increasing the service  
 563 charges in this section according to the percentage change in  
 564 the Consumer Price Index. The service charges must be rounded to  
 565 the nearest \$5. The Office of Economic and Demographic Research  
 566 shall submit the report to the President of the Senate and the  
 567 Speaker of the House of Representatives before the start of the  
 568 next regularly scheduled session of the Legislature.  
 569 Section 6. Subsection (3) of section 721.83, Florida  
 570 Statutes, is amended, to read:  
 571 721.83 Consolidation of judicial foreclosure actions.—  
 572 (3) (a) A consolidated timeshare foreclosure action is ~~shall~~  
 573 ~~be~~ considered a single action, suit, or proceeding for the  
 574 payment of filing fees and service charges pursuant to general  
 575 law. In addition to the payment of such filing fees and service  
 576 charges, an additional filing fee of up to \$15 ~~\$10~~, from which  
 577 the clerk shall remit \$5 to the Department of Revenue for  
 578 deposit into the General Revenue Fund, for each timeshare  
 579 interest joined in that action must ~~shall~~ be paid to the clerk  
 580 of court.

Page 20 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00016-26

2026532

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

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

594 744.3678 Annual accounting.—

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

599 (a) For estates with a value of \$25,000 or less the clerk  
 600 of the court may charge a fee of up to \$25 ~~\$20~~, from which the  
 601 clerk shall remit \$5 to the Department of Revenue for deposit  
 602 into the General Revenue Fund.

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

607 (c) For estates with a value of more than \$100,000 up to  
 608 and including \$500,000 the clerk of the court may charge a fee  
 609 of up to \$200 ~~\$170~~, from which the clerk shall remit \$20 to the

3-00016-26

2026532

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

615  
 616 Upon petition by the guardian, the court may waive the auditing  
 617 fee upon a showing of insufficient funds in the ward's estate.  
 618 Any guardian unable to pay the auditing fee may petition the  
 619 court for a waiver of the fee. The court may waive the fee after  
 620 it has reviewed the documentation filed by the guardian in  
 621 support of the waiver.

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

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



The Florida Senate

## Committee Agenda Request

**To:** Senator Clay Yarborough, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** January 12<sup>th</sup>, 2026

---

I respectfully request that Senate Bill # 532, relating to Court Fees, be placed on the:

- ☐ Committee agenda at your earliest possible convenience.
- ☒ Next committee agenda.

A handwritten signature in blue ink, appearing to read "Corey Simon", is written over a horizontal line. The signature is stylized with a large loop at the end.

---

Senator Corey Simon  
Florida Senate, District 3

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 620

INTRODUCER: Senator Mayfield

SUBJECT: Candidate Qualifying

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Biehl	Roberts	EE	<b>Favorable</b>
2.	Davis	Cibula	JU	<b>Favorable</b>
3.			RC	

---

**I. Summary:**

SB 620 adds an additional item to the current list of items that a candidate must submit to the relevant filing officer in order to qualify for nomination or election to a federal, state, county, or district office. Specifically, if a candidate is a citizen of another country, in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country in which he or she is also a citizen.

Dual citizenship, or dual nationality, means that a person is a citizen or national of both the United States and a foreign country at the same time. In practical terms, this person owes allegiance to both countries and is required to obey the laws of both countries. If the foreign country places a claim on a dual citizen, conflicting obligations may arise. Under current law, no one qualifying for office is required to disclose if he or she has dual citizenship, and therefore, might have conflicting allegiance to another country. The requirement for a person to disclose his or her dual citizenship may make voters aware of a potential conflicting allegiance.

The bill takes effect July 1, 2026.

## II. Present Situation:

Current law prescribes the process by which a person seeking nomination or election to a public office may qualify to do so.<sup>1</sup> Such a person must file his or her qualification papers with, and pay the qualifying fee<sup>2</sup> to, the relevant filing officer.<sup>3</sup> The law also provides a process by which a person can obtain a certain number of signed petitions in lieu of paying the qualifying fee.<sup>4</sup>

In order for a candidate<sup>5</sup> for an office other than a judgeship or a school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:<sup>6</sup>

- A properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.<sup>7</sup>
- The candidate's oath, as required by s. 99.021, F.S.<sup>8</sup>
- If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b), F.S.; or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c), F.S.
- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.

<sup>1</sup> Sections 99.061 and 105.031, F.S.

<sup>2</sup> The qualifying fee consists of the filing fee and election assessment, and party assessment, if applicable (ss. 99.061(1), 99.092(1), and 105.031(3), F.S.). Write-in candidates are exempt from the filing fee requirement (s. 99.092(1), F.S.).

<sup>3</sup> The filing officer for a federal, state, or multicounty district office, other than a judicial office or school board member, is the Department of State (s. 99.061(1), F.S.). The filing officer for a county office, or for a district office that is not multicounty, is the local supervisor of elections (s. 99.061(2), F.S.). Except for candidates for judicial office, nonpartisan candidates for multicounty office qualify with the Department of State, and nonpartisan candidates for countywide or less than countywide office file with the supervisor of elections. Candidates for county court judge file with the supervisor of elections; all other judicial candidates file with the Department of State. Section 105.031(1), F.S.

<sup>4</sup> Sections 99.095 and 105.035, F.S.

<sup>5</sup> Section 106.011(3), F.S., defines "candidate" to mean a person to whom any of the following applies: 1) a person who seeks to qualify for nomination or election by means of the petitioning process; 2) a person who seeks to qualify for election as a write-in candidate; 3) a person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office; 4) a person who appoints a treasurer and designates a primary depository; or 5) a person who files qualification papers and subscribes to a candidate's oath as required by law. The definition excludes any candidate for a political party executive committee.

<sup>6</sup> The qualifying period for the following offices is between the 120th and 116th days prior to the primary election: federal office, state attorney, public defender, or judicial office. The qualifying period for the following offices is between the 71st and 67th days prior to the primary election: state or multicounty district office, other than state attorney or public defender; county office or single-county district office; or school board. See ss. 99.061 and 105.031, F.S.

<sup>7</sup> The filing fee for a special district candidate is not required to be drawn upon his or her campaign account (s. 99.061(7)(a)1., F.S.).

<sup>8</sup> Each candidate for an elected office in Florida must take and subscribe to in writing an oath or affirmation. Current law specifies oath formats for a candidate for federal office (s. 99.021(1)(a)2., F.S.), a candidate for a non-federal office other than a judicial office (s. 99.021(1)(a)1., F.S.), and a candidate for a state judicial office (s. 105.031(4)(b), F.S.). Generally, the oath or affirmation must, in substance, provide the name of the office for which the candidate is running; affirm that the candidate is a qualified elector of the county or court jurisdiction, as applicable; affirm that the candidate is qualified under the State Constitution and laws of Florida to hold the office for which he or she is running; affirm that the candidate has not qualified for any other public office in the state for which the term runs concurrently and that he or she has resigned from any office from which he or she is required to resign; and affirm that the candidate will support the constitutions of the United States and the State of Florida.

- The candidate's financial disclosure.<sup>9</sup>

In order for a candidate for judicial office or the office of school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

- Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.
- The candidate's oath, as required by s. 105.031(4), F.S.
- The loyalty oath required by s. 876.05, F.S.<sup>10</sup>
- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.
- For a candidate for judicial office, a signed statement that he or she has read and understands the requirements of the Florida Code of Judicial Conduct.
- The candidate's financial disclosure.<sup>11</sup>

### Dual Citizenship

Dual citizenship, or dual nationality, means that a person is a citizen or "national"<sup>12</sup> of both the United States and a foreign country at the same time. In practical terms, a person owes allegiance to both the United States and a foreign country and is required to obey the laws of both countries. If the foreign country places a claim on a United States dual national, conflicting obligations may arise.<sup>13</sup>

The advantages for someone who has dual citizenship are that he or she might be able to vote in both countries, be authorized to work in both countries, have passports from both countries, and own property in both countries. However, a person with dual citizenship might be expected to provide military service in the second country, pay income taxes in both countries, and be prevented from holding senior positions in the government and military.<sup>14</sup>

### Proposed Federal Legislation

Federal law does not require a member of Congress to disclose whether he or she has dual citizenship or to renounce that additional citizenship. However, a bill that expresses a concern similar to this bill was recently introduced in Congress. The "Disqualifying Dual Loyalty Act of 2025" was introduced October 24, 2025. The bill's intent is to prohibit someone who holds

---

<sup>9</sup> Section 99.061(7)(a)5., F.S.

<sup>10</sup> Section 876.05, F.S., requires all persons who are employed by or are on the payroll of the state or any county, city, school board, school system, or institution of higher learning, except candidates for federal office, to swear or affirm that he or she will support the Constitution of the United States and of the State of Florida.

<sup>11</sup> Section 105.031(5)(a), F.S.

<sup>12</sup> According to the U.S. Department of State website, Section 101(a)(22) of the Immigration and Nationality Act (INA) states that "the term 'national of the United States' means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States." U.S. Department of State, Travel.State.Gov, *Dual Nationality*, <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/Relinquishing-US-Nationality/Dual-Nationality.html> (last visited Jan. 22, 2026).

<sup>13</sup> *Id.*

<sup>14</sup> Caryl Espinoza Jaen, Manifest, *How to Get Dual Citizenship in the U.S.* (Jan. 13, 2026), <https://manifestlaw.com/blog/dual-us-citizenship-guide/>.

foreign citizenship from holding office in the U.S. Senate or U.S. House of Representatives. H.R. 5817 states:

No person, without regard to whether that person is a United States national, may be elected to the office of Representative or Senator if that person is a national of any country other than the United States.<sup>15</sup>

It appears that the intent of the legislation is to require candidates to renounce dual citizenship and demonstrate their loyalty to this country. The bill, which does not have a Senate companion, has been referred to the House Committee on House Administration.

### **III. Effect of Proposed Changes:**

SB 620 adds an additional item to the current list of items that a candidate must submit to the relevant filing officer in order to qualify for nomination or election to a federal, state, county, or district office. Specifically, if a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country where he or she is a citizen.

The bill, by requiring the disclosure of dual citizenship, will allow voters to know of the possibility that a candidate could be at risk of having a conflict between their allegiance to the United States and allegiance to a foreign country.

The bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

---

<sup>15</sup> H.R. 5817 – “Disqualifying Dual Loyalty Act of 2025” Congress.gov, <https://www.congress.gov/bill/119th-congress/house-bill/5817/text>.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends sections 99.061 and 105.031, Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.



By Senator Mayfield

19-00947-26

2026620\_\_

1 A bill to be entitled  
 2 An act relating to candidate qualifying; amending ss.  
 3 99.061 and 105.031, F.S.; requiring certain candidates  
 4 to provide the filing officer a statement disclosing  
 5 dual citizenship for nomination and election to  
 6 federal, state, county, multicounty, district, or  
 7 judicial office or to a district school board;  
 8 reenacting s. 99.012(1)(b), F.S., relating to  
 9 definition of the term "qualifying," to incorporate  
 10 the amendments made to ss. 99.061 and 105.031, F.S.,  
 11 in references thereto; providing an effective date.  
 12  
 13 Be It Enacted by the Legislature of the State of Florida:  
 14  
 15 Section 1. Paragraph (a) of subsection (7) of section  
 16 99.061, Florida Statutes, is amended to read:  
 17 99.061 Method of qualifying for nomination or election to  
 18 federal, state, county, or district office.—  
 19 (7)(a) In order for a candidate to be qualified, the  
 20 following items must be received by the filing officer by the  
 21 end of the qualifying period:  
 22 1. A properly executed check drawn upon the candidate's  
 23 campaign account payable to the person or entity as prescribed  
 24 by the filing officer in an amount not less than the fee  
 25 required by s. 99.092, unless the candidate obtained the  
 26 required number of signatures on petitions pursuant to s.  
 27 99.095. The filing fee for a special district candidate is not  
 28 required to be drawn upon the candidate's campaign account. If a  
 29 candidate's check is returned by the bank for any reason, the

Page 1 of 5

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620\_\_

30 filing officer shall immediately notify the candidate and the  
 31 candidate shall have until the end of qualifying to pay the fee  
 32 with a cashier's check purchased from funds of the campaign  
 33 account. Failure to pay the fee as provided in this subparagraph  
 34 shall disqualify the candidate.  
 35 2. The candidate's oath required by s. 99.021, which must  
 36 contain the name of the candidate as it is to appear on the  
 37 ballot; the office sought, including the district or group  
 38 number if applicable; and the signature of the candidate, which  
 39 must be verified under oath or affirmation pursuant to s.  
 40 92.525(1)(a).  
 41 3. If the office sought is partisan, the written statement  
 42 of political party affiliation required by s. 99.021(1)(b); or  
 43 if the candidate is running without party affiliation for a  
 44 partisan office, the written statement required by s.  
 45 99.021(1)(c).  
 46 4. The completed form for the appointment of campaign  
 47 treasurer and designation of campaign depository, as required by  
 48 s. 106.021.  
 49 5. The full and public disclosure or statement of financial  
 50 interests required by subsection (5). A public officer who has  
 51 filed the full and public disclosure or statement of financial  
 52 interests with the Commission on Ethics before qualifying for  
 53 office may file a copy of that disclosure or a verification or  
 54 receipt of electronic filing as provided in subsection (5) at  
 55 the time of qualifying.  
 56 6. If the candidate is a citizen of another country in  
 57 addition to being a citizen of the United States, a statement  
 58 disclosing any other country the candidate is also a citizen of.

Page 2 of 5

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620

Section 2. Paragraph (a) of subsection (5) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate's oath; items required to be filed.—

(5) ITEMS REQUIRED TO BE FILED.—

(a) In order for a candidate for judicial office or the office of school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account in an amount not less than the fee required by subsection (3) or, in lieu thereof, the copy of the notice of obtaining ballot position pursuant to s. 105.035. If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall, the end of qualifying notwithstanding, have 48 hours from the time such notification is received, excluding Saturdays, Sundays, and legal holidays, to pay the fee with a cashier's check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

2. The candidate's oath required by subsection (4), which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, duly acknowledged.

3. The loyalty oath required by s. 876.05, signed by the candidate and duly acknowledged.

Page 3 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620

4. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021. In addition, each candidate for judicial office, including an incumbent judge, shall file a statement with the qualifying officer, within 10 days after filing the appointment of campaign treasurer and designation of campaign depository, stating that the candidate has read and understands the requirements of the Florida Code of Judicial Conduct. Such statement shall be in substantially the following form:

Statement of Candidate for Judicial Office

I, ...(name of candidate)..., a judicial candidate, have received, read, and understand the requirements of the Florida Code of Judicial Conduct.

...(Signature of candidate)...

...(Date)...

5. The full and public disclosure of financial interests required by s. 8, Art. II of the State Constitution or the statement of financial interests required by s. 112.3145, whichever is applicable. A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

6. If the candidate is a citizen of another country in addition to being a citizen of the United States, a statement disclosing any other country the candidate is also a citizen of.

Page 4 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620\_\_

117 Section 3. For the purpose of incorporating the amendments  
118 made by this act to sections 99.061 and 105.031, Florida  
119 Statutes, in references thereto, paragraph (b) of subsection (1)  
120 of section 99.012, Florida Statutes, is reenacted to read:

121 99.012 Restrictions on individuals qualifying for public  
122 office.—

123 (1) As used in this section:

124 (b) "Qualify" means to fulfill the requirements set forth  
125 in s. 99.061(7)(a) or s. 105.031(5)(a).

126 Section 4. This act shall take effect July 1, 2026.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Governmental Oversight and Accountability, *Chair*  
Environment and Natural Resources, *Vice Chair*  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Commerce and Tourism  
Finance and Tax  
Fiscal Policy  
Regulated Industries

### SELECT COMMITTEE:

Joint Select Committee on Collective  
Bargaining, *Alternating Chair*

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

**SENATOR DEBBIE MAYFIELD**

19th District

January 13, 2026

Senator Clay Yarborough, Chair  
Committee on Judiciary  
Room 308, Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Yarborough,

I respectfully request that you place Senate Bill 620 – Candidate Qualifying on the agenda for your next meeting. Senate Bill 620 improves election transparency by requiring that candidates publicly disclose any foreign citizenships they hold.

Specifically, the bill requires that if a candidate holds a dual citizenship, they must file a statement with the qualifying officer disclosing what foreign country they are a citizen of. The new requirement applies to any candidate seeking to qualify for nomination or election to federal, state, county, district, schoolboard, or judicial office.

Thank you for your consideration of this request.

Sincerely,

Debbie Mayfield,  
State Senator, District 19

CC: Tom Cibula, Staff Director  
Lisa Larson, Committee Administrative Assistant  
Paul Donaldson, Legislative Aide

### REPLY TO:

- ☐ 900 East Strawbridge Avenue, Room 408, Melbourne, Florida 32901 (321) 409-2025
- ☐ 302 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5019

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

SB 620

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Amy Keith

Phone

727 342 0730

Address

333 3rd Ave N

Email

Street

St Petersburg FL

City

State

33705

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Common Cause

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: CS/SB 694

INTRODUCER: Judiciary Committee and Senators Bracy Davis and others

SUBJECT: Compensation of the Descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas

DATE: January 27, 2026      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	Fav/CS
2.			ATD	
3.			AP	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 694 provides that the Legislature may appropriate monies to pay compensation to the descendants of the Groveland Four. That term refers to the four black men who were wrongfully accused of raping a white woman in 1949 in Groveland, Florida. All four are now deceased. A prior legislature passed a concurrent resolution apologizing and acknowledging that the men “were the victims of gross injustices.” The trial court subsequently set aside the convictions and the state has issued a posthumous pardon to each of the men.

The bill does not specify a total sum to be appropriated. The bill divides the appropriation into four equal shares, names two survivors entitled to a share, and pays the other two shares to the estates of the individuals. The Department of State is the administrative agency that is responsible for making payments to the descendants of the Groveland Four.

The bill is effective upon becoming law.

**II. Present Situation:**

The bill addresses the Groveland Four incident of 1949.

## The Initial Incident

In July of 1949 a white married couple were travelling through Lake County, Florida when their car broke down near Okahumpka, a small town near Groveland, in Lake County, Florida. They claimed that four black men approached the car, hit the husband, stole the man's wallet, and raped the wife.<sup>1</sup>

Local law enforcement officers named four young black men as suspects in the felony sexual battery. A mob gathered, houses were burned, shots fired, the National Guard was called up.<sup>2</sup> Many of Groveland's black population fled, some never returned.<sup>3</sup> Three men were arrested, a fourth was killed days later in a distant county. Those men became known as the "Groveland Four." They are:

- Charles Greenlee who was 16 years old at the time of the incident. He was paroled in 1962 and lived peacefully until his death in 2012 (age 78). Greenlee far outlived the other three men.
- Walter Irvin who was 22 years old at the time. He was convicted for the rape and sentenced to death. The sentence was overturned on appeal to the United States Supreme Court. He was tried and sentenced to death again. The Governor commuted the sentence to life imprisonment. He was granted parole in 1968. Irvin was found dead in his car in 1970 while visiting Lake County.
- Samuel Shepherd who was also 22 years old. He was convicted for the rape and sentenced to death. The sentence was overturned on appeal to the United States Supreme Court. In 1951 he was shot and killed while awaiting retrial.
- Ernest Thomas who was 26 at the time, was killed in 1949 by law enforcement officers participating in an armed posse looking for him. The officers found Thomas in Madison County, Florida,<sup>4</sup> where he died of gunshot wounds.<sup>5</sup>

## Summary of Key Events Regarding the Groveland Four

In July of 1949, a travelling couple reported to law enforcement in Lake County, Florida that four black men attacked them and raped the wife. Shortly thereafter, Greenlee and Irvin were arrested. They were taken to the basement of the Lake County Jail and severely beaten.<sup>6</sup> Greenlee, Irvin, and Shepherd were found guilty of sexual battery. At that time, Florida law provided that sexual battery was a capital offense. The two adults (Irvin and Shepherd) were sentenced to death, the third, a minor (Greenlee) was sentenced to life imprisonment.

The NAACP Legal Defense and Educational Fund assumed the defense of the men convicted to death. The Fund employed Thurgood Marshall to file the appeal and argue the case before the

---

<sup>1</sup> Norma Padgett was 17 years old at the time of the incident. She was married to Willie Padgett. She never recanted the rape allegation. She died in Georgia in 2024 (age 92).

<sup>2</sup> *Shepherd v. State of Florida*, 341 U.S. 50, 53 (1951) (concurrence by J. Jackson).

<sup>3</sup> EJI.org, *White Mob Brutally Lynches Ernest Thomas, Member of the So-Called Groveland Four*, <https://calendar.eji.org/racial-injustice/jul/26> (last visited Jan. 21, 2026).

<sup>4</sup> Lake County is in Central Florida. Madison County is in the Panhandle region and is approximately 190 miles from Lake County.

<sup>5</sup> Some news reports claim that he died of 400 gunshot wounds, although that many seems implausible.

<sup>6</sup> Statement of Walter Irvin, at [https://www-tc.pbs.org/harrymoore/terror/images/irvin1\\_lg.gif](https://www-tc.pbs.org/harrymoore/terror/images/irvin1_lg.gif).

United States Supreme Court.<sup>7</sup> The convictions were overturned by the Supreme Court in April of 1951.<sup>8</sup>

Of course, overturning a conviction does not automatically lead to release in most instances. Instead, the defendant is held over for a new trial. In November of 1951, Lake County Sheriff Willis McCall was transporting Irvin and Shepherd from the Florida State Prison at Raiford to Lake County for a pretrial hearing. He stopped the car on a dirt road in Umatilla,<sup>9</sup> supposedly to deal with a flat tire. The Sheriff claimed that Irvin and Shepherd attacked him in an attempt to escape. The men were shot by the Sheriff who claimed self-defense. Shepherd died, but Irvin survived the shooting.

Irvin was retried in Lake County, and once again was convicted and sentenced to death.<sup>10</sup> In 1954, Governor Leroy Collins commuted the sentence to life.<sup>11</sup>

The story of the Groveland Four was the subject of a 2012 nonfiction book by Gilbert King entitled *Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America*. The author of the book was awarded the 2013 Pulitzer Prize for General Nonfiction.<sup>12</sup>

The 2017 Legislature passed a concurrent resolution acknowledging that the Groveland Four “were the victims of gross injustices and that their abhorrent treatment by the criminal justice system is a shameful chapter in this state’s history.”<sup>13</sup> The resolution urged the Governor and Cabinet to expedite review of the matter.

A petition was filed with the Florida Clemency Board seeking to overturn the convictions and sentences. With the concurrence of the Florida Clemency Board, the Governor issued full pardons on January 11, 2019.<sup>14</sup>

In November of 2021, the Circuit Court of Lake County Florida entered a final order that dismissed all of the indictments and set aside all judgments and sentences imposed against the Groveland Four related to the July 1949 incident.<sup>15</sup>

---

<sup>7</sup> King, *Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America* (2012).

<sup>8</sup> *Shepherd v. State of Florida*, 341 U.S. 50 (1951).

<sup>9</sup> The drive from the prison to Lake County would have been a little over 100 miles. This was long before the Interstate Highway System, and they would have likely driven much of the trip on State Highway 19. Umatilla is in Lake County, is on Hwy 19, and is a little more than 10 miles from the county seat Tavares, where the jail and the courthouse were located.

<sup>10</sup> See *Verdict of Jury*, In the Fifth Judicial Circuit in and for Lake County, Florida, Case Nos. 1949-CF-1369 (Feb. 14, 1952) which is accessible through the case search option at <https://courtrecords.lakecountyclerk.org/> and then selecting docket number 101.

<sup>11</sup> CS/HCR 631 (2017), lines 95-100.

<sup>12</sup> The Pulitzer Prizes, Gilbert King, the 2013 Pulitzer Prize Winner in General Nonfiction, <https://www.pulitzer.org/prize-winners-by-year/2013> (last visited Jan. 21, 2026).

<sup>13</sup> CS/HCR 631 (2017).

<sup>14</sup> *Governor Ron DeSantis Pardons Groveland Four with Unanimous Executive Clemency Board Approval*, January 11, 2019, at <https://www.flgov.com/eog/news/press/2019/governor-ron-desantis-pardons-groveland-four-unanimous-executive-clemency-board>.

<sup>15</sup> *Order Dismissing the Indictments of Ernest Thomas and Samuel Shepherd; Granting the State’s Motion to Set Aside Judgment and Sentence of Charles Greenlee and Walter Irvin; and Granting the State’s Motion to Correct the Record with Newly Discovered Evidence*, In the Fifth Judicial Circuit in and for Lake County, Florida, Case Nos. 1949-CF-1369 A, B, C



### III. Effect of Proposed Changes:

CS/SB 694 declares the facts stated in the preamble to be true. The bill states that a sum will be appropriated from the General Revenue Fund to the Department of State for the relief of the descendants of the Groveland Four. The bill also declares that the descendants are ineligible for any further compensation.

The bill divides the appropriation into 4 equal shares:

- Carol Greenlee Crawlee, the daughter of Charles Greenlee.<sup>16</sup>
- The Estate of Walter Irvin.
- The Estate of Samuel Shepherd.
- Ruby Lee Jones, the surviving spouse of Ernest Thomas.<sup>17</sup>

In general, current law provides that the any funds payable to “the estate of \_\_\_\_ “ are payable to an estate that can be created for the benefit of the heirs of that person. The estate would have the duty to conduct research to look for a will. If no will exists, the estate would then have the duty to determine the lawful heirs under intestacy law. If no qualifying heirs can be found, the remaining fund would escheat to the state.<sup>18</sup>

The bill takes effect upon becoming a law.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

#### D. State Tax or Fee Increases:

None.

---

and D (Nov. 22, 2021) which is accessible through the case search option at <https://courtrecords.lakecountyclerk.org/> and then selecting docket number 178.

<sup>16</sup> This designation appears to presume that Carol Greenlee Crawlee is currently alive and would otherwise qualify as the only heir of Charles Greenlee under Florida law.

<sup>17</sup> This designation appears to presume that Ruby Lee Jones is currently alive and would otherwise qualify as the only heir of Ernest Thomas under Florida law.

<sup>18</sup> See *generally*, chapters 731-733, F.S.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

The bill states that the Legislature will make an appropriation to provide financial compensation to the descendants of the four men. However, no specific sum is provided.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Judiciary on January 27, 2026:**

The amendment specifies that the families of each of the Groveland Four is entitled to an equal 25 percent share. Also, two heirs are named.

B. Amendments:

None.



412616

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/27/2026	.	
	.	
	.	
	.	

---

The Committee on Judiciary (Bracy Davis) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 95 - 98  
and insert:

Section 2. (1) A sum as specified in the General Appropriations Act is appropriated from the General Revenue Fund to the Department of State for the relief of the descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas.

(2) Twenty-five percent of the sum appropriated under



412616

subsection (1) must be provided to each of the following  
individuals and estates:

(a) Carol Greenlee Crawlee, the daughter of Charles  
Greenlee.

(b) The Estate of Walter Irvin.

(c) The Estate of Samuel Shepherd.

(d) Ruby Lee Jones, the surviving spouse of Ernest Thomas.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete line 7

and insert:

Department of State for specified relief; requiring  
that a specified percentage of such relief be provided  
to certain individuals and estates; providing

By Senator Bracy Davis

15-00760A-26

2026694

A bill to be entitled

An act relating to compensation of the descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas; providing that certain facts are found and declared to be true; providing that a sum is appropriated from the General Revenue Fund to the Department of State for specified relief; providing that specified persons are ineligible for further compensation; providing an effective date.

WHEREAS, on July 16, 1949, a 17-year-old white woman and her estranged husband reported to police that they had been attacked and that she had been raped by four black men after the car that she and her husband were riding in broke down on a rural road outside Groveland, in Lake County, and

WHEREAS, despite the lack of physical evidence in the case and the established alibis of the accused, Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, the four men were presumed guilty, and

WHEREAS, Mr. Irvin and Mr. Shepherd, both World War II veterans, acknowledged that they had stopped by the broken-down vehicle to see if they could assist the couple, but denied any involvement in the alleged rape, and

WHEREAS, Mr. Greenlee, who was only 16 years old at the time, and Mr. Thomas denied ever meeting the alleged victim and her estranged husband, and

WHEREAS, after their arrest that evening, Mr. Greenlee, Mr. Irvin, and Mr. Shepherd were severely beaten in the basement of the county jail, and Mr. Greenlee and Mr. Shepherd were coerced

Page 1 of 4

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

15-00760A-26

2026694

into confessing to the crime, while Mr. Irvin refused to admit guilt, and

WHEREAS, Mr. Thomas, who fled the county, was shot to death several days later in Madison County by members of a deputized posse of armed men, resulting in more than 400 gunshot wounds, and

WHEREAS, the three surviving men, Mr. Greenlee, Mr. Irvin, and Mr. Shepherd, were tried and convicted in the case, with Mr. Greenlee sentenced to life imprisonment due to his age and Mr. Irvin and Mr. Shepherd sentenced to death, and

WHEREAS, Thurgood Marshall, then executive director of the NAACP Legal Defense and Educational Fund, appealed the convictions of Mr. Irvin and Mr. Shepherd to the United States Supreme Court, which unanimously overturned the judgments on April 9, 1951, and ordered a retrial, and

WHEREAS, seven months later, in November 1951, while transporting Mr. Irvin and Mr. Shepherd from Florida State Prison in Raiford to Tavares State Prison for a pretrial hearing, Lake County Sheriff Willis McCall and Deputy Sheriff James L. Yates shot both men on a dirt road leading into Umatilla, claiming that they had shot the handcuffed men in self-defense when the two tried to escape, and

WHEREAS, Mr. Shepherd died at the scene as a result of his wounds, but Mr. Irvin, who pretended to be dead, survived and accused the sheriff and his deputy of attempted murder, but no charges were ever brought against the officers, and

WHEREAS, despite Mr. Irvin having been retried and convicted a second time of the crime and sentenced to death, his sentence was commuted to life in prison in 1954 by then-Governor

Page 2 of 4

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

15-00760A-26

2026694

LeRoy Collins, who was not convinced of Mr. Irvin's guilt, and

WHEREAS, in 1970, while visiting Lake County, Mr. Irvin, who had been paroled 2 years earlier by then-Governor Claude Kirk, was found dead in his car, and, while Mr. Irvin's death was officially attributed to natural causes, Thurgood Marshall reportedly doubted the circumstances surrounding Mr. Irvin's death, and

WHEREAS, Mr. Greenlee, who was paroled in 1962 after serving 12 years in prison, died in April 2012 at the age of 78, and

WHEREAS, in 2017, the Legislature unanimously adopted House Concurrent Resolution 631 acknowledging the grave injustices perpetrated against Mr. Greenlee, Mr. Irvin, Mr. Shepherd, and Mr. Thomas, apologizing to each of them and their families, and urging the Governor and the Cabinet to perform an expedited clemency review of their cases for the purpose of granting the men full pardons, and

WHEREAS, on January 11, 2019, Governor DeSantis issued full pardons, which were unanimously approved by the Board of Executive Clemency, to Mr. Greenlee, Mr. Irvin, Mr. Shepherd, and Mr. Thomas, and

WHEREAS, on November 22, 2021, the State Attorney's Office of Lake County filed a motion in the Circuit Court of the Fifth Judicial Circuit to dismiss the indictments of Mr. Shepherd and Mr. Thomas and to set aside the convictions and sentences of Mr. Greenlee and Mr. Irvin, which motion was granted, and

WHEREAS, the State of Florida recognizes an obligation to equitably redress the injuries, damages, infringement of civil rights, and loss of life that Mr. Greenlee, Mr. Irvin, Mr.

Page 3 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

15-00760A-26

2026694

Shepherd, Mr. Thomas, and their families sustained as a result of the events that transpired in Lake County, NOW, THEREFORE,

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

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. A sum as specified in the General Appropriations Act is appropriated from the General Revenue Fund to the Department of State for the relief of the descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas.

Section 3. A person compensated under this act is ineligible for any further compensation related to the factual situation described in this act.

Section 4. This act shall take effect upon becoming a law.

Page 4 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

## Committee Agenda Request

**To:** Senator Clay Yarborough, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** January 12, 2025

---

I respectfully request that **Senate Bill #694**, relating to Compensation of the Descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, be placed on the Judiciary Committee agenda at your earliest possible convenience.

In 1949, the [four young Black men](#) were falsely accused of rape in Lake County. One was killed by a mob before trial, and the remaining three were beaten into coerced confessions, convicted by all-white juries, and sentenced to death or life in prison. Their families endured generations of pain, stigma, and loss. After more than 70 years of advocacy from families, historians, and civil rights leaders, Florida began taking formal steps to correct the record:

- 2017: The Florida Legislature issued a formal apology.
- 2019: Gov. Ron DeSantis granted posthumous pardons to all four men.
- 2021: A Lake County judge vacated their convictions and officially exonerated them.

This bill builds on that progress by providing compensation and formal recognition to the families and estates of the Groveland Four.

For nearly seventy years, the families of the Groveland Four have carried a burden that should never have been theirs to bear. Florida cannot rewrite history, but we can decide how we respond to it. This legislation is not simply a continuation of past acknowledgments; it is a deliberate commitment to correct a grave injustice.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (321) 663-2057.

A handwritten signature in black ink, appearing to read "Lavon Bracy Davis", written over a horizontal line.

Senator Lavon Bracy Davis  
Florida Senate, District 15

1/27/26

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB694

Bill Number or Topic

Committee

Name

Beverly Robinson

Phone

(478) 279-9375

Address

5523 Hwy 46

Email

bjeanrobinson1610@gmail

Street

Superston, GA

State

30457

Zip

Speaking:

☒

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☒

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

1/27/2026

Meeting Date

Judiciary-Senate

Committee

694

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Kia'ra Nixon

Phone

904-422-1005

Address

~~424~~ 424 E. Central Blvd 650

Email

Kia'ra Nixon

Street

Orlando

City

FL

State

32801

Zip

Speaking:

☒

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

Equal Grand.

☐

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/2026

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB694

Bill Number or Topic

Judiciary

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Delaitre Hollinger

Phone

(850) 296-5590

Address

750 Wiles St

Email

Laitre1993@gmail.com

Street

Tallahassee

FL

32305

City

State

Zip

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/26

Meeting Date

Judiciary

Committee

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 694 - Compensation

Bill Number or Topic

Amendment Barcode (if applicable)

Name

JONATHAN WEBBER

Phone

954-593-4449

Address

P.O. Box 1018

Email

JONATHAN.WEBBER@splcenter.org

Street

Tallahassee

City

FL

State

32302

Zip

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:

Southern Poverty Law Center



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26  
Meeting Date

SB 694  
Bill Number or Topic

Judiciary  
Committee

Amendment Barcode (if applicable)

Name Amy Keith

Phone 727 342 0730

Address 333 3<sup>rd</sup> Ave N  
Street

Email \_\_\_\_\_

St Petersburg FL 33705  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

Common Cause

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

SB 694

Meeting Date

Bill Number or Topic

Senate Judiciary  
Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Jasmine Burney-Clark

Phone

407-466-6468

Address

4246 Central Blvd  
Street

Email

jasmineaqua@gmail.com

Orlando  
City

FL  
State

32805  
Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

1/27/20

Meeting Date

694

Bill Number or Topic

Senate Judiciary

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Channell Jones

Phone

(904) 504-0973

Address

11349 Salt Pond Dr. E

Street

Email

cpjonessie23@gmail.com

Jacksonville Florida

City

State

32219

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

**OR**

Waive Speaking:

☒ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Florida  
Rising

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1-27-26

Meeting Date

SB 694

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Angelica McKinnon

Phone

813-748-1875

Address

~~1244~~ 25815 Santos Way

Email

tbbbs43@verizon.net

Street

Wesley Chapel

City

FL

State

33544

Zip

Walter  
Descendant of Irvin

Speaking:



☐ Against

☐ Information

**OR**

Waive Speaking:



☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

01/27/24

Meeting Date

Judiciary

Committee

694

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Amina Spanic

Phone

Address

Street

Email

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 820

INTRODUCER: Senator Bradley

SUBJECT: Problem-solving Court Reports

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Cibula	JU	<b>Favorable</b>
2.			ACJ	
3.			RC	

---

## **I. Summary:**

SB 820 specifies additional data that must be presented in the annual problem-solving court reports prepared by the Office of the State Courts Administrator. The bill also amends the data reporting schedule for mental health courts and drug courts by requiring that the reports be submitted to the Office of the State Courts Administrator each quarter rather than annually.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

### **Problem-Solving Courts**

Florida developed the national model for problem-solving courts in 1989 when it created the country's first drug court in Miami-Dade County. Since then, other types of problem-solving courts have been developed using that template for the drug court model.<sup>1</sup>

Problem-solving courts are unique among the trial and appellate courts in the state. Rather than operate in the traditional adversarial model, problem-solving courts provide non-adversarial proceedings with a dedicated judge who monitors each participant's progress and compliance. The courts also provide a broad-based problem-solving team made up of case managers, prosecuting and defense attorneys, treatment professionals, even law enforcement and correctional officers, as well as a guardian ad litem, if necessary.<sup>2</sup> The programs require regular

---

<sup>1</sup> Florida Courts, Office of the State Courts Administrator, *About Problem-Solving Courts*, <https://www.flcourts.gov/Services/Problem-Solving-Courts/about-problem-solving-courts> (last visited Jan. 23, 2026).

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

court appearances by the participants and the length of the program is often, though not always, determined by the progress the participant makes as measured against specific guidelines.<sup>3</sup>

According to the Office of the State Courts Administrator (OSCA), there are currently 182 problem-solving courts operating in the state as shown on the map to the right.<sup>4</sup> These courts are specifically designed to address the root causes of why people are involved in the criminal justice system and to help those people receive the treatment they need to leave the system. While participation in these court programs is voluntary, there is a list of factors, such as the commission of violent crimes, which can disqualify someone from participating.

According to OSCA, the most common problem-solving courts include adult, juvenile, and dependency drug courts, early childhood courts, veterans' courts, adult and juvenile mental health courts, DUI courts, and a delinquency pretrial intervention court program.<sup>5</sup>

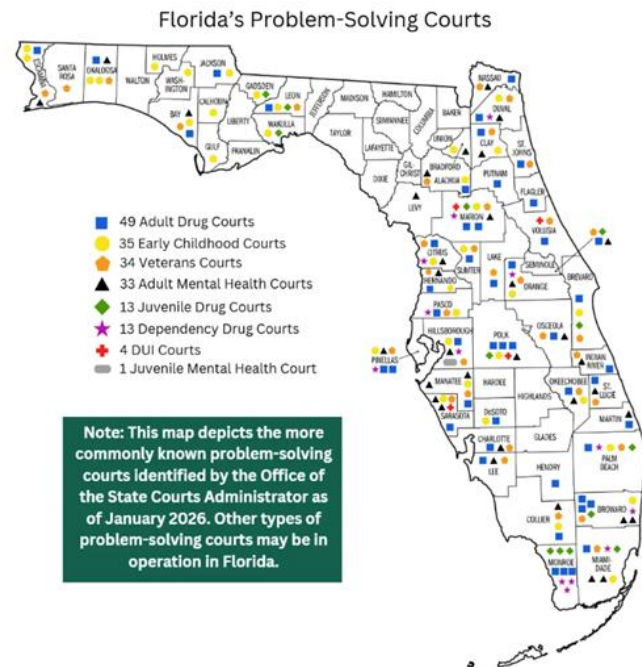
## Reporting Requirements

### *Problem-solving Court Reports*

The Office of the State Courts Administrator is required to provide an annual report to the President of the Senate and the Speaker of the House of Representatives which identifies:

- The number of participants in each problem-solving court for each fiscal year the court has operated.
- The types of services provided.
- Each source of funding for each court for each fiscal year.
- Information on the performance of each court based upon outcome measures established by the courts.<sup>6</sup>

### Problem-Solving Court Month and Opioid and Stimulant Use Disorder Awareness Month



<sup>3</sup> Florida's 10<sup>th</sup> Judicial Circuit, *Problem Solving Court*, <https://www.jud10.flcourts.org/problem-solving-court#:~:text=Problem%20Solving%20Court%20programs%20are,random%20testing%20for%20substance%20use> (Jan. 23, 2026).

<sup>4</sup> Florida Courts, Office of the State Courts Administrator, *About Problem-Solving Courts* <https://www.flcourts.gov/Services/Problem-Solving-Courts/about-problem-solving-courts> (last visited Jan. 23, 2026).

<sup>5</sup> *Id.*

<sup>6</sup> Section 43.51(1), F.S.

***Mental Health Court Programs and Treatment-based Drug Court Programs Reports***

Sections 394.47892(5)(b) and 397.334(6)(b), F.S., require mental health court programs and treatment-based drug court programs, respectively, to “collect sufficient client-level data and programmatic information” for the programs to be evaluated.

“Client-level data” includes:

- Primary offenses that resulted in the program referral or sentence.
- Treatment compliance.
- Completion status and reasons for failure to complete.
- Offenses committed during treatment and the sanctions imposed.
- Frequency of court appearances.
- Units of service.

“Programmatic information” includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The programmatic information and aggregate data on the number of admissions and terminations by type of termination must be reported annually to OSCA.

**III. Effect of Proposed Changes:****Problem-solving Court Reports – Section 1**

The bill amends s. 43.51, F.S., to require additional and specific data in OSCA’s annual problem-solving court report to the officers of the Legislature. The report must include, at a minimum, the following uniform aggregate participant data:

- The number of participants by court type.
- The primary offenses that resulted in the court program referral or sentence.
- Treatment compliance.
- Completion status and reasons for failure to complete.
- Offenses committed during treatment and the sanctions imposed.
- The frequency of court appearances.
- Units of service.

The report must also include these specific impact and outcome measures by each problem-solving court:

- Participant recidivism rate by category, including new arrests, new adjudications, and new felony adjudications.
- Participant changes in the status of employment, housing, and child custody during program participation.
- Other uniform information that demonstrates the effectiveness of the program.

**Mental Health Court and Treatment-based Drug Court Programs – Sections 2 and 3**

The bill also amends s. 394.47892, F.S., relating to mental health court programs, and s. 397.334, F.S., relating to treatment-based drug court programs, to specify that the client-level data and programmatic information must be collected for the purpose of program evaluation under s.

43.51, F.S., for the annual problem-solving court report. The statutes are further amended to require that the mental health court programs and drug court programs report the information and data to OSCA each quarter rather than each year.

The bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

#### **V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

According to the Office of the State Courts Administrator's, *2026 Judicial Impact Statement*, the bill is "anticipated to have a significant workload impact." The problem-solving court staff in each circuit will need "to collect, compile, and report the additional required data to OSCA" each quarter rather than each year. The bill will also increase the workload of OSCA staff who will need to compile and format the data information for the approximately 180 problem-solving courts. OSCA reports that additional staff will be

required in the circuit courts and at OSCA to meet the additional reporting requirements.<sup>7</sup>.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 43.51, 394.47892, 397.334.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

---

<sup>7</sup> Office of the State Courts Administrator, *2026 Judicial Impact Statement, SB 820* (Jan 19, 2026), <https://abar.laspbs.state.fl.us/ABAR/Attachment.aspx?ID=37313>.

By Senator Bradley

6-01136-26

2026820\_\_

A bill to be entitled

An act relating to problem-solving court reports; amending s. 43.51, F.S.; requiring that specified data be included in problem-solving court reports; amending ss. 394.47892 and 397.334, F.S.; conforming provisions to changes made by the act; revising the frequency with which mental health and treatment-based drug court program reports, respectively, must be reported to the Office of the State Courts Administrator; providing an effective date.

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

Section 1. Subsection (1) of section 43.51, Florida Statutes, is amended to read:

43.51 Problem-solving court reports.—

(1) The Office of the State Courts Administrator shall provide an annual report to the President of the Senate and the Speaker of the House of Representatives which details the number of participants in each problem-solving court for each fiscal year the court has been operating and the types of services provided, identifies each source of funding for each court during each fiscal year, and provides information on the performance of each court based upon outcome measures established by the courts. The report must, at a minimum, include uniform aggregate data regarding:

(a) The number of participants by court type.

(b) Participant primary offenses that resulted in the court program referral or sentence, treatment compliance, completion

Page 1 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

6-01136-26

2026820\_\_

status and reasons for failure to complete, offenses committed during treatment and the sanctions imposed, frequency of court appearances, and units of service.

(c) Participant recidivism rate by category, including new arrests, new adjudications, and new felony adjudications.

(d) Participant changes in the status of employment, housing, and child custody during program participation.

(e) Other uniform information that demonstrates the effectiveness of the program.

Section 2. Paragraph (b) of subsection (5) of section 394.47892, Florida Statutes, is amended to read:

394.47892 Mental health court programs.—

(5)

(b) Each mental health court program shall collect sufficient client-level data and programmatic information for purposes of program evaluation under s. 43.51. Client-level data includes primary offenses that resulted in the mental health court program referral or sentence, treatment compliance, completion status and reasons for failure to complete, offenses committed during treatment and the sanctions imposed, frequency of court appearances, and units of service. Programmatic information includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The programmatic information and aggregate data must ~~on the number of mental health court program admissions and terminations by type of termination shall~~ be reported at least quarterly annually by ~~each mental health court program~~ to the Office of the State Courts Administrator.

Page 2 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

6-01136-26

2026820

Section 3. Paragraph (b) of subsection (6) of section 397.334, Florida Statutes, is amended to read:

397.334 Treatment-based drug court programs.—

(6)

(b) Each treatment-based drug court program shall collect sufficient client-level data and programmatic information for purposes of program evaluation under s. 43.51. Client-level data includes primary offenses that resulted in the treatment-based drug court program referral or sentence, treatment compliance, completion status and reasons for failure to complete, offenses committed during treatment and the sanctions imposed, frequency of court appearances, and units of service. Programmatic information includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. Each treatment-based drug court program must ~~annually~~ report at least quarterly the programmatic information and aggregate data ~~on the number of treatment-based drug court program admissions and terminations by type of termination~~ to the Office of the State Courts Administrator.

Section 4. This act shall take effect July 1, 2026.





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Regulated Industries, *Chair*  
Appropriations Committee on Higher  
Education, *Vice Chair*  
Appropriations Committee on Pre-K - 12 Education  
Criminal Justice  
Ethics and Elections  
Fiscal Policy  
Rules

### JOINT COMMITTEES:

Joint Committee on Public Counsel Oversight,  
*Alternating Chair*

### SENATOR JENNIFER BRADLEY

6th District

December 17, 2025

Senator Clay Yarborough, Chairman  
Senate Judiciary Committee  
308 Senate Office Building  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

Dear Chair Yarborough:

I respectfully request that Senate Bill 820 be placed on the agenda of the Judiciary Committee at your earliest convenience. This bill amends existing reporting requirements of the State Courts Administrator with regards to problem-solving court programs.

Thank you for your consideration and please reach out if you have any questions or concerns about the bill.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Bradley". The signature is fluid and cursive.

Jennifer Bradley

cc: Tom Cibula, Staff Director  
Lisa Larson, Administrative Assistant

### REPLY TO:

- ☐ 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- ☐ 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 888

INTRODUCER: Senator Martin

SUBJECT: Professional Services Contracts

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	<b>Favorable</b>
2.			CM	
3.			RC	

---

## **I. Summary:**

SB 888 provides that a contract for professional services by a design professional (an architect, landscape architect, surveyor, or engineer) may not require the design professional to assume liability for anything other than the negligence of the design professional or of a person employed by or used by the design professional. This limit on contractual indemnity clauses is in current law but it applies only to contracts between a design professional and a public agency. An indemnity clause that does not conform to the limits in the bill is void.

The bill also provides that a contract with a design professional must require that services be performed with the level of skill and care ordinarily provided by a competent design professional. Additionally, a contract may not require the design professional to list a contracting party or other party as an additional insured.

The bill is effective July 1, 2026.

## **II. Present Situation:**

### **Design Professionals**

A “design professional” is an individual or entity licensed by the state who holds a current certificate of registration or is qualified to practice architecture, landscape architecture, land surveying and mapping, or engineering.<sup>1</sup>

A design professional is generally like any other professional or indeed any other business entity in that the design professional is generally liable in tort for any negligent act that he or she commits. They are also like most businesses in their freedom to enter into most contract terms

---

<sup>1</sup> Section 725.08, F.S. Architecture and landscape architecture are regulated by ch. 481, F.S. land surveying and mapping are regulated by ch. 472, F.S., and engineering is regulated by ch. 471, F.S.

and conditions, and their freedom to decline work and reject contracts that they feel are not profitable enough or entail too much risk. Correspondingly, those who employ design professionals are mostly free to hire who they want, negotiate prices, negotiate contract terms, and seek a different design professional if they wish.<sup>2</sup>

One contract clause that is commonly found in contracts is an indemnification clause. Such clauses often use the terminology of “indemnify and hold harmless.” The term indemnification “refers to the broad concept of one party compensating another for losses, damages, or liabilities, usually due to third-party claims. It’s an agreement that safeguards one party against the financial impacts of specific actions or events.”<sup>3</sup>

There are limits to the generally broad freedom to contract. Current law provides that a contract between a design professional and a public agency may contain an indemnification clause, but that clause may only require the design professional to assume liability for negligence, recklessness or intentionally wrongful conduct of the design professional and other people employed or utilized by the design professional.<sup>4</sup>

### **Professional Liability – In General**

The professional liability standard that applies to a design professional is similar to the liability standard of any other professional. The jury instruction is informative:

Negligence is the failure to use reasonable care. Reasonable care on the part of a (identify professional) is the care that a reasonably careful (identify professional) would use under like circumstances. Negligence is doing something that a reasonably careful (identify professional) would not do under like circumstances or failing to do something that a reasonably careful (identify professional) would do under like circumstances.<sup>5</sup>

### **History**

Section 725.08, F.S., was enacted in 2000. In the initial version of the statute the statute limited the terms of an indemnity clause in any contract with a design professional. This limitation provided that an indemnification clause may require a design professional to assume liability only for the negligence of the design professional or another person employed or utilized by the design professional.<sup>6</sup> In 2001, the statute was amended to the current form that applies the limitation only to a contract between a design professional and a public agency.<sup>7</sup>

---

<sup>2</sup> FLA. CONST. art. I s. 2.

<sup>3</sup> Thomson Reuters, *Reduce the Risk of Claims with Indemnification Clauses in Contracts* (Oct. 20, 2024), <https://legal.thomsonreuters.com/en/insights/articles/indemnification-clauses-in-commercial-contracts>.

<sup>4</sup> Section 725.08(1), F.S.

<sup>5</sup> The Florida Bar, *Florida Standard Jury Instruction 402.5 Other Professional Negligence*, <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww-media.floridabar.org%2Fuploads%2F2024%2F04%2F402.5.docx&wdOrigin=BROWSELINK>.

<sup>6</sup> Section 1, ch. 2000-162, Laws of Florida.

<sup>7</sup> Section 11, ch. 2001-211, Laws of Florida.

### **III. Effect of Proposed Changes:**

SB 888 provides that, while a contract between a design professional (an architect, landscape architect, surveyor, or engineer) and any other person may require a design professional to indemnify and hold harmless the other contracting party, the indemnification clause is limited to the negligence, recklessness or intentionally wrongful conduct of the design professional or any other persons employed or used by the design professional. A contract provision that violates this limitation is void.

The bill adds that a professional services contract must require the design professional to perform the services with the level of professional skill and care ordinarily provided by a competent design professional practicing under the same or similar circumstances and professional licenses as expeditiously as is prudent. This standard of care appears to reflect the ordinary standard of care that would apply to a claim against a design professional absent any modification made by a contract. The bill further provides that a professional services contract may not subject a design professional to a different standard of care, and that a contract mandating a different standard of care must be interpreted as if the lawful standard of care applies.

The bill also adds that a professional services contract may not require a design professional to list a contracting party or any other person or entity as an additional insured on the design professional's policy of professional liability insurance.

The bill applies to any contract entered into on or after July 1, 2026, which is the effective date of the bill.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

This bill may allow for lower general liability or professional liability insurance costs paid by design professionals. Those costs, however, may increase for persons who contract for the services of a design professional.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends s. 725.08 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Martin

33-00430-26

2026888

A bill to be entitled

An act relating to professional services contracts; amending s. 725.08, F.S.; providing that a professional services contract between a design professional and a contracting party, rather than between a design professional and a public agency, may require the design professional to indemnify and hold harmless the contracting party, and its officers and employees, only against certain liability and damages; providing that all professional services contracts, rather than professional services contracts entered into with a public agency, may not require the design professional to defend, indemnify, or hold harmless the contracting party or its employees, officers, directors, or agents; declaring that such a contract provision is void as against public policy; specifying that a professional services contract must require a design professional to perform to a certain level of professional skill and care; prohibiting a professional services contract from subjecting a design professional to a different standard of care; providing applicability; prohibiting a professional services contract from requiring a design professional to list additional insureds on its policy; providing an effective date.

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

Section 1. Present subsections (3), (4), and (5) of section

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00430-26

2026888

725.08, Florida Statutes, are redesignated as subsections (5), (6), and (7), respectively, new subsections (3) and (4) are added to that section, and subsections (1) and (2) and present subsection (5) of that section are amended, to read:

725.08 Design professional contracts; limitation in indemnification.—

(1) Notwithstanding ~~the provisions of~~ s. 725.06, if a design professional provides professional services to or for a contracting party ~~public agency~~, the contracting party ~~agency~~ may require in a professional services contract with the design ~~professional~~ that the design professional indemnify and hold harmless the contracting party ~~agency~~, and its officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney attorneys' fees, only to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the design professional and other persons employed or used ~~utilized~~ by the design professional in the performance of the contract.

(2) Except as specifically provided in subsection (1), a professional services contract ~~entered into with a public agency~~ may not require that the design professional defend, indemnify, or hold harmless the contracting party or agency, its employees, officers, directors, or agents from any liability, damage, loss, claim, action, or proceeding, and any such contract provision is ~~shall be~~ void as against the public policy of this state.

(3)(a) A professional services contract must require the design professional to perform the services with the level of professional skill and care ordinarily provided by a competent design professional practicing under the same or similar

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00430-26 2026888

59 circumstances and professional licenses as expeditiously as is  
60 prudent.

61 (b) A professional services contract may not subject a  
62 design professional to a standard of care different than that  
63 provided in paragraph (a).

64 (c) If the standard of care in a professional services  
65 contract differs from the professional skill and care as  
66 described in paragraph (a), paragraph (a) applies.

67 (4) A professional services contract may not require a  
68 design professional to list a contracting party or any other  
69 person or entity as an additional insured on the design  
70 professional's policy of professional liability insurance.

71 (7)(5) This section does not affect contracts or agreements  
72 entered into before July 1, 2026 ~~the effective date of this~~  
73 ~~section.~~

74 Section 2. This act shall take effect July 1, 2026.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Criminal Justice, *Chair*  
Appropriations Committee on Criminal  
and Civil Justice, *Vice Chair*  
Appropriations  
Appropriations Committee on  
Transportation, Tourism, and Economic  
Development  
Banking and Insurance  
Rules  
Transportation

**SENATOR JONATHAN MARTIN**  
33rd District

January 21<sup>st</sup>, 2026

### RE: SB 888: Professional Services Contracts

Dear Chair Yarborough,

Please allow this letter to serve as my respectful request to place SB 888 on the next committee agenda.

Your kind consideration of this request is greatly appreciated. Please feel free to contact my office for any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Martin".

Jonathan Martin  
Senate District 33

### REPLY TO:

- ☐ 2000 Main Street, Suite 401, Fort Myers, Florida 33901 (239) 338-2570
- ☐ 315 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5033

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore



The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1-27-26  
Meeting Date  
Judiciary  
Committee

888  
Bill Number or Topic  
  
Amendment Barcode (if applicable)

Name Peter Hauerstein Phone 813-242-4267  
Address 1718 E 7th Ave Ste 301 Email peter.hauerstein@sal-design  
Tampa FL 32301 studio.com  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/20

Meeting Date

SB 988

Bill Number or Topic

JUDICIARY

Committee

Amendment Barcode (if applicable)

Name

PETER MOORE

Phone

954 818 9552

Address

500 W. LYNNSS LK RD #600

Email

Pmoore@clerkmoore.com

Street

FT LAUDERDALE FL

33304

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

12/27/2020  
Meeting Date

Judiciary  
Committee

888

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Peter Moore

Phone

954-730-0701

Address

600 W. Cypress Creek Road

Email

pmoore@chenmoore.com

Street

FTL

City

FL

State

33309

Zip

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/26

Meeting Date

Judiciary

Committee

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

888

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Shawn Kalbli** Phone **(850)553-3500**

Address **2619 Centennil Boulevard, Suite 200** Email **shawn.kalbli@kimley-horn.com**

Street

**Tallahassee**

**FL**

**32308**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

☒ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

**Kimley-Horn & Associates**

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1-27-26

Meeting Date

Judiciary

Committee

SB 888

Bill Number or Topic

Amendment Barcode (if applicable)

Name

ADAM GAYLE

Phone

352-256-6785

Address

8921 SW 75th St.

Email

AGAYLE@gmail.com

Street

Gainesville FL

State

32608

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

1-27-26

Meeting Date

888

Bill Number or Topic

Judiciary

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Becky Magdaleno

Phone

850-222-7510

Address

101 E Jefferson St

Email

bmagdaleno@aiatla.org

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Florida Association of the American  
Institute of Architects (AIA Florida)

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

Judiciary

Committee

888

Bill Number or Topic

Amendment Barcode (if applicable)

Name

JW Hunter Florida Engineering Society

Phone

850-251-8513

Address

210 Phelps Rd

Street

Email

jhunter@chenmoore.com

Lamont FL

City

State

32336

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

01/27/24

Meeting Date

Judiciary

Committee

889

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Amina Spahic

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

Florida For All

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 1000

INTRODUCER: Senator Grall

SUBJECT: Trust Fund Interest for Purposes Approved by the Supreme Court

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Cibula	JU	<b>Favorable</b>
2.			BI	
3.			RC	

---

**I. Summary:**

SB 1000 establishes *in statute* an interest on trust account rate that financial institutions must pay when paying interest or dividends on a lawyer or law firm's trust accounts. These interest producing accounts are known as the interest on trust accounts or IOTA program. The substance of this bill is the result of an agreement between The Florida Bar and the Florida Bankers Association.

Under the bill, the interest or dividends will be remitted to an entity established by the Florida Supreme Court which uses the funds to provide free legal services to low-income people or for other purposes expressly authorized by a rule of the Court. This is consistent with current practice whereby IOTA funds are transmitted from financial institutions to The Florida Bar and the Bar's Foundation distributes the funds, primarily, to provide legal assistance to the poor. The current formula for calculating interest and dividend rates is set forth in The Florida Bar Rules, not in statute, and is significantly different from the formula in this bill.

If a financial institution holds one of these trust accounts, it must pay, after all fees and charges are assessed by the institution, interest or dividends at the Wall Street Journal Prime Rate in effect on the first business day of each month, less 300 basis points, or 3.0 percent, with a minimum floor rate of 0.25 percent and a maximum ceiling rate, of 1.5 percent.

By establishing the floor rate, the Bar Foundation is assured that it will receive funds to finance the IOTA program during periods of low interest rates. By establishing a ceiling rate, the financial institutions are assured that they can operate the IOTA accounts at profit over the long term.

The bill takes effect July 1, 2026.

## II. Present Situation:

### Overview of Interest on Trust Accounts or IOTA

All attorneys who maintain trust accounts must abide by rules developed by The Florida Bar and approved by the Florida Supreme Court.<sup>1</sup> The rules require that trust fund accounts be deposited with financial institutions that pay a guaranteed interest rate set by rule.<sup>2</sup> The interest generated by the trust accounts is referred to as the Interest on Trust Accounts program or IOTA. The program generates millions of dollars in interest each year. Once generated, the interest is transmitted directly to The Florida Bar and used exclusively by the Bar's Foundation, Funding Florida Legal Aid, which is authorized by the Florida Supreme Court to administer the IOTA program. The collections for FY 2024-25 were \$260,414,122 and \$96.4 million was placed in reserves while \$125 million was distributed in December 2025 for use in calendar year 2026.<sup>3</sup>

### Attorney Trust Accounts

A trust account is a short-term account set up by an attorney in which he or she deposits funds on behalf of a client. The account generally contains client funds that are often commingled with funds of other clients and may include funds from a retainer payment, discovery or litigation costs paid in advance, filing fees, or a settlement award. The amount of money in the account changes often because deposits and withdrawals are made frequently, sometimes daily. These fees may not be commingled with an attorney's operating account but must be kept separately. It is estimated that between \$9 and \$10 billion is deposited annually into IOTA accounts at financial institutions.

A trust account has been described as an "unusual" creation that is significantly different from other accounts. Although an attorney opens the account and is responsible for managing the funds in the account, he or she is not the owner of the funds.<sup>4</sup> While an attorney is not the owner of the account, and therefore, not entitled to interest generated by the account, neither is the client entitled to interest generated by the funds. The U.S. Court of Appeals for the Eleventh Circuit issued a decision in 1987 determining that a client was not entitled to the interest generated in a trust account.<sup>5</sup> Financial institutions, however, are permitted to impose certain approved charges and fees on IOTA accounts to cover their operating expenses.<sup>6</sup>

---

<sup>1</sup> The State Constitution grants exclusive jurisdiction to the Florida Supreme Court to regulate the admission and discipline of people to practice law in the state. See FLA. CONST. art. V, s. 15. The Florida Supreme Court has established the "authority and responsibilities of The Florida Bar" in the *Rules Regulating the Florida Bar*. Chapter 5 contains the "Rules Regulating Trust Accounts," which all attorneys who maintain trust accounts must abide by.

<sup>2</sup> Participation in the IOTA program is voluntary for financial institutions. However, if an institution chooses to participate and hold IOTA accounts, it must provide the interest or dividend rate established under the Bar Rules.

<sup>3</sup> See *In re: FFLA-FY 2024-25 Collections, Request for Approval of Additional Reserve Amount*, Case No. AOSC25-66 (Oct. 29, 2025), <https://flcourts-media.flcourts.gov/content/download/2470773/file/AOSC25-66.pdf>.

<sup>4</sup> *In re: Amendments to the Rules Regulating the Florida Bar-Miscellaneous: The Florida Bar's Response to the Florida Bankers Association's Motion for Rehearing*, Case No. SC22-1292, 2 (April 14, 2023), <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/baa8ed04-2926-4922-b099-9d51fd7ab2ae/docketentrydocuments/a8e413ea-a6d4-417f-a1b0-2536bb7c9292>.

<sup>5</sup> *Cone v. State Bar of Florida*, 819 F.2d 1002 (11th Cir. 1987).

<sup>6</sup> "The following charges and fees have been defined as 'reasonable' and are the only service charges or fees permitted to be deducted from interest earned on IOTA accounts. These service charges or fees may be deducted from IOTA account interest only at such rates and under such circumstances as is the financial institution's customary practice for all its interest-bearing

How the accounts may be regulated or restricted has presented a quandary for almost 200 years. The earliest attempt to regulate trust accounts can be traced to the Legislative Council of the Territory of Florida in 1828. In 1936, the Florida Supreme Court incorporated the regulation of trust accounts into the Court's rules. Additional measures were adopted over the years to ensure that attorneys, acting as "trustees" would not misuse their clients' funds or neglect to return them when requested to do so by the client.<sup>7</sup>

### **Evolution of Interest Earned on Trusts Accounts**

Trust accounts have evolved from simple accounts that earned no interest and benefitted no one in particular to today's more regulated accounts. The Florida Bar, with Florida Supreme Court approval, mandates participation by attorneys, establishes the interest rates, and requires that the interest be remitted to The Florida Bar's foundation, Funding Florida Legal Aid.<sup>8</sup>

#### ***1978 – Voluntary Participation for Lawyers with Trust Accounts***

For many years, attorneys deposited their clients' funds in non-interest bearing checking accounts because trying to apportion multiple clients' interest earnings on short-term deposits was far too complex. In 1978, however, the Florida Supreme Court amended The Florida Bar Rules (Rules) in response to a petition by The Florida Bar and authorized attorneys to invest trust funds held for their clients to generate investment income that would, among other things, provide legal aid to the poor and help provide student loans. Participation would be *voluntary* and interest would be transmitted directly from the financial institutions to The Florida Bar Foundation. In implementing these changes, Florida became the first state in the nation to adopt an IOTA program.<sup>9</sup> After several adjustments, the program became operational in 1981 and permitted *voluntary* participation by attorneys and their firms.<sup>10</sup>

#### ***1989 – Mandatory Participation for Lawyers with Trust Accounts***

In 1989, the Rules were amended and participation in the program became *mandatory* for all attorneys who held trust accounts.<sup>11</sup>

---

checking account customers: per check charge, per deposit charge, fee in lieu of minimum balance, federal deposit insurance fee." Financial institutions are also permitted to recover special costs for their participation in IOTA by deducting a reasonable IOTA handling or administrative fee. See *Funding Florida Legal Aid, Iota, For Lawyers and Law Firms, Reasonable Service Charge Policy*, <https://fundingfla.org/iota/attorneys-lawfirms/> (last visited Jan. 21, 2026).

<sup>7</sup> *A Petition of Florida Bar*, 356 So. 2d 799 (Mem), 800-801 (Fla. 1978). (The lengthier case style is *In re Interest on Trust Accounts, A Petition of The Florida Bar to Amend the Code of Professional Responsibility and the Rules Governing the Practice of Law.*).

<sup>8</sup> See generally R. Regulating Fla. Bar Rule 5-1, Rules Regulating Trust Accounts, [https://www-media.floridabar.org/uploads/2025/12/2026\\_06-DEC-Chapter-5-RRTFB.pdf](https://www-media.floridabar.org/uploads/2025/12/2026_06-DEC-Chapter-5-RRTFB.pdf).

<sup>9</sup> *In re: Interest on Trust Accounts, A Petition of the Florida Bar*, 356 So. 2d 799 (Mem) (Fla. 1978).

<sup>10</sup> It should be noted that the establishment of IOTA or IOLTA (Interest on Lawyers' Trust Accounts as they are called in other states) was possible only after Congress made changes to federal banking laws in 1980 that allowed certain checking accounts to pay interest. American Bar Association, *Interest on Lawyers' Trust Accounts*, [https://www.americanbar.org/groups/interest\\_lawyers\\_trust\\_accounts/overview/](https://www.americanbar.org/groups/interest_lawyers_trust_accounts/overview/) (last visited Jan. 21, 2026). See also *In the Matter of Interest on Trust Accounts*, 402 So. 2d 389 (Mem) (Fla. 1981).

<sup>11</sup> *Matter of Interest on Trust Accounts: Petition to Amend the Rules Regulating the Florida Bar*, 538 So. 2d 448, 449-450, (Fla. 1989).

### ***2001 – Participating Financial Institutions Defined and Limited***

In 2001, the Rules were amended again to define which financial institutions were eligible to hold IOTA accounts. These eligible institutions were limited to the institutions that pay IOTA account depositors “the highest interest rate or dividend generally available from the institution to its non-IOTA account customers when IOTA accounts meet or exceed the same minimum balance” or other eligibility requirements. In essence, The Florida Bar Foundation was asking that IOTA accounts be placed on an equal par with non-IOTA accounts in an institution.<sup>12</sup>

It is worth noting that these rules are not found in the Florida Statutes, but are rules adopted by The Florida Bar and approved by the Florida Supreme Court.

### **2023 Amendments to Interest on Trust Accounts Rule and The Florida Bankers Association Response**

The Florida Bar petitioned the Court on October 3, 2022, to again amend the IOTA rules. The stated goal of the proposed amendments was to “include all possible accounts that can be used as trust accounts” and “ensure the highest possible interest is available for IOTA accounts.”<sup>13,14</sup>

The Florida Bankers Association opposed the measure and challenged the 2023 amendments by filing a motion for rehearing. The Bankers Association stated that it did not receive adequate or meaningful notice of the proposed IOTA amendments. The Court denied the motion and the new rule became effective on May 15, 2023, and remains in effect.<sup>15</sup>

According to documents filed in the Florida Supreme Court, the Florida Bankers Association and The Florida Bar attempted for months to reach a compromise rate that was agreeable to both parties. This resulted in an impasse and no compromise was reached.<sup>16</sup> On August 7, 2024, the Court denied the Florida Bankers Association’s motion for rehearing. The result was that the IOTA program generated an unprecedented amount of interest for the Bar’s Foundation.<sup>17</sup>

---

<sup>12</sup> *Amendment to Rules Regulating the Florida Bar—Rule 5-1.1(e)--IOTA*, 797 So. 2d 551 (Fla. 2001).

<sup>13</sup> *In re: Amendments to the Rules Regulating the Florida Bar – Miscellaneous: Petition to Amend the Rules Regulating the Florida Bar*, Case No. SC2022-1292 (Oct. 3, 2022), <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/baa8ed04-2926-4922-b099-9d51fd7ab2ae/docketentrydocuments/60ddf5a7-6ae4-425a-a90b-2cebcc635bd0>.

<sup>14</sup> The formula stated, “When the Wall Street Journal Prime Rate (“indexed rate”) is between 325 and 499 basis points (3.25% and 4.99%), the minimum interest rate paid net of all fees and service charges (“yield”) must be no less than 300 basis points (3.00%) below the indexed rate in effect on the first business day of each month. When the indexed rate is 500 basis points (5.00%) or above, the yield must be no less than 40% of the indexed rate in effect on the first business day of each month.

<sup>15</sup> *In re: Amendments to the Rules Regulating the Florida Bar: Petition to Amend the Rules Regulating the Florida Bar*, Case No. SC2025-1730, <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/da732548-6b47-4a8a-ac84-ec3faf5691ae/docketentrydocuments/e5b55656-749b-4362-aa02-6f0c46c338f4>.

<sup>16</sup> *In re: Amendments to the Rules Regulating the Florida Bar*, The Florida Bankers Association’s Comment to the Florida Bar’s Report on Implementation Status, Case No: SC2022-1292, <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/baa8ed04-2926-4922-b099-9d51fd7ab2ae/docketentrydocuments/f5381851-24da-4ff6-932d-487a9ca0b99c> (last visited Jan. 21, 2026).

<sup>17</sup> For a detailed account of these proceedings and responses from the Florida Bankers Association, please see *CS/CS/CS SB 498 Bill Analysis and Impact Statement*, <https://www.flsenate.gov/Session/Bill/2025/498/Analyses/2025s00498.rc.PDF>.

## **Rule Amendment Pending in the Florida Supreme Court - Compromise Reached Between the Florida Bar and the Florida Bankers Association**

According to a petition filed by The Florida Bar in the Supreme Court, the Florida Bankers Association sought legislation in 2024 and 2025 that would establish in statute the interest rates on trust fund accounts. The petition states that the Bar Foundation and its grantees support the rule amendment that is the substance of this bill “choosing certainty over continuing to spend resources on legislative activity or possible litigation involving the Florida Bankers Association.” The petition to amend the rules regulating the interest rate states that, “For its part, the Florida Bankers Association has assured the Bar and interested legislators that it is satisfied with these proposed amendments.”<sup>18</sup>

The proposed Bar Rule states:

(5) *Eligible Institution Participation in IOTA*. Participation in the IOTA program is voluntary for banks, credit unions, savings and loan associations, and investment companies. Institutions that choose to offer and maintain IOTA accounts must pay, net of all fees and charges assessed by the eligible financial institution, the Wall Street Journal Prime Rate in effect on the first business day of each month less 300 basis points (3.00%) with a floor of 0.25% and a ceiling of 1.50%.<sup>19</sup>

The proposed rule change was approved by various Bar committees and the petition to amend the IOTA rates was filed in the Florida Supreme Court on November 4, 2025.<sup>20</sup> The Court has not ruled on the petition at this time.

## **IOTA Data for Funding Florida Legal Aid**

### ***Amounts Received by FFLA From the IOTA Program***

Funding Florida Legal Aid supplied the information below on remittances from the IOTA accounts. The fiscal year begins July 1 and ends June 30 of the following year. The collections for the 2024-2025 fiscal year were distributed in December 2025 to be used during the 2026 calendar year.

---

<sup>18</sup> *In re: Amendments to the Rules Regulating the Florida Bar*: Petition to Amend the Rules Regulating the Florida Bar, Case No. SC2025-1730, 2,3 (filed Nov. 4, 2025), <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/da732548-6b47-4a8a-ae84-ec3faf5691ae/docketentrydocuments/e5b55656-749b-4362-aa02-6f0c46c338f4>.

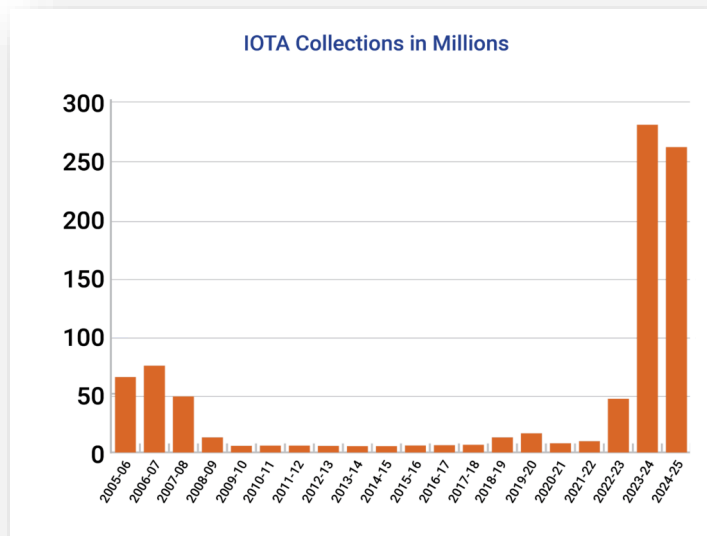
<sup>19</sup> Rules Regulating The Florida Bar, Chapter 5. Rules Regulating Trust Accounts, 5-1. Generally, Rule 5-1.1 Trust Accounts, <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/da732548-6b47-4a8a-ae84-ec3faf5691ae/docketentrydocuments/a88e5381-482e-4ca4-9e11-fee7f4953c>.

<sup>20</sup> *In re: Amendments to the Rules Regulating the Florida Bar*: Petition to Amend the Rules Regulating the Florida Bar, Case No. SC2025-1730 (filed Nov. 4, 2025), <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/da732548-6b47-4a8a-ae84-ec3faf5691ae/docketentrydocuments/e5b55656-749b-4362-aa02-6f0c46c338f4>.

FY 2021-22	\$9,498,692
FY 2022-23	\$45,547,390
FY 2023-24	\$279,656,155
FY 2024-25	\$260,414,122 <sup>21</sup>

It is significant to note that the IOTA collections increased by \$234,108,765 between fiscal year 2022-23 and fiscal year 2023-24. This is due to the funding formula authorized by the Supreme Court in May 2023 for the benefit of the Bar Foundation.

The chart below shows how IOTA collections have changed over the past 20 years.<sup>22</sup>



### Wall Street Prime Rate

The Wall Street Journal Prime Rate is the most widely relied upon measure of the prime interest rate. To arrive at this rate, *The Wall Street Journal* regularly surveys the country's largest banks to determine the interest rate they are charging their "prime" customers for short-term loans. The "prime" customers are those with the highest credit ratings. When 23 of the 30 largest banks change their rate, the *Journal* adjusts its rate. The *Journal* defines the prime rate as the "base rate on corporate loans posted by at least 70% of the nation's largest banks."<sup>23</sup>

<sup>21</sup> Funding Florida Legal Aid, *IOTA, Interest on Trust Accounts Program, IOTA Collections Public Notices* <https://fundingfla.org/iota/>.

<sup>22</sup> Florida Funding Legal Aid, Financial Stewardship, Florida's Interest on Trust Accounts (IOTA) Program, <https://fundingfla.org/about-ffla/ffla-finance/> (last visited Jan. 21, 2026).

<sup>23</sup> Fulton Bank, "What Is Wall Street Journal Prime Rate and Why It Matters" <https://www.fultonbank.com/Education-Center/Managing-Credit-and-Debt/Prime-rate-and-why-it-matters> (last visited Jan. 21, 2026), Bankrate, *Wall Street Journal Prime Rate* (last visited Jan. 21, 2026), <https://www.bankrate.com/rates/interest-rates/wall-street-prime-rate/#:~:text=Bankrate.com%20provides%20the%20Wall%20Street%20Prime%20Rate%20and%20WSJ%20current%20prime%20rates%20index>, and Wall Street Journal, *WSJ/Markets*, <https://www.wsj.com/market-data/bonds> (last visited Jan. 21, 2026).

As of January 21, 2026, the Wall Street Journal Prime Rate is 6.75. For the last 52 week period, the high was 7.50 percent and the low was 6.75 percent.<sup>24</sup>

### **III. Effect of Proposed Changes:**

This bill establishes in statute an Interest on Trust Account rate that is based upon an agreement made between The Florida Bar and the Florida Bankers Association.

#### **The Interest or Dividend Rate and the Recipients**

The bill establishes the interest rate that financial institutions must provide when paying interest or dividends on certain lawyer or law firm trust accounts. The interest or dividends will be remitted to an entity established by the Florida Supreme Court which uses the interest or dividends to provide or facilitate free legal services to low-income people or to a program that is expressly authorized by a rule of the Court. This is consistent with current practice whereby IOTA funds are transmitted from financial institutions to The Florida Bar and the Bar's Foundation which distributes the funds, primarily, to provide legal assistance to the poor.

Although the current funding formula for calculating interest and dividend rates is set forth in The Florida Bar Rules, the bill establishes the formula in statute.

#### **Applying the Formula**

A financial institution that holds one of these trust accounts must pay, "net of all fees and charges assessed by the financial institution, interests or dividends at the Wall Street Journal Prime Rate in effect on the first business day of each month, less 300 basis points, with a floor of 0.25 percent and ceiling of 1.5 percent." By establishing the floor rate, the Bar Foundation is assured that it will receive funds to finance the IOTA program during periods of low interest rates. By establishing a ceiling rate, the financial institutions are assured that they can operate IOTA accounts at a profit over the long term.

This mathematical formula established in the bill will result in a number of possible calculations described below:

#### ***When the "Floor" Takes Effect***

If, after deducting 3.0 percent from the prime rate, the number is equal to or less than 0.25 percent, a financial institution must pay the floor rate, or 0.25 percent in interest or dividends.

#### ***When the "Ceiling" Takes Effect***

In contrast, if after deducting 3.0 percent from the prime rate, the number is equal to or greater than 1.50 percent, a financial institution must pay the ceiling rate, or 1.50 percent.

---

<sup>24</sup> Wall Street Journal, *WSJ/Markets*, <https://www.wsj.com/market-data/bonds> (last visited Jan 21, 2026).

***Other Results Determined by Applying the Formula***

The formula also results in rates that are between the floor and the ceiling, at which point the actual number arrived at by deducting 3.0 percent from the prime rate is the IOTA rate. For example, if the prime rate is 3.75 percent, and 3.0 percent is deducted, the resulting rate is 0.75 percent, which is the applicable interest or dividend rate payable by the institution.

The bill takes effect July 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

The bill does not appear to regulate attorneys or the practice of law in violation of Article V section 15 of the State Constitution. Instead, the bill is a regulation of financial institutions.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The interest rates established in the bill will result in financial institutions participating in the IOTA program paying lower interest rates on trust accounts. This change might allow them to operate IOTA accounts at a profit or allow smaller financial institutions to participate. Likewise, the bill may result in attorneys having more financial institutions to choose from when selecting a financial institution for their trust accounts. In contrast, Funding Florida Legal Aid will likely see a significant reduction in the interest revenue it



receives to fund its legal aid programs and other programs authorized by the Supreme Court.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates s. 655.98 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Grall

29-01212D-26

20261000\_\_

A bill to be entitled

An act relating to trust fund interest for purposes approved by the Supreme Court; creating s. 655.98, F.S.; authorizing financial institutions to hold funds in specified trust accounts used for specified purposes expressly authorized by Supreme Court rule; requiring certain entities to use interest and dividends for specified purposes; requiring certain financial institutions to pay specified interest or dividends; providing an effective date.

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

Section 1. Section 655.98, Florida Statutes, is created to read:

655.98 Lawyer or law firm trust account interest rates.—A financial institution may hold funds in an interest-bearing trust account of a lawyer or law firm in which the institution remits interest or dividends on the balance of the deposited funds to an entity established by the Supreme Court. Such entity shall use the interest or dividends to provide or facilitate the provision of free legal services to low-income individuals or for such other purposes as may be expressly authorized by rule of the Supreme Court. If the financial institution holds such an account, it must pay, net of all fees and charges assessed by the financial institution, interest or dividends at the Wall Street Journal prime rate in effect on the first business day of each month, less 300 basis points, with a floor of 0.25 percent and a ceiling of 1.5 percent.

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

29-01212D-26

20261000\_\_

Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

## Committee Agenda Request

**To:** Senator Clay Yarborough, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** January 9, 2026

---

I respectfully request that **Senate Bill #1000**, relating to Trust Fund Interest for Purposes Approved by the Supreme Court, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in blue ink that reads "Erin K. Grall".

---

Senator Erin Grall  
Florida Senate, District 29

The Florida Senate  
**APPEARANCE RECORD**

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☒ For

☐ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Florida Bankers Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

01/27/26

The Florida Senate  
**APPEARANCE RECORD**

SB 1000

Meeting Date

Judiciary

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Christopher Hodge

Phone

850-375-2532

Address

1709 Hamitage Ct

Email

Christopher.Hodge@the-league-corp

Street

Tallahassee

FL

32308

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

Florida Credit Union Assn.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: CS/SB 1224

INTRODUCER: Judiciary Committee and Senator Rodriguez

SUBJECT: Fraudulent Entry of Residential Dwellings

DATE: January 27, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	<b>Fav/CS</b>
2.			CJ	
3.			RC	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1224 creates the concept of fraudulent entry upon real property. Fraudulent entry is the act of entering into and taking possession of a residential dwelling unit by presenting false identity documents or false financial documents to the landlord. The bill creates a third degree felony criminal offense for fraudulent entry into a residential property. The bill also amends civil landlord tenant laws to add that a person in possession of a residential dwelling because of fraudulent entry is subject to the existing eviction procedures regarding matters that may not be cured by a tenant.

The bill is effective July 1, 2026.

**II. Present Situation:**

**Background**

Florida, like other states, has suffered from problems related to various unauthorized persons such as transients, squatters, and other people who wrongfully try to live on someone else's property. The criminal laws of the state have long authorized law enforcement to arrest and remove someone who is criminally trespassing on land. However, criminal trespass law is only a remedy where the offense is clear to the law enforcement officer.

Constitutional concepts of due process and property rights require that the state provide an individual with appropriate due process before removing the individual from private property using the power of the state. The due process that one is entitled to varies based on the individual's relationship to the property and the nature of the circumstance giving rise to the removal. So, for instance, a property owner facing foreclosure for nonpayment of monetary obligations is given substantial due process rights and protections that typically require months of legal process and numerous opportunities for the property owner to try and protect his or her right to possess the property. A lawful ordinary tenant has due process rights that require at least several weeks of process. An ordinary tenant in these matters may legally remain in possession of the property until the civil courts finally determine that the tenant has lost the right to possession. On the other hand, a person committing criminal trespass will usually be immediately arrested and removed,<sup>1</sup> left to pursue his or her due process rights in the criminal court system while living somewhere other than the subject property.<sup>2</sup>

Somewhere between the long-time landowner and the temporary criminal trespasser is a grey area of circumstances by which someone may be wrongfully on the property of another. Until recently, in circumstances where law enforcement could not find a criminal trespass, the property owner facing an unwanted and unidentified guest would be left with using the civil court processes for ejectment or tenant eviction.<sup>3</sup> These are costly and time-consuming, and often left the property subject to theft and vandalism.

Florida first addressed the gray area in regards to transient occupants by enacting s. 82.035, F.S. in 2015.<sup>4</sup> A “transient occupant” is a person whose residency in real property intended for residential use has occurred for a brief length of time, is not pursuant to a lease, and whose occupancy was intended to be transient in nature.<sup>5</sup> A law enforcement officer may remove a transient occupant upon receipt of an affidavit showing that an individual is a transient.<sup>6</sup>

Florida next addressed the gray area regarding squatters. In general, a squatter is a stranger to a property who moves into the property and acts as if he or she is the lawful owner or tenant. Squatters may cause significant damage to a property in a short period of time. Squatters evade arrest and removal as trespassers by asserting an ownership or leasehold interest in the property often by commonly using false, misleading, or fraudulent documents and claims. Those claimed interests are rarely if ever based on facts and law. In 2024, Florida created s. 82.036, F.S., to provide a process to summarily remove an “unauthorized person” from residential property.<sup>7</sup> In 2025, a similar process was enacted at s. 82.037, F.S., to summarily remove an unauthorized

---

<sup>1</sup> Section 901.15, F.S.

<sup>2</sup> An example of what often happens might be in order: A local law enforcement agency is called by a landowner complaining that someone has broken into their rental home and is trespassing. A law enforcement officer knocks on the door, identifies himself, and demands that the occupant open the door. If the occupant runs out the back door, hops the fence, and continues running, he is acting guilty, is probably a trespasser, and will be arrested if caught. However, if that same occupant calmly opens the door, says “I live here,” and can offer some manner or proof that he might actually live there, the law enforcement officer may leave the occupant in the property and refer the owner to the court system to sort it out.

<sup>3</sup> See generally, ejectment in ch. 82, F.S., and eviction for residential tenancies in part II of ch. 83, F.S.

<sup>4</sup> Chapter 2015-89, Laws of Fla.

<sup>5</sup> Section 82.035(1), F.S.

<sup>6</sup> Section 82.035(3), F.S.

<sup>7</sup> Chapter 2024-44, Laws of Fla.

person from commercial real property.<sup>8</sup> Note, however, that none of the newly created summary procedures apply to an individual who had peacefully gained access to a key freely provided by a landlord.

One prior form of deceit that enabled a squatter to delay removal from a residential dwelling was for the squatter to forge a deed or lease. The forged document was used to try to have law enforcement officers refuse to remove the squatter. The presentation of a false document to claim the right to possess real property was made a criminal offense in 2024.<sup>9</sup>

### **Fraud Issue**

Another type of individual has emerged in the gray area of individuals who may be wrongfully in possession of real property they do not own. Their wrongful conduct is not addressed by the recent legislation. This type is an individual who is in possession by fraud. The current summary remedies for removal of a transient occupant or removal of an unauthorized person specifically do not apply to an individual who has an apparent leasehold interest in the real property. If an individual can show a facially valid lease, a law enforcement officer will generally decline summary removal and suggest that the landowner seek relief in the court system.

Fraud appears to occur within two common patterns: identity fraud and credit fraud. In identity fraud, a prospective tenant assumes the identity of another individual who would qualify to lease a property. Landlords report that identity fraud, once rare and difficult, is increasingly common.<sup>10</sup> They typically discover the identity fraud months later when rent payments stop and eviction proceedings reveal no traceable real person behind the lease.<sup>11</sup> Credit fraud is similar. It occurs when a tenant gives the landlord his or her proper identity but makes a false statement or statements regarding his or her income, debts, or other financial matters. True documents might have shown a present inability to pay the periodic rent, in which case the landlord might have declined to lease the property.

Whether identity fraud or credit fraud is alleged, these tenants have a written lease, and therefore, the tenant cannot be removed pursuant to any of the current summary remedy procedures. In either situation, a landlord may suffer significant losses of time and money related to the fraudulent actions of another. Presumably, had the fraud not occurred the landlord would have leased to a responsible tenant who is likely to have paid the rent. On the other hand, there may be some tenants who obtain a lease by fraud, but who otherwise pay their rent, are never discovered, and cause no harm to the landlord.

### **Alternatives Under Current Laws**

A landlord who discovers that a residential tenant has furnished a false identity or has lied on the application may evict the tenant under current law. However, existing law does not directly

---

<sup>8</sup> Chapter 2025-112, Laws of Fla.

<sup>9</sup> Section 817.03(2), F.S., ch. 2024-44, Laws of Fla.

<sup>10</sup> Florida Landlord Network, *Fake Identities, When the Applicant Isn't Who They Claim to Be*, at <https://www.flalandlord.com/fake-identities-when-the-applicant-isnt-who-they-claim-to-be> (last visited Jan. 22, 2026).

<sup>11</sup> *Id.*



address these specific facts.<sup>12</sup> If the landlord prevails he or she may obtain a civil judgment for costs and for losses.<sup>13</sup>

The current eviction procedure for matters other than rent starts with the requirement that the landlord serve a 5 day letter to the tenant.<sup>14</sup> Then, there are two eviction tracks. One track applies to a tenant who should be given an opportunity to either cure a noncompliance or to surrender possession within the 5 days. The other track applies to problems where the tenant is not given an opportunity to cure and the track allows a landlord to demand that the tenant surrender possession within 5 days.

Examples of noncompliance that may be cured include, but are not limited to, activities in contravention of the lease such as having or permitting unauthorized pets, guests, or vehicles; parking in an unauthorized manner or permitting such parking; or failing to keep the premises clean and sanitary. Examples of noncompliance that are of a nature that the tenant should not be given an opportunity to cure include, but are not limited to, destruction, damage, or misuse of the landlord's or other tenants' property by intentional act or a subsequent or continued unreasonable disturbance.<sup>15</sup> If the 5 day period runs without resolution, the landlord may file a civil eviction complaint. The court procedure is the same for either track. Current law does not address whether the actions described by the bill as fraudulent entry are something that the tenant should or should not be given the opportunity to cure.

A landlord who discovers that a residential tenant has furnished a false identity or has furnished false documents regarding ability to pay the rent may also file a complaint with a local law enforcement agency. There are current criminal laws regarding fraudulent actions that may, based on the facts of the case, provide a basis for prosecution of a fraudulent entry under existing law, including:

- Obtaining property by false personation.<sup>16</sup>
- Making false statement(s) to obtain property or credit or using false document(s) to claim a possessory interest in real property.<sup>17</sup>
- Unlawful filing of false documents or records against real or personal property.<sup>18</sup>
- Criminal use of personal identification information.<sup>19</sup>
- Unlawful possession of the personal identification information of another person.<sup>20</sup>

A criminal prosecution may result in an order awarding a victim monetary restitution.<sup>21</sup>

---

<sup>12</sup> Section 83.56, F.S.

<sup>13</sup> Sections 83.55 and 83.625, F.S.

<sup>14</sup> Section 83.56(2), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> Section 817.02, F.S.

<sup>17</sup> Section 817.03, F.S.

<sup>18</sup> Section 817.535, F.S.

<sup>19</sup> Section 817.568, F.S.

<sup>20</sup> Section 817.5685, F.S.

<sup>21</sup> Section 775.089, F.S.

### **III. Effect of Proposed Changes:**

#### **Criminal Offense of Fraudulent Entry**

The bill creates a third degree felony offense for fraudulent entry into a residential dwelling unit. The offense is not classified in the Criminal Punishment Code Offense Severity Chart, and thus, defaults to Offense Level 1. In general, an individual committing a third degree felony offense may be imprisoned for up to 5 years,<sup>22</sup> or fined up to \$5,000.<sup>23</sup> However, a single third degree nonviolent felony offense that falls in category 1 committed by an individual having no prior record falls within the category of “any nonstate prison sanction”<sup>24</sup> as the presumptive sentence.

Fraudulent entry is defined as entering into and taking possession of a residential dwelling unit by knowingly and willfully engaging in any of the following acts:

- Making or causing to be made any materially false statement, in writing, relating to the person’s identity as a part of a rental application for a residential tenancy.
- Presenting forged, fictitious, or counterfeit documents to the landlord of the residential dwelling unit. Covered documents include but are not limited to a driver license, an identification card, a bank statement, or a pay stub.
- Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

#### **Civil Remedies Related to Fraudulent Entry**

CS/SB 1244 amends residential landlord-tenant law in s. 83.56, F.S., to provide that the act of fraudulent entry as defined in the criminal statute created by the bill (see above) may be grounds for civil eviction under the current statutory procedure for noncompliance by a tenant for which the tenant need not be given an opportunity to cure the noncompliance.

The bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

---

<sup>22</sup> Section 775.082(4)(e), F.S.

<sup>23</sup> Section 775.083(1)(c), F.S.

<sup>24</sup> Section 921.0024(2), F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To the extent that the bill discourages the fraudulent entry of residential dwelling units, the bill will reduce financial costs imposed on landlords who must address the practice.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 83.56 of the Florida Statutes.  
This bill creates section 817.537 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Judiciary on January 27, 2026:**

The amendment clarifies the description of the actions that make one criminally liable for fraudulent entry, removes provisions for summary eviction outside of civil eviction process through the courts, and adds that fraudulent entry may warrant civil eviction procedures that currently apply to a tenant who need not be given the opportunity to cure certain acts of noncompliance with a rental agreement.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



809630

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/27/2026	.	
	.	
	.	
	.	

---

The Committee on Judiciary (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 817.537, Florida Statutes, is created to  
read:

817.537 Fraudulent entry of a residential dwelling unit.—

(1) A person may not enter into and take possession of a  
residential dwelling unit by knowingly and willfully:

(a) Making or causing to be made any materially false



809630

statement, in writing, relating to the person's identity in any rental application for a residential tenancy.

(b) Presenting forged, fictitious, or counterfeit documents to the landlord of a residential dwelling unit, including, but not limited to, a driver license, an identification card, a bank statement, or a paystub.

(c) Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

(2) A person who violates this section commits the offense of fraudulent entry of a residential dwelling unit, which is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Paragraph (a) of subsection (2) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.—

(2) If the tenant materially fails to comply with s. 83.52 or material provisions of the rental agreement, other than a failure to pay rent, or reasonable rules or regulations, the landlord may:

(a) If such noncompliance is of a nature that the tenant should not be given an opportunity to cure it or if the noncompliance constitutes a subsequent or continuing noncompliance within 12 months of a written warning by the landlord of a similar violation, deliver a written notice to the tenant specifying the noncompliance and the landlord's intent to terminate the rental agreement by reason thereof. Examples of noncompliance which are of a nature that the tenant should not be given an opportunity to cure include, but are not limited to,



809630

destruction, damage, or misuse of the landlord's or other tenants' property by intentional act; an act of fraudulent entry of a residential dwelling unit which violates s. 817.537(1), regardless of whether criminal proceedings have commenced; or a subsequent or continued unreasonable disturbance. In such event, the landlord may terminate the rental agreement, and the tenant shall have 7 days from the date that the notice is delivered to vacate the premises. The notice shall be in substantially the following form:

You are advised that your lease is terminated effective immediately. You shall have 7 days from the delivery of this letter to vacate the premises. This action is taken because ... (cite the noncompliance) ....

Section 3. This act shall take effect October 1, 2026.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled  
An act relating to fraudulent entry of residential dwellings; creating s. 817.537, F.S.; creating the crime of fraudulent entry of a residential dwelling unit; prohibiting a person from entering into and taking possession of a residential dwelling unit under specified circumstances; providing a criminal penalty; amending s. 83.56, F.S.; providing that fraudulent



809630

69 entry of a residential dwelling unit is an act of  
70 noncompliance for which a landlord may terminate a  
71 rental agreement; providing an effective date.



By Senator Rodriguez

40-01337-26

20261224\_\_

A bill to be entitled

An act relating to fraudulent entry of residential dwellings; amending s. 82.01, F.S.; defining the term "fraudulent entry"; amending s. 82.02, F.S.; revising applicability; amending s. 82.03, F.S.; providing a cause of action against a person who obtains possession of certain real property by fraudulent entry; requiring a court, under certain circumstances, to award certain damages beginning at the time of a fraudulent entry; amending s. 82.036, F.S.; authorizing a property owner to request that the sheriff remove a person unlawfully occupying a residential dwelling if the unauthorized person obtained possession through fraudulent entry; creating s. 817.537, F.S.; defining the term "fraudulent entry"; creating the crime of fraudulent entry of a residential dwelling unit; providing a criminal penalty; providing effective dates.

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

Section 1. Present subsections (2) through (5) of section 82.01, Florida Statutes, are redesignated as subsections (3) through (6), respectively, and a new subsection (2) is added to that section, to read:

82.01 Definitions.—As used in this chapter, the term:

(2) "Fraudulent entry" has the same meaning as in s. 817.537(1), regardless of whether the person who obtained possession of the residential dwelling by fraudulent entry is

Page 1 of 6

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

40-01337-26

20261224\_\_

charged with or convicted of a criminal offense.

Section 2. Section 82.02, Florida Statutes, is amended to read:

82.02 Applicability.—

~~(1) This chapter does not apply to residential tenancies under part II of chapter 83.~~

~~(2)~~ This chapter does not apply to the possession of real property under chapter 513 or chapter 723.

Section 3. Subsections (1) and (2) of section 82.03, Florida Statutes, are amended to read:

82.03 Remedies.—

(1) A person entitled to possession of real property, including constructive possession by a record titleholder, has a cause of action against a person who obtained possession of that real property by forcible entry, fraudulent entry, unlawful entry, or unlawful detention and may recover possession and damages. The person entitled to possession is not required to notify the prospective defendant before filing the action.

(2) If the court finds that the entry or detention by the defendant is willful and knowingly wrongful, the court must award the plaintiff damages equal to double the reasonable rental value of the real property from the beginning of the forcible entry, fraudulent entry, unlawful entry, or unlawful detention until possession is delivered to the plaintiff. The plaintiff may also recover other damages, including, but not limited to, damages for waste.

Section 4. Paragraph (f) of subsection (2) and subsection (3) of section 82.036, Florida Statutes, are amended to read:

82.036 Limited alternative remedy to remove unauthorized

Page 2 of 6

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

40-01337-26

20261224\_\_

persons from residential real property.-

(2) A property owner or his or her authorized agent may request from the sheriff of the county in which the property is located the immediate removal of a person or persons unlawfully occupying a residential dwelling pursuant to this section if all of the following conditions are met:

(f) The unauthorized person or persons obtained possession of the residential dwelling by fraudulent entry or are not current or former tenants pursuant to a written or oral rental agreement authorized by the property owner.

(3) To request the immediate removal of an unlawful occupant of a residential dwelling, the property owner or his or her authorized agent must submit a complaint by presenting a completed and verified Complaint to Remove Persons Unlawfully Occupying Residential Real Property to the sheriff of the county in which the real property is located. The submitted complaint must be in substantially the following form:

COMPLAINT TO REMOVE PERSONS UNLAWFULLY  
OCCUPYING RESIDENTIAL REAL PROPERTY

I, the owner or authorized agent of the owner of the real property located at ....., declare under the penalty of perjury that (initial each box):

1. .... I am the owner of the real property or the authorized agent of the owner of the real property.
2. .... I purchased the property on .....
3. .... The real property is a residential dwelling.
4. .... An unauthorized person or persons have unlawfully

Page 3 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

40-01337-26

20261224\_\_

entered and are remaining or residing unlawfully on the real property.

5. .... The real property was not open to members of the public at the time the unauthorized person or persons entered.

6. .... I have directed the unauthorized person or persons to leave the real property, but they have not done so.

7. .... The person or persons obtained possession of the residential dwelling by fraudulent entry or are not current or former tenants pursuant to any valid lease authorized by the property owner, and any lease that may be produced by an occupant is fraudulent or was obtained fraudulently.

8. .... The unauthorized person or persons sought to be removed are not an owner or a co-owner of the property and have not been listed on the title to the property unless the person or persons have engaged in title fraud.

9. .... The unauthorized person or persons are not immediate family members of the property owner.

10. .... There is no litigation related to the real property pending between the property owner and any person sought to be removed.

11. .... I understand that a person or persons removed from the property pursuant to this procedure may bring a cause of action against me for any false statements made in this complaint, or for wrongfully using this procedure, and that as a result of such action I may be held liable for actual damages, penalties, costs, and reasonable attorney fees.

12. .... I am requesting the sheriff to immediately remove the unauthorized person or persons from the residential property. I authorize the sheriff to enter the property using

Page 4 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

40-01337-26 20261224\_\_

reasonably necessary force, to search the property, and to remove any unauthorized person or persons.

13. .... A copy of my valid government-issued identification is attached, or I am an agent of the property owner, and documents evidencing my authority to act on the property owner's behalf are attached.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.

...(Signature of Property Owner or Agent of Owner)...

Section 5. Effective October 1, 2026, section 817.537, Florida Statutes, is created to read:

817.537 Fraudulent entry of a residential dwelling unit.—

(1) As used in this section, the term "fraudulent entry" means entering into and taking possession of a residential dwelling unit by making or causing to be made any false statement in writing relating to the person's identity, financial condition, assets, or liabilities in any rental application for a residential tenancy. The term includes, but is not limited to, the following fraudulent practices:

(a) Presenting forged, fictitious, or counterfeit documents to the landlord of the residential dwelling unit, including, but not limited to, a driver license, an identification card, a bank statement, or a paystub.

40-01337-26 20261224\_\_

(b) Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

(2) A person who commits the offense of fraudulent entry commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2026.



The Florida Senate

## Committee Agenda Request

**To:** Senator Clay Yarborough, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** January 21, 2026

---

I respectfully request that **Senate Bill 1224**, relating to Fraudulent Entry of Residential Dwellings, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in black ink, appearing to read "Ana Maria Rodriguez".

---

Senator Ana Maria Rodriguez  
Florida Senate, District 40

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 1224

Bill Number or Topic

02/21/26

Meeting Date

Judiciary

Committee

Name

Kelly Mallette

Phone

(850) 224-3427

Address

104 W Jefferson Street

Email

kelly@RUBOOKPA.COM

Street

Tallahassee FL 32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

Florida Apartment Association

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

01/27/26

Meeting Date

Judiciary

Committee

Name

Ethan Perry

Phone

850-224-1400

Address

200 S Monroe St.

Email

ethanp@floridarealtors.org

Street

Tallahassee

FL

32301

City

State

Zip

Amendment Barcode (if applicable)

SB 1224

Bill Number or Topic

Reset Form

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

Florida Realtors

☐

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 1396

INTRODUCER: Senator Burton

SUBJECT: Litigation Financing Consumer Protection

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	<b>Favorable</b>
2.			RC	

---

**I. Summary:**

SB 1396 creates the “Litigation Investment Safeguards and Transparency Act,” to regulate litigation financing activities and to require disclosure if a foreign investor is involved.

To regulate litigation financing activities, the bill provides that a litigation financier may not:

- Direct the course of legal proceedings.
- Contract for or receive a share of the proceeds of a legal proceeding that exceeds the share collectively recovered by the plaintiffs.
- Pay or offer to pay a referral fee or commission to any person.
- Assign or securitize a litigation financing agreement.
- Receive anything other than the authorized share of the proceeds.

To provide transparency, the bill requires that the existence of a litigation financing agreement be disclosed if the agreement involves a foreign person, foreign principal, or sovereign wealth fund. The disclosure of the existence of the agreement, however, is not required to include the specific terms of the agreement.

The bill provides for general enforcement pursuant to the Florida Deceptive and Unfair Trade Practices Act. A litigation financing agreement that violates the Act is void. Additionally, a court may consider the existence of a litigation financing agreement when determining adequacy of a class action plaintiff representatives or class counsel.

The bill’s disclosure requirements apply to legal proceedings pending on or commenced on or after, July 1, 2026. The remainder of the bill applies to a litigation financing agreement entered on or after July 1, 2026.

The bill is effective July 1, 2026.

## II. Present Situation:

### Litigation Financing – In General

There is no Florida statute specific to litigation financing, and the field appears to be generally unregulated by the state outside of basic common law contract principles.<sup>1</sup> The state regulates consumer loans, usury,<sup>2</sup> and interest,<sup>3</sup> but litigation financing agreements appear to be a private investment in the lawsuit and thus not a loan.<sup>4</sup>

Third-party litigation financing is a non-recourse transaction<sup>5</sup> where a funder – known as a “litigation financier” or “litigation funder” – that is not a party to a lawsuit agrees to provide funding to a litigant (typically a plaintiff) or law firm in exchange for an interest in the potential recovery in the lawsuit. Plaintiffs do not have to repay the funding if the lawsuit is not successful.<sup>6</sup> Litigation financing is available to both the commercial and consumer sectors.<sup>7</sup>

In the commercial sector, the funds are provided to sophisticated litigants and used primarily for litigation costs in commercial disputes and class actions.<sup>8</sup> Sometimes litigation financiers finance multiple cases belonging to a lawyer or law firm, with the return on invested capital coming from the settlement or judgment of many individual or group of cases. Portfolio funding allows the litigation financier to essentially bankroll all or a portion of a law firm’s cases in exchange for a portion of any proceeds.

In the consumer sector, the funds are paid directly to an individual plaintiff and are used primarily for living expenses while the consumer waits for resolution of the civil action or claim that is the subject of the litigation financing agreement.<sup>9</sup> Industry data suggest that more than half

<sup>1</sup> *Fausone v. U.S. Claims, Inc.*, 915 So. 2d 626 (Fla. 2<sup>nd</sup> DCA 2005).

<sup>2</sup> “Usury” means loaning money at an exorbitant or illegally high interest rate. States set their own maximum interest rates. Florida declares interest higher than 18 percent per year for loans up to \$500,000 and higher than 25 percent for loans over \$500,000 usurious unless otherwise allowed by law. Cornell Law School, Legal Information Institute, *Usury*, <https://www.law.cornell.edu/wex/usury> (last visited Jan. 24, 2026); see also s. 687.02(1), F.S. (defining usurious contracts) and s. 687.071(2)-(3), F.S. (criminalizing certain kinds of usury and loan sharking). Ss. 687.02(1) and 687.071(2) and (3), F.S. this looks off?

<sup>3</sup> See generally chs. 516 (regulating consumer finance) and 687, F.S. (regulating interest, usury, and lending practices).

<sup>4</sup> *Fausone* at 629.

<sup>5</sup> A non-recourse transaction is a financial transaction in which the borrower is not personally liable to the lender, so that the lender can only pursue the collateral to collect what the borrower owes. In other words, the lender does not have a lien on, and cannot seize, the borrower’s assets to repay the debt. U.S. Department of the Treasury, Internal Revenue Service, *Resource vs. Nonrecourse Debt*, [https://apps.irs.gov/app/vita/content/36/36\\_02\\_020.jsp](https://apps.irs.gov/app/vita/content/36/36_02_020.jsp) (last visited Jan. 24, 2026).

<sup>6</sup> U.S. Government Accountability Office, *Report to Congressional Requesters, Third-Party Litigation Financing: Market Characteristics, Data, and Trends* (Dec. 2022), 1, available at <https://www.gao.gov/assets/gao-23-105210.pdf> [hereinafter *Report to Congressional Requesters*]; Bloomberg Law, *How Litigation Finance Works*, Feb. 24, 2020, <https://pro.bloomberglaw.com/brief/how-litigation-finance-works/>; Ronen Avraham & Anthony Sebok, *An Empirical Investigation of Third Party Consumer Litigation Funding*, 104 CORNELL L. REV. 1133, 1135 fn. 9 (2019), available at <https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=4802&context=clr> [hereinafter *An Empirical Investigation*].

<sup>7</sup> *Report to Congressional Requesters*, supra note 2, at Preface; *An Empirical Investigation*, supra note 2, at 1135.

<sup>8</sup> *Id.*; see also Paige Marta Skiba & Jean Xiao, *Consumer Litigation Funding: Just Another Form of Payday Lending?*, 80 LAW AND CONTEMP. PROB. 117, 125 (2017), available at <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=4840&context=lcp> [hereinafter *Consumer Litigation Funding*].

<sup>9</sup> *Report to Congressional Requesters*, supra note 2, at Preface; *An Empirical Investigation*, supra note 2, at 1135; see also *Consumer Litigation Funding*, supra note 4, at 122.



of such consumers have an annual family income of \$50,000 or less and lack a college degree, while less than half are homeowners, suggesting that lower-income consumers with access to fewer resources are the primary market for litigation funding agreements.<sup>10</sup>

A consumer can apply for litigation financing any time before resolution of his or her civil action or claim.<sup>11</sup> Unlike a traditional loan, where a lender might look at a consumer's credit score, income, and other indicators of the consumer's ability to pay, a litigation financier looks at the strength of the consumer's civil action or claim, the consumer's likelihood of prevailing at trial or in settlement, and the potential damages a consumer could obtain.<sup>12</sup> A litigation financier also assesses the consumer's attorneys' fees and other debts, such as medical or child support liens,<sup>13</sup> which might take priority over the litigation financier's repayment.<sup>14</sup>

### Litigation Financing Support and Opposition

Litigation financing proponents argue that the product provides a necessary funding source for some consumers suffering an unexpected economic loss connected to a pending legal action or claim, giving consumers financial stability and helping them meet immediate personal needs, such as rent, utilities, and food.<sup>15</sup> Proponents also point out that, because litigation financing is a non-recourse transaction, if the consumer loses the subject action or claim, he or she owes nothing under a litigation financing agreement, making litigation financing less risky than traditional loans.<sup>16</sup> Additionally, because the agreement obligation is paid only out of the proceeds of a subject action or claim, there are no monthly or upfront payments required before the subject action or claim resolves.<sup>17</sup>

Litigation financing opponents point out that in order to estimate the total amount owed under a litigation financing agreement, including interest<sup>18</sup> and fees, a consumer must accurately predict the date of the subject action or claim's resolution and the amount of any settlement or judgment that will result in the consumer's favor.<sup>19</sup> Because agreement terms may be unclearly stated or require complicated calculations, opponents argue that consumers may end up owing much more than they might have anticipated at the agreement's initiation.<sup>20</sup> Additionally, the fees in the

---

<sup>10</sup> Eric Schuller, President, Alliance for Responsible Consumer Legal Funding, *Consumer Legal Funding 101: Also Known As...Everything You Wanted To Know About Consumer Legal Funding But Were Afraid to Ask*, presented to the Florida House of Representatives Civil Justice Subcommittee, Dec. 12, 2019, at 134:09 [https://www.myfloridahouse.gov/VideoPlayer.aspx?eventID=2443575804\\_2019121124](https://www.myfloridahouse.gov/VideoPlayer.aspx?eventID=2443575804_2019121124) [hereinafter *Consumer Legal Funding 101*].

<sup>11</sup> See *Consumer Litigation Funding*, *supra* note 8, at 122.

<sup>12</sup> *Id.*; see also *Consumer Legal Funding 101*, *supra* note 8, at 1:31:15.

<sup>13</sup> A lien is a claim against property evidencing a debt, obligation, or duty. A lien can be created by judgment, equity, agreement, or statute. 37 FLA. JUR. 2D, *Liens* s. 1.

<sup>14</sup> See *Consumer Litigation Funding*, *supra* note 8, at 123.

<sup>15</sup> *Report to Congressional Requesters*, *supra* note 6, at Preface; The Alliance for Responsible Consumer Legal Funding (ARC), *More than A Trade Association*, <http://arclegalfunding.org/> (last visited Jan. 24, 2026).

<sup>16</sup> See *Consumer Legal Funding 101*, *supra* note 8, at 1:29:15; see also ARC, *What is Consumer Legal Funding?*, <http://arclegalfunding.org/consumer-legal-funding/> (last visited Jan. 24, 2026).

<sup>17</sup> *Id.*

<sup>18</sup> Interest is the cost of borrowing money, expressed as a percentage of the borrowed amount. See Anya Martin, *The Interest Rate v. the Annual Percentage Rate*, THE WALL STREET JOURNAL, May 21, 2015, <https://www.wsj.com/articles/the-interest-rate-vs-the-annual-percentage-rate-1432215724>.

<sup>19</sup> See *Consumer Litigation Funding*, *supra* note 6, at 126.

<sup>20</sup> *Id.* at 137-38.

nature of interest charged on a litigation financing agreement, even if clearly stated, can be high.<sup>21</sup> A consumer who realizes he or she may owe more than he or she may recover may drive up the defendant's litigation costs by rejecting reasonable settlement offers for a chance to win a larger verdict in court.<sup>22</sup>

Another concern of opponents is how much litigation financiers recover from the cases they finance compared to the plaintiffs they are funding. In some cases, litigation financiers have recovered significantly more money than the plaintiffs. In a 2023 television interview, Burford's CEO, Christopher Bogart, admitted that although "it doesn't happen very often ... it certainly can happen" that Burford recovers more money than the person who was wronged.<sup>23</sup>

Uncertainty also exists as to whether an attorney can discuss a litigation financing agreement with a litigation financier without waiving the attorney-client<sup>24</sup> or work product<sup>25</sup> privileges. Such privileges are typically waived or limited when protected information is shared with a third party, but attorney-financier communications may be necessary for a litigation financier to evaluate a consumer's claim.<sup>26</sup> The American Bar Association urges attorneys discussing a litigation financing contract with a litigation financier to safeguard against waiving privilege, warning that infringing upon rights that clients would otherwise have, resulting from the presence of alternative litigation finance, requires the informed consent of the client after full, candid disclosure of all associated risks and benefits.<sup>27</sup> The Florida Bar<sup>28</sup> generally "discourages the use of [litigation financing] companies," allowing an attorney to inform a client about litigation financing only if the attorney feels it is in the client's best interests.<sup>29</sup>

### III. Effect of Proposed Changes:

SB 1396 creates the "Litigation Investment Safeguards and Transparency Act," to regulate litigation financing.

---

<sup>21</sup> *Id.* at 122.

<sup>22</sup> *See id.*; *see also Report to Congressional Requesters, supra* note 6, at Preface.

<sup>23</sup> Lesley Stahl, CBS News, *Litigation Funding: A multibillion-dollar industry for investments in lawsuits with little oversight*, 60 MINUTES, Jul. 23, 2023, <https://www.cbsnews.com/news/litigation-funding-60-minutes-transcript-2023-07-23/>. Founded in 2009, Burford is the world's largest litigation funder, with \$5 billion invested in multiple lawsuits. *Id.*

<sup>24</sup> Under the attorney-client privilege, communication between an attorney and his or her client is typically confidential if such persons do not intend to disclose it to a third party. This protects the giving of information to an attorney so that the attorney can give sound and informed legal advice. Section 90.502(1)(c), F.S.; *Upjohn Co. v. U.S.*, 449 U.S. 383, 389 (1981).

<sup>25</sup> Under the work product doctrine, documents prepared by or on behalf of a party in anticipation of litigation are not discoverable. *GKK, etc. v. Cruz*, 251 So. 3d 967, 969 fn. 3 (Fla. 3d DCA 2018). Work product is almost absolutely protected under Florida common law if it contains mental impressions, conclusions, opinions and legal theories about litigation. *State v. Rabin*, 495 So. 2d 257, 262 (Fla. 3d DCA 1986).

<sup>26</sup> ARC, *What is Consumer Legal Funding?*, <http://arclegalfunding.org/consumer-legal-funding/> (last visited Jan. 24, 2026).

<sup>27</sup> American Bar Association, *Commission on Ethics 20/20, Informational Report to the House of Delegates*, available at [https://web-stage.law.columbia.edu/sites/default/files/microsites/clwa/CIAA/keynote\\_third\\_party\\_funding.pdf](https://web-stage.law.columbia.edu/sites/default/files/microsites/clwa/CIAA/keynote_third_party_funding.pdf) (last visited Jan. 24, 2026).

<sup>28</sup> The Florida Constitution gives the Florida Supreme Court exclusive and ultimate regulatory authority over persons admitted to practice law in Florida. The Court performs this function through The Florida Bar, an investigative and prosecutorial authority charged with ensuring that all attorneys meet the minimum standards of conduct set out in the Rules Regulating the Florida Bar. *See* FLA. CONST. art V, s. 15.

<sup>29</sup> The Florida Bar, *Ethics Opinion 00-3* (Mar. 15, 2002), <https://www.floridabar.org/etopinions/etopinion-00-3/>.

## Short Title and Organization

**Section 1** provides a short title for the bill, the “Litigation Investment Safeguards and Transparency Act.”

**Section 2** of the bill designates ss. 69.011, 69.021, 69.031, 69.041, 69.051, 69.061, 69.071, and 69.081, F.S., as part I of chapter 69, F.S., entitled “General Provisions.”

**Section 3** of the bill creates part II of chapter 69, F.S., consisting of ss. 69.101, 69.103, 69.105, 69.107, 69.109, and 69.111, F.S., entitled “Litigation Financing.”

## Definitions Applicable to Litigation Financing

The bill creates s. 69.101, F.S., which defines the following terms for purposes of the Act:

“Foreign person” means a person or an entity that is not:

- A citizen of the U.S.
- An alien lawfully admitted for permanent residence in the U.S.
- An unincorporated association, a majority of members of which are citizens of the U.S. or aliens lawfully admitted for permanent residence in the U.S.
- A corporation that is incorporated in the U.S.

“Foreign principal” means:

- The government or a government official of any country other than the U.S.
- A political subdivision or political party (including the officials of the subdivision or party) of a country other than the U.S.
- A partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a country other than the U.S., whose shares or other ownership interest is owned by the government or a government official of a country other than the U.S., or owned by a political subdivision or political party of a country other than the U.S.

“Foreign funder” means a foreign person, foreign principal, or sovereign wealth fund that provides funding directly or indirectly under a litigation financing agreement.

“Health care practitioner” means any person licensed under the numerous health care licensing statutes.<sup>30</sup>

“Litigation financier” means a person engaged in the business of providing litigation financing.

---

<sup>30</sup> Those professions are listed in s. 456.001, F.S., and are: acupuncture, general medical practice, osteopathic medicine, chiropractic medicine, podiatric medicine, naturopathy, optometry, nursing, pharmacy, dentistry, dental hygiene, dental laboratories, midwifery, speech-language pathology and audiology, nursing home administration, occupational therapy, respiratory therapy, dietetics and nutrition practice, athletic trainers, orthotics, prosthetics, pedorthics is this correct? pedorthists?, electrolysis, massage therapy practice, clinical laboratory personnel, medical physicists, genetic counseling, dispensing of optical devices and hearing aids, physical therapy practice, psychological services, and clinical, counseling, and psychotherapy services.

“Litigation financing agreement” or “litigation financing” means a transaction in which a litigation financier agrees to provide financing to a person who is a party to, or an attorney or law firm representing a party in a civil action, administrative proceeding, claim, or other legal proceeding, in exchange for a right to receive payment, which right is contingent in any respect on the outcome of such action, claim, or proceeding, or on the outcome of any matter within a portfolio that includes such action, claim, or proceeding, and involves the same counsel or affiliated counsel. However, the terms do not apply to:

- An agreement to provide funds for or to a party to a civil action, administrative proceeding, claim, or other legal proceeding, for the person’s use in paying his or her costs of living or other personal or familial expenses during the pendency of the action, claim, or proceeding, and if the funds are not used to finance any litigation or other legal costs.
- An agreement for an attorney to provide legal services on a contingency fee basis or to advance his or her client’s legal costs, and if the services or costs are provided by the attorney in accordance with the Florida Rules of Professional Conduct.
- An entity having a preexisting contractual obligation to indemnify or defend a party to a civil action, administrative proceeding, claim, or other legal proceeding.
- A health insurer that has paid, or is obligated to pay, any sums for health care for an injured person under the terms of a health insurance plan or agreement.
- The repayment of a financial institution for loans made directly to a party to a civil action, administrative proceeding, claim, or other legal proceeding, or to such party’s attorney if repayment of the loan is not contingent upon the outcome of such action, claim, or proceeding, or on the outcome of any matter within a portfolio that includes such action, claim, or proceeding and involves the same counsel or affiliated counsel.
- Funding provided to a nonprofit organization that is exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code, if nonprofit organization uses the funding solely to provide pro bono legal representation and does not seek punitive damages.
- Funding provided by a nonprofit organization exempt from federal income tax pursuant to s. 501(c)(3) of the U.S. Internal Revenue Code, by grant or otherwise, to support the pursuit of pro bono, no-cost litigation, and if the organization does not seek punitive damages.

“National security interests” means those interests relating to the national defense, foreign intelligence and counterintelligence, international, and domestic security, and foreign relations.

“Proprietary information” means information developed, created, or discovered by a person, or which became known by or was conveyed to the person, which has commercial value in the person’s business. The term includes, but is not limited to, domain names, trade secrets, copyrights, ideas, techniques, inventions, regardless of whether patentable, and other information of any type relating to designs, configurations, documentation, recorded data, schematics, circuits, mask works, layouts, source code, object code, master works, master databases, algorithms, flow charts, formulae, works of authorship, mechanisms, research, manufacture, improvements, assembly, installation, intellectual property including patents and patent applications, and information concerning the person’s actual or anticipated business, research, or development or received in confidence by or for the person from any other source.

“Sovereign wealth fund” means an investment fund owned or controlled by a foreign principal or an agent of a foreign principal.

### **Litigation Financing Agreements and Representation of Client Interests**

The bill creates s. 69.103, F.S., which regulates litigation financing agreements and the representation of client interests. Specifically, the bill provides that a court may take the existence of a litigation financing agreement into account:

- When determining whether a class representative or class counsel would adequately and fairly represent the interests of the class in a class action lawsuit.
- In actions involving a common question of law or fact pending before the court which may be or have been consolidated, when determining whether the lead counsel or any co-lead counsel would adequately and fairly represent the interests of the parties to such actions.

### **Prohibited Conduct by Litigation Financiers**

The bill creates s. 69.105, F.S., which prohibits certain conduct by litigation financiers. Specifically, the bill provides that a litigation financier may not:

- Direct, or make any decisions with respect to, the course of any civil action, administrative proceeding, claim, or other legal proceeding for which the litigation financier has provided financing, or any settlement or other disposition thereof. This prohibition includes, but is not limited to, decisions in appointing or changing counsel, choice or use of expert witnesses, and litigation strategy. All rights to make decisions with respect to the course and settlement or other disposition of the subject civil action, administrative proceeding, claim, or other legal proceeding remain solely with the parties to such action, claim, or proceeding and their counsel of record.
- Contract for or receive, whether directly or indirectly, a larger share of the proceeds of a civil action, administrative proceeding, claim, or other legal proceeding financed by a litigation financing agreement than the share of the proceeds collectively recovered by the plaintiffs to the action, claim, or proceeding, after the payment of any attorney fees and costs owed in connection to such action, claim, or proceeding.
- Pay or offer to pay a commission, referral fee, or other consideration to any person, including an attorney, law firm, or health care practitioner, for referring a person to the litigation financier.
- Assign or securitize a litigation financing agreement in whole or in part.
- Be assigned rights to or in a civil action, administrative proceeding, claim, or other legal proceeding, for which the litigation financier provided financing, other than the right to receive a share of the proceeds of the action, claim, or proceeding, pursuant to the litigation financing agreement.

### **Required Transparency for Foreign Litigation Financing**

The bill creates s. 69.107, F.S., which requires certain disclosures in connection with litigation financing. The filing and notice requirements apply:

- If a party to any civil action, administrative proceeding, claim, or other legal proceeding has entered into a litigation financing agreement with a foreign person, foreign principal of sovereign wealth fund; or
- If a foreign person, foreign principal, or sovereign wealth fund has provided or will provide funds, whether directly or indirectly, to the litigation financier which amount to 5 percent or

more of the funds the financier has provided or is committed to provide under the litigation funding agreement.

The filing must occur within the earlier of 14 days after execution or 7 days after filing the action. The filing and notice must:

- Disclose the existence of the funding relationship;
- Name the foreign person, foreign principal, or sovereign wealth fund by legal name and the jurisdiction under whose laws it is organized; and
- List each foreign person, foreign principal, or sovereign wealth fund that, directly or indirectly, owns or controls 3 percent or more of the capital, equity, or other beneficial ownership interests in the litigation financier, including the legal name, address, and citizenship or country of incorporation or registration of each such person or entity.

The notice must be filed with the court, agency, or tribunal in which the action is pending, served on all parties, and provided to the Department of Financial Services and the Office of the Attorney General. The dollar amounts, financing terms, and other proprietary or trade secret information contained in or related to the litigation financing agreement are not required to be disclosed. The court, agency, or tribunal may order the notice or supporting documentation to be filed under seal and may issue protective orders as necessary to safeguard proprietary or confidential information.

A foreign litigation financier or any person acting on its behalf may not:

- Use a domestic entity or affiliate to conceal or evade the disclosure requirements of this section; or
- Receive, transmit, or share proprietary, privileged, or national security-related information obtained through litigation financing with any foreign person, foreign principal, or sovereign wealth fund not a party or attorney to the action.

Failure to comply with these filing and notice requirements may subject the noncomplying party to appropriate sanctions under s. 69.109, F.S., or the applicable rules of civil procedure. The section of the bill that requires the disclosures relating to foreign litigation financiers provides that it does not create a private cause of action.

## **Violations and Enforcement**

The bill creates s. 69.109, F.S., which provides for violations and provides for enforcement. Specifically, the bill provides that:

- A litigation financing agreement executed in violation of the litigation financing regulations in the bill is void and unenforceable.
- A violation of any of the restrictions created in s. 69.105, F.S., which relate to litigation control, excessive payments to financiers, referral fees, assignment or securitization of financing agreements, or assignment of rights to a claim, is a deceptive and unfair trade practice actionable under the Florida Deceptive and Unfair Trade Practices Act.
- A court, agency, or tribunal may impose fines or any other sanction it deems appropriate upon any person who violates the disclosure and notice requirements created in s. 69.107, F.S.

**Severability**

**Section 4** of the bill provides that if any provision of the bill or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the bill which can be given effect without the invalid provision or application, and to this end the provisions of the bill are severable.

**Applicability and Effective Date**

**Section 5** of the bill provides for application of the bill as to actions pending on the effective date of the bill. Specifically, the notice and disclosure requirements created in s. 69.107, F.S., apply to any civil action, administrative proceeding, claim, or other legal proceeding pending or commenced on or after July 1, 2026. Any party to or counsel of record for a civil action, administrative proceeding, claim, or other legal proceeding pending on July 1, 2026, who would have been required to make a disclosure under s. 69.107, F.S., had it been in effect at the time the relevant action occurred must make the disclosure under that section within 30 days after July 1, 2026. Failure to do so is sanctionable as provided in s. 69.109, F.S.

**Section 6** of the bill provides that except as otherwise provided in the bill, the Act applies to litigation financing agreements entered into on or after July 1, 2026.

**Section 7** of the bill provides that it takes effect July 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill may positively impact some consumers entering into litigation financing agreements by effectively capping the recovery of litigation financiers (i.e. by prohibiting litigation financiers from contracting for a larger share of the proceeds of a legal proceeding than collectively recovered by the plaintiffs). Conversely, the bill may reduce the potential for consumers to obtain funding that might be necessary to bring a claim.

The bill may negatively impact litigation financiers to the extent that those financiers currently act in a manner that will be limited or prohibited by the bill.

A litigation financier who willfully uses a deceptive or unfair trade act or practice may face a civil penalty of up to \$10,000 per violation, or \$15,000 per violation if the victim is a senior citizen, disabled person, or military service member.

**C. Government Sector Impact:**

The bill authorizes courts, agencies, or tribunals to fine or sanction a person who violates the disclosure and discovery provisions of the bill. Accordingly, the bill may, to some unknown and limited extent, result in minimal increased revenues to these courts, agencies, and tribunals.

Under the bill, the Department of Legal Affairs or the Office of the State Attorney may also collect civil penalties from litigation financiers who violate the Florida Deceptive and Unfair Trade Practices Act. Litigation financiers who willfully use deceptive or unfair trade practices may face civil penalties of up to \$10,000 per violation, or \$15,000 per violation if the victim is a senior citizen, disabled person, or military service member. Accordingly, the bill may result in increased revenues to the state.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates the following sections of the Florida Statutes: 69.101, 69.103, 69.105, 69.107, and 69.109.



**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

By Senator Burton

12-00987A-26

20261396

1 A bill to be entitled  
 2 An act relating to litigation financing consumer  
 3 protection; providing a short title; designating part  
 4 I of ch. 69, F.S., entitled "General Provisions";  
 5 creating part II of ch. 69, F.S., entitled "Litigation  
 6 Financing"; creating s. 69.101, F.S.; defining terms;  
 7 creating s. 69.103, F.S.; authorizing courts to  
 8 consider the existence of a litigation financing  
 9 agreement to determine if a class representative or  
 10 lead counsel or co-lead counsel to a class action  
 11 lawsuit would adequately and fairly represent the  
 12 interests of the class; creating s. 69.105, F.S.;  
 13 prohibiting specified acts by litigation financiers;  
 14 providing that all rights to make certain decisions in  
 15 a legal proceeding remain solely with the parties to  
 16 such legal proceeding; creating s. 69.107, F.S.;  
 17 requiring certain parties to a legal proceeding which  
 18 have entered into a litigation financing agreement  
 19 with a foreign person, a foreign principal, or a  
 20 sovereign wealth fund to file and serve a notice  
 21 identifying specified information with the court,  
 22 agency, or tribunal and all other parties to the legal  
 23 proceeding within a specified timeframe; requiring  
 24 that such notice also be filed with the Department of  
 25 Financial Services and the Office of the Attorney  
 26 General; providing that certain information in a  
 27 litigation financing agreement is not required to be  
 28 disclosed; authorizing the court, agency, or tribunal  
 29 to order that the notice or supporting documentation

Page 1 of 11

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

12-00987A-26

20261396

30 be filed under seal and issue protective orders to  
 31 safeguard proprietary or confidential information;  
 32 prohibiting a foreign litigation financier or person  
 33 acting on its behalf from using a domestic entity or  
 34 affiliate to conceal or evade such disclosure  
 35 requirements or from receiving, transmitting, or  
 36 sharing certain information obtained through  
 37 litigation financing with certain foreign persons,  
 38 foreign principals, or sovereign wealth funds;  
 39 providing applicability; providing for sanctions;  
 40 providing construction; creating s. 69.109, F.S.;  
 41 providing that a litigation financing agreement is  
 42 void and unenforceable in specified circumstances;  
 43 providing for enforcement of specified violations  
 44 under the Florida Deceptive and Unfair Trade Practices  
 45 Act; authorizing any court, agency, or tribunal of  
 46 competent jurisdiction to impose fines or other  
 47 sanctions it deems appropriate for violations of  
 48 certain provisions; providing severability; providing  
 49 retroactive applicability; providing applicability;  
 50 providing an effective date.

51  
 52 Be It Enacted by the Legislature of the State of Florida:

53  
 54 Section 1. This act may be cited as the "Litigation  
 55 Investment Safeguards and Transparency Act."

56 Section 2. Sections 69.011, 69.021, 69.031, 69.041, 69.051,  
 57 69.061, 69.071, and 69.081, Florida Statutes, are designated as  
 58 part I of chapter 69, Florida Statutes, and entitled "General

Page 2 of 11

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

12-00987A-26

20261396

Provisions."

Section 3. Part II of chapter 69, Florida Statutes, consisting of ss. 69.101, 69.103, 69.105, 69.107, and 69.109, Florida Statutes, is created and entitled "Litigation Financing," to read:

## PART II

## LITIGATION FINANCING

69.101 Definitions.—As used in this part, the term:

(1) "Foreign person" means a person or an entity that is not:

(a) A citizen of the United States;

(b) An alien lawfully admitted for permanent residence in the United States;

(c) An unincorporated association, a majority of members of which are citizens of the United States or aliens lawfully admitted for permanent residence in the United States; or

(d) A corporation incorporated in the United States.

(2) "Foreign principal" means:

(a) The government or a government official of any country other than the United States;

(b) A political subdivision or political party, or the officials thereof, of a country other than the United States; or

(c) Any partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a country other than the United States whose shares or other ownership interest is owned by the government or a government official of a country other than the United States or owned by a

12-00987A-26

20261396

political subdivision or political party, or the officials thereof, of a country other than the United States.

(3) "Foreign funder" means a foreign person, foreign principal, or sovereign wealth fund that provides funding directly or indirectly under a litigation financing agreement.

(4) "Health care practitioner" has the same meaning as in s. 456.001.

(5) "Litigation financier" means a person engaged in the business of providing litigation financing.

(6) "Litigation financing agreement" or "litigation financing" means a transaction in which a litigation financier agrees to provide financing to a person who is a party to, or an attorney or law firm representing a party, in a civil action, an administrative proceeding, a claim, or other legal proceeding in exchange for a right to receive payment, which right is contingent in any respect on the outcome of such action, claim, or proceeding or on the outcome of any matter within a portfolio that includes such action, claim, or proceeding and involves the same counsel or affiliated counsel. However, the term does not apply to any of the following:

(a) An agreement to provide funds for or to a party to a civil action, an administrative proceeding, a claim, or other legal proceeding for such person's use in paying his or her costs of living or other personal or familial expenses during the pendency of such action, claim, or proceeding which funds are not used to finance any litigation or other legal costs.

(b) An agreement wherein an attorney consents to provide legal services on a contingency fee basis or to advance his or her client's legal costs, and where such services or costs are

12-00987A-26

20261396

provided by the attorney in accordance with the Florida Rules of Professional Conduct.

(c) An entity with a preexisting contractual obligation to indemnify or defend a party to a civil action, an administrative proceeding, a claim, or other legal proceeding.

(d) A health insurer that has paid, or is obligated to pay, any sums for health care for an injured person under the terms of a health insurance plan or agreement.

(e) The repayment of a financial institution as defined in s. 655.005 for loans made directly to a party to a civil action, an administrative proceeding, a claim, or other legal proceeding, or to such party's attorney, when repayment of the loan is not contingent upon the outcome of such action, claim, or proceeding or on the outcome of any matter within a portfolio that includes such action, claim, or proceeding and involves the same counsel or affiliated counsel.

(f) Funding provided to a nonprofit organization exempt from federal income tax under s. 501(c)(3) of the United States Internal Revenue Code, provided that the nonprofit organization uses the funding only to provide pro bono legal representation on behalf of a client or to engage in litigation on behalf of itself, its members, or a client and does not seek punitive damages, regardless of whether the nonprofit organization seeks an award of costs or attorney fees.

(g) Funding provided by a nonprofit organization exempt from federal income tax under s. 501(c)(3) of the United States Internal Revenue Code, by grant or otherwise, to cover the costs and expenses of pro bono legal representation or litigation that does not seek punitive damages, regardless of whether the

12-00987A-26

20261396

recipient of the funding seeks an award of costs or attorney fees. The nonprofit organization may, contingent upon the outcome of the litigation, receive repayment not to exceed the amount of funding provided.

(7) "National security interests" means those interests relating to the national defense, foreign intelligence and counterintelligence, international and domestic security, or foreign relations.

(8) "Proprietary information" means information developed, created, or discovered by a person, or which became known by or was conveyed to a person, which has commercial value in the person's business. The term includes, but is not limited to, domain names; trade secrets; copyrights; ideas; techniques; inventions, regardless of whether patentable, and other information of any type relating to designs; configurations; documentation; recorded data; schematics; circuits; mask works; layouts; source code; object code; master works; master databases; algorithms; flow charts; formulae; works of authorship; mechanisms; research; manufacture; improvements; assembly; installation; intellectual property, including patents and patent applications; and information concerning the person's actual or anticipated business, research, or development or received in confidence by or for the person from any other source.

(9) "Sovereign wealth fund" means an investment fund owned or controlled by a foreign principal or an agent thereof.

69.103 Litigation financing agreement; representation of client interests; adequate representation.—A court may take the existence of a litigation financing agreement into account:

12-00987A-26

20261396\_\_

(1) In a class action lawsuit brought in the courts of this state, when determining whether a class representative or class counsel would adequately and fairly represent the interests of the class.

(2) In actions involving a common question of law or fact pending before the court which may be or has been consolidated, when determining whether the lead counsel or any co-lead counsel would adequately and fairly represent the interests of the parties to such actions.

69.105 Prohibited conduct.—A litigation financier may not:

(1) Direct, or make any decisions with respect to, the course of any civil action, administrative proceeding, claim, or other legal proceeding for which the litigation financier has provided financing, or any settlement or other disposition thereof. This prohibition includes, but is not limited to, decisions in appointing or changing counsel, choice or use of expert witnesses, and litigation strategy. All rights to make decisions with respect to the course and settlement or other disposition of the subject civil action, administrative proceeding, claim, or other legal proceeding remain solely with the parties to such action, claim, or proceeding and their counsel of record.

(2) Contract for or receive, whether directly or indirectly, a larger share of the proceeds of any civil action, administrative proceeding, claim, or other legal proceeding financed by a litigation financing agreement than the share of the proceeds collectively recovered by the plaintiffs to any such action, claim, or proceeding after the payment of any attorney fees and costs owed in connection to such action,

12-00987A-26

20261396\_\_

claim, or proceeding.

(3) Pay or offer to pay a commission, referral fee, or other consideration to any person, including an attorney, a law firm, or a health care practitioner, for referring a person to the litigation financier.

(4) Assign or securitize a litigation financing agreement, in whole or in part.

(5) Be assigned rights to or in any civil action, administrative proceeding, claim, or other legal proceeding for which the litigation financier provided financing, other than the right to receive a share of the proceeds of such action, claim, or proceeding pursuant to the litigation financing agreement.

69.107 Transparency for foreign litigation financiers.—

(1) If a party to any civil action, administrative proceeding, claim, or other legal proceeding, or that party's counsel of record, has entered into a litigation financing agreement with a foreign person, foreign principal, or sovereign wealth fund, the party, or the party's counsel of record, must, within 14 days after execution of the agreement or within 7 days after filing such action, whichever occurs first, file and serve a notice that identifies:

(a) The existence of the funding relationship;

(b) The foreign person, foreign principal, or sovereign wealth fund by legal name and the jurisdiction under whose laws it is organized; and

(c) Each foreign person, foreign principal, or sovereign wealth fund that, directly or indirectly, owns or controls 3 percent or more of the capital, equity, or other beneficial

12-00987A-26

20261396

ownership interests in the litigation financier, including the legal name, address, and citizenship or country of incorporation or registration of each such person or entity.

(2) The notice required in subsection (1) must be filed with the court, agency, or tribunal in which the action is pending, served on all parties, and provided to the Department of Financial Services and the Office of the Attorney General.

(3) The dollar amounts, financing terms, and other proprietary or trade secret information contained in or related to the litigation financing agreement are not required to be disclosed. The court, agency, or tribunal may order the notice or supporting documentation to be filed under seal and may issue protective orders as necessary to safeguard proprietary or confidential information.

(4) A foreign litigation financier or any person acting on its behalf may not:

(a) Use a domestic entity or affiliate to conceal or evade the disclosure requirements of this section; or

(b) Receive, transmit, or share proprietary, privileged, or national security-related information obtained through litigation financing with any foreign person, foreign principal, or sovereign wealth fund not a party or attorney to the action.

(5) The requirements of this section apply to a litigation financing agreement entered into with any litigation financier if a foreign person, foreign principal, or sovereign wealth fund has provided or will provide funds, whether directly or indirectly, to the litigation financier which amount to 5 percent or more of the funds the financier has provided or is committed to provide under the litigation funding agreement.

12-00987A-26

20261396

(6) Failure to comply with this section may subject the noncomplying party to appropriate sanctions under s. 69.109 or the applicable rules of civil procedure. This section does not create a private cause of action.

69.109 Violations; enforcement.—

(1) A litigation financing agreement executed in violation of this part is void and unenforceable.

(2) A violation of s. 69.105 is a deceptive and unfair trade practice actionable under part II of chapter 501.

(3) A court, an agency, or a tribunal of competent jurisdiction may impose fines or any other sanction it deems appropriate upon any person who violates s. 69.107.

Section 4. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 5. The disclosure requirements in s. 69.107, Florida Statutes, as created by this act, apply to any civil action, administrative proceeding, claim, or other legal proceeding pending or commenced on or after July 1, 2026. Any party to or counsel of record for any civil action, administrative proceeding, claim, or other legal proceeding pending on July 1, 2026, who would have been required to make a disclosure under s. 69.107, Florida Statutes, had it been in effect at the time the relevant action occurred must make the disclosure under that section by July 31, 2026. Failure to do so is sanctionable as provided in s. 69.109, Florida Statutes.

12-00987A-26

20261396

291       Section 6. Except as otherwise provided in this act, this  
292 act applies to a litigation financing agreement entered into on  
293 or after July 1, 2026.

294       Section 7. This act shall take effect July 1, 2026.



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Health Policy, *Chair*  
Judiciary, *Vice Chair*  
Appropriations Committee on Health  
and Human Services  
Banking and Insurance  
Fiscal Policy  
Rules

## SENATOR COLLEEN BURTON

12th District

January 20, 2026

The Honorable Clay Yarborough  
308 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399

Chair Yarborough,

I respectfully request SB 1396 Litigation Financing Consumer Protection be placed on the Judiciary agenda at your earliest convenience.

Thank you for your consideration.

Regards,

A handwritten signature in blue ink that reads "Colleen Burton".

Colleen Burton  
State Senator, District 12

CC: Tom Cibula, Staff Director  
Lisa Larson, Committee Administrative Assistant

REPLY TO:

1375 Havendale Blvd., Winter Haven, FL 33881 (863) 413-1529  
408 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5012

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore



01.27.26

Meeting Date

Judiciary

Committee

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 1396

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Bob Schulte**

Phone **813-499-9139**

Address **4830 West Kennedy Blvd. Ste. 600**

Email **bob@monsonfirm.com**

Street

**Tampa**

**FL**

**33609**

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Florida Justice Reform Institute**

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

01.27.26

Meeting Date

Judiciary

Committee

Name

Caroline Gieser

Phone

470.867.6000

Address

1230 Peachtree St., Suite 1200

Email

cgieser@shb.com

Street

Atlanta

City

GA

State

30309

Zip

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1396

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking:

☒

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

American Tort Reform Association

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/2026

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

1396

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name **George Feijoo (Fay-Jew)**

Phone **850-681-0024**

Address **108 S Monroe St**

Email **grfeijoo@flapartners.com**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

**U.S. Chamber Institute  
for Legal Reform**

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/24

Meeting Date

Judiciary

Committee

1394

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Carolyn Johnson

Phone

521-1200

Address

136 S Bronough St

Street

Email

cjohnson@flchamber.com

Tallahassee

FL

32301

City

State

Zip

Speaking:

☒ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

FL Chamber of  
Commerce

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

Judiciary

Committee

1396

Bill Number or Topic

Amendment Barcode (if applicable)

Name Bill Gotterall

Phone \_\_\_\_\_

Address 218 S. Monroe ST

Email \_\_\_\_\_

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

Florida Justice Association

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

1396

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

ALIX MILLER

Phone

850-222-9908

Address

350 E. College Ave

Street

Email

alix@florida trucking .org

Tallahassee

City

FL

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

FLORIDA TRUCKING ASSOCIATION

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

1-27-26

1396

Meeting Date

Bill Number or Topic

Judiciary

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name **Michael Carlson**

Phone **8505449576**

Address **215 South Monroe St. Ste. 835**

Email **michael.carlson@piff.net**

Street

**Tallahassee**

**Florida**

**32301**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Personal Insurance Federation**

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/2026

The Florida Senate  
**APPEARANCE RECORD**

SB 1396

DUPLICATE

Meeting Date  
**Senate Judiciary**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **David Mica, Jr.**

Phone **850-222-9800**

Address **306 E College Ave**

Email **Davidm@fha.org**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Florida Hospital Association**

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



1/27/2026

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB 1396

Bill Number or Topic

Judiciary

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Gary Guzzo

Phone

(850) 681-0024

Address

108 S Monroe St

Email

gguzzo@flapartners.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Florida Insurance Council

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/24

Meeting Date

Judiciary

Committee

1394

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Katie Webb

Phone

850 228 6014

Address

10 E Jefferson

Street

Email

kwebb@colony  
fass.com

Tell

City

FL

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

APCIA

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

1396

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Adam Basford

Phone

352 538 4299

Address

516 N Adams

Email

a.basford@aif.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

Associated Industries of FL

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

Judiciary

Committee

1396

Bill Number or Topic

Amendment Barcode (if applicable)

Name Amanda Fraser

Phone \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Street

Tallahassee

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

GEICO

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

1-27-26

Meeting Date

1396

Bill Number or Topic

Judy

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Bill Herrle

Phone

850 728 7356

Address

110 E Jofferson St.

Email

b.11.herrle@nfib.org

Street

Tallahassee FL 32308

City

State

Zip

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing: NFIB



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1/27/26

Meeting Date

1396

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Christine Ashburn

Phone

850-728-7855

Address

208 S. Monroe St, Suite 130

Email

christine@dactl.com

Street

Tallahassee FL

City

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

The National Assoc. of Mutual Insurance Cos.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Judiciary

---

BILL: SB 1500

INTRODUCER: Senator Bradley

SUBJECT: Estates

DATE: January 26, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Collazo	Cibula	JU	<b>Favorable</b>
2. _____	_____	BI	_____
3. _____	_____	RC	_____

---

**I. Summary:**

SB 1500 amends various provisions of state law relating to uncontested probate proceedings. Probate is the court-supervised process for identifying and gathering a decedent's assets, paying the decedent's debts, and distributing the decedent's remaining assets to his or her beneficiaries.

Specifically, the bill:

- Increases the value of estates eligible for summary administration from \$75,000 to \$150,000.
- Increases the value of intestate estates consisting only of certain personal property that may be disposed of without administration from \$10,000 to \$20,000.
- Increases the maximum income tax refund that may be claimed by a decedent's spouse or child without administration of the decedent's estate from \$2,500 to \$5,000.
- Increases the maximum amount of funds in a qualified account held by a financial institution which may be distributed to a family member using affidavit procedures from \$1,000 to \$2,000.
- Requires financial institutions to grant personal representatives access to a decedent's safe deposit box and allows them to pay any accumulated charges for, and terminate, the safe deposit box lease.
- Authorizes personal representatives to initiate legal proceedings to enforce their authority under the Florida Probate Code and to recover any associated costs, including attorney fees.

In 2024, the Florida Supreme Court established the Workgroup on Uncontested Probate Proceedings (Workgroup) within the Judicial Management Council to make recommendations and improve the efficiency and effectiveness of Florida's processes and procedures for uncontested probate proceedings. The bill implements the Workgroup's recommendations.

The bill takes effect July 1, 2026.

## II. Present Situation:

The Florida Probate Code (“Probate Code”)<sup>1</sup> outlines the state’s probate process, which is the court-supervised process<sup>2</sup> for identifying and gathering a decedent’s assets, paying the decedent’s debts, and distributing the decedent’s remaining assets to his or her beneficiaries.<sup>3</sup> The probate process is also known as “estate administration.”<sup>4</sup>

Whenever a decedent dies leaving a valid will,<sup>5</sup> estate administration generally proceeds in accordance with the will’s terms, with estate assets being distributed to the named beneficiaries;<sup>6</sup> however, if a decedent dies intestate, which means the decedent died and did not leave a valid will, asset distribution generally occurs by operation of Florida’s intestate succession laws.<sup>7</sup>

### Personal Representatives

Regardless of whether a decedent had a will or died intestate, when an estate is probated, the court appoints a personal representative<sup>8</sup> to oversee the estate’s administration and grants him or her letters of administration.<sup>9</sup> A personal representative’s primary purpose is to ensure that the administration of the decedent’s estate proceeds in accordance with the decedent’s wishes (as outlined in a will) or, if there is no will, in accordance with state law; however, Florida law imposes numerous other, specific duties and obligations on a personal representative.

### Duties and Powers

A personal representative is a fiduciary who must observe the standard of care applicable to trustees of express trusts<sup>10</sup> and who is liable to interested persons for damage or loss resulting from the breach of his or her fiduciary duty.<sup>11</sup> This duty generally begins upon appointment<sup>12</sup> and includes the following:

---

<sup>1</sup> Chapters 731-735, F.S.; *see also* s. 731.005, F.S. (providing the short title).

<sup>2</sup> In Florida, the circuit courts have jurisdiction over probate proceedings. Office of the State Courts Administrator, *Trial Courts-Circuit*, <https://www.flcourts.gov/Florida-Courts/Trial-Courts-Circuit> (last visited Jan. 15, 2026).

<sup>3</sup> “Beneficiary” means an heir at law in an intestate estate and a devisee in a testate estate. Section 731.201(2), F.S. Note that probate is not initiated in every circumstance in which a person dies leaving assets; in some instances, other asset distribution mechanisms (such as a trust or a pay-on-death clause) transfer asset ownership without court intervention. In other circumstances, a decedent’s assets may be held jointly with a surviving person, requiring no asset ownership transfer, and thus, no court intervention.

<sup>4</sup> “Estate” means the property of a decedent that is the subject of administration. Section 731.201(14), F.S.

<sup>5</sup> A “will” means a testamentary instrument executed by a person in the manner provided in the Florida Probate Code, which disposes of a person’s property on or after his or her death. Section 731.201(40), F.S. Until admitted to probate, a will is ineffective to prove title to, or the right to possession of, the testator’s property. Section 733.103(1), F.S.

<sup>6</sup> *See generally* Parts V, VI, and IX, ch. 732, F.S. (governing wills, rules of will construction, and will production, respectively).

<sup>7</sup> *See generally* Part I, ch. 732, F.S. (governing intestate succession).

<sup>8</sup> “Personal representative” means the fiduciary appointed by the court to administer the estate and refers to what has been known as, among other things, an executor. Section 731.201(28), F.S.

<sup>9</sup> Letters of administration convey the legal authority to manage a decedent’s estate. Section 731.201(24), F.S.

<sup>10</sup> An “express trust” is a trust created with the settlor’s express intent, usually declared in writing. *Byrne Realty Co. v. South Florida Farms Co.*, 89 So. 318, 326-27 (Fla. 1921).

<sup>11</sup> Section 733.609(1), F.S.

<sup>12</sup> Section 733.601, F.S.



- Settle and distribute the estate in accordance with the decedent's will (if any) and applicable law.<sup>13</sup>
- Expeditiously proceed with the settlement and distribution of the decedent's estate.<sup>14</sup>
- Act in the best interests of interested persons including creditors.<sup>15</sup>
- File a verified inventory of estate property, subject to statutory requirements.<sup>16</sup>
- Take all steps reasonably necessary for the estate's management, protection, and preservation.<sup>17</sup>

To assist in the exercise of such duties, the personal representative also has statutorily enumerated rights and powers. Specifically, the personal representative may (and in some cases, must), among other things:

- Take possession and control of the decedent's property.
- Perform or, when proper, refuse to perform the decedent's contracts.
- Invest the estate's funds.
- Acquire or dispose of assets including, in certain circumstances, by sale or abandonment.
- Enter into leases.
- Pay taxes, assessments, and other expenses incident to estate administration.
- Continue any unincorporated business or venture in which the decedent was engaged at the time of death.
- Prosecute or defend claims or proceedings for the protection of the estate or the decedent's property.
- Employ persons, including attorneys, accountants, auditors, appraisers, investment advisers, and others to advise or assist the personal representative in estate administration.<sup>18</sup>

### ***Compensation***

A personal representative is entitled to reasonable compensation for ordinary service, payable from the estate's assets, without a court order.<sup>19</sup> Such compensation must be based on the estate's compensable value, which is the inventory value of the estate's assets and the income the estate earns during administration, and Florida law provides that such compensation is presumed to be reasonable if calculated at statutorily-specified rates.<sup>20</sup> However, the court may increase or decrease the personal representative's compensation for ordinary services upon petition of any interested parties.<sup>21</sup>

---

<sup>13</sup> Section 733.602(1), F.S.

<sup>14</sup> Section 733.603, F.S.

<sup>15</sup> Section 733.602(1), F.S.

<sup>16</sup> Section 733.604, F.S.

<sup>17</sup> Section 733.607(1), F.S.

<sup>18</sup> *See generally* s. 733.612, F.S.

<sup>19</sup> Section 733.617(1), F.S.

<sup>20</sup> Those rates are 3 percent for the first \$1 million; 2.5 percent for all above \$1 million and not exceeding \$5 million; 2 percent for all above \$5 million and not exceeding \$10 million; 1.5 percent for all above \$10 million. Section 733.617(2), F.S.

<sup>21</sup> Section 733.617(7), F.S.

A personal representative is also entitled to reasonable compensation for any extraordinary services, which the court may award upon petition of any interested person.<sup>22</sup> Extraordinary services may include:

- The sale of real or personal property;
- Litigating on behalf of the estate;
- Involvement in proceedings for the adjustment or payment of any taxes;
- The carrying on of the decedent's business;
- Dealing with protected homestead;
- The rendering of legal services in connection with estate administration, if the personal representative is a Florida Bar member;<sup>23</sup> and
- Any other special services that may be necessary for the personal representative to perform.<sup>24</sup>

Further, if a will provides that a personal representative's compensation must be based on specific criteria, other than a general reference to compensation allowed by law, the personal representative is entitled to compensation in accordance with that provision; however, the personal representative may renounce the provision and receive compensation as provided in law, unless a contract with the decedent would prohibit such renunciation.<sup>25</sup>

Attorneys for personal representatives are also entitled to reasonable compensation, payable from estate assets without court order, for ordinary and extraordinary services rendered.<sup>26</sup>

### **Alternatives to Formal Administration**

Florida law provides for certain simplified probate processes, which function as abbreviated alternatives to the formal administration process.

#### ***Summary Administration***

A summary administration may be had in the administration of either a resident or nonresident decedent's estate if it appears that the value of the entire estate subject to administration in Florida, less the value of property exempt from the claim of creditors, does not exceed \$75,000 or that the decedent has been dead for more than 2 years.<sup>27</sup>

For summary administration to be available in the administration of a testate estate, the will must not direct administration as required by the statutes governing the administration of estates.<sup>28</sup> Such estates may be administered in the same manner as the administration of any other estate, or they may be administered in conformance with summary administration.<sup>29</sup>

---

<sup>22</sup> Section 733.617(3), F.S.

<sup>23</sup> Section 733.617(6), F.S. The Florida Supreme Court regulates the practice of law in Florida, through the Florida Bar. The Florida Bar, *About the Bar*, <https://www.floridabar.org/about/> (last visited Jan. 15, 2026); FLA. CONST. art. V, s. 15.

<sup>24</sup> Section 733.617(3), F.S.

<sup>25</sup> Section 733.617(4), F.S.

<sup>26</sup> See generally s. 733.6171, F.S.

<sup>27</sup> Section 735.201(2), F.S.

<sup>28</sup> Section 735.201(1), F.S. (referencing ch. 733, F.S.).

<sup>29</sup> Section 735.202, F.S.

***Disposition without Administration***

No administration is required if the decedent leaves an estate only consisting of:

- Personal property exempt under state law.<sup>30</sup>
- Personal property classified as exempt from the claims of the decedent's creditors by the Florida Constitution.
- Nonexempt personal property, the value of which does not exceed the total of the cost of preferred funeral expenses, and the amount of all reasonable and necessary medical and hospital expenses incurred in the last 60 days of the decedent's final illness, if any.<sup>31</sup>

Administration is also not required if a decedent dies intestate leaving only a small estate consisting of:

- Personal property exempt under state law.<sup>32</sup>
- Personal property classified as exempt from the claims of the decedent's creditors by the Florida Constitution.
- Nonexempt personal property, the value of which does not exceed the sum of \$10,000 and the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness, if any, provided the decedent has been deceased for more than 1 year and no administration of the decedent's estate is pending in Florida.<sup>33</sup>

Additionally, state law permits:

- A maximum of \$2,500 in income tax refunds to be claimed by a decedent's spouse or child without administration of the decedent's estate.<sup>34</sup>
- A maximum of \$1,000 in funds in a qualified account held by a financial institution to be distributed to a family member of a decedent using affidavit procedures.<sup>35</sup>

**Judicial Management Council Workgroup on Uncontested Probate Proceedings**

On April 30, 2024, the Florida Supreme Court issued Administrative Order No. AOSC24-20. That order established the Workgroup on Uncontested Probate Proceedings (Workgroup) within the Judicial Management Council (Council)<sup>36</sup> to make recommendations to redesign and improve the efficiency and effectiveness of Florida's processes and procedures for uncontested probate proceedings.<sup>37</sup>

---

<sup>30</sup> Section 732.402, F.S.

<sup>31</sup> Section 735.301(1), F.S.

<sup>32</sup> Section 732.402, F.S.

<sup>33</sup> Section 735.304, F.S.

<sup>34</sup> Section 735.302, F.S.

<sup>35</sup> Section 735.303, F.S.

<sup>36</sup> The Judicial Management Council is a focused advisory body that assists the chief justice and the Supreme Court. The Council is charged, among other responsibilities, with identifying and evaluating information that would assist in improving the performance and effectiveness of the judicial branch. Florida Courts, Office of the State Courts Administrator, *Judicial Management Council*, <https://www.flcourts.gov/Services/innovations-outreach/judicial-management-council>.

<sup>37</sup> *In re: Workgroup on Uncontested Probate Proceedings*, Fla. Admin. Order No. AOSC24-20 (April 30, 2024), available at <https://flcourts-media.flcourts.gov/content/download/2425605/file/AOSC24-20.pdf>.

The Workgroup conducted a comprehensive review of Florida's probate procedures, probate laws in other states, and probate data trends. It also requested and received feedback from stakeholders. Based upon that information, the Workgroup prepared and submitted its Final Report and Recommendations to the Judicial Management Council on July 15, 2025 (Final Report). The Final Report was approved by the Council on August 11, 2025, for submission to the Florida Supreme Court.<sup>38</sup>

The Final Report identified numerous recurring challenges in Florida's probate proceedings that contribute to inefficiencies, delays, and inconsistent outcomes statewide. These challenges, which include barriers imposed by financial institutions and outdated statutory small estate values,<sup>39</sup> are discussed in more detail in Section III, Effect of Proposed Changes.

### III. Effect of Proposed Changes:

The bill amends various provisions of state law relating to uncontested probate proceedings, consistent with the recommendations of the Workgroup on Uncontested Probate Proceedings (Workgroup).

#### Barriers Imposed by Financial Institutions

According to the Workgroup, interactions with financial institutions are a significant source of delay in probate proceedings; personal representatives frequently face obstacles when financial institutions refuse to honor valid letters of administration, impose inconsistent or extralegal requirements, or restrict access to account information and safe deposit boxes. These practices delay asset distribution, generate unnecessary court filings, and impose additional burdens on judges, attorneys, and personal representatives.<sup>40</sup>

To address these issues, the Workgroup's Final Report recommended an amendment to s. 655.933, F.S., which regulates access to safe deposit boxes by fiduciaries, to require, rather than permit, financial institutions to grant personal representatives access to a decedent's safe deposit box.<sup>41</sup> **Section 1** of the bill implements this recommendation.

The Workgroup's Final Report also recommended an amendment to s. 655.936, F.S., which regulates the delivery of safe deposit box contents or property held in safekeeping to personal representatives, to require financial institutions to allow personal representatives or their attorneys to pay accumulated charges for a safe deposit box lease and to terminate the safe deposit box lease.<sup>42</sup> **Section 2** of the bill implements this recommendation.

---

<sup>38</sup> Florida Courts, Office of the State Courts Administrator, *Uncontested Probate Proceedings*, 1, undated (on file with the Committee on Judiciary).

<sup>39</sup> *Id.*; The Workgroup on Uncontested Probate Proceedings, *Final Report and Recommendations* (July 15, 2025), <https://www.flcourts.gov/Services/innovations-outreach/workgroups/workgroup-on-uncontested-probate-proceedings2/the-workgroup-on-uncontested-probate-proceedings-report>.

<sup>40</sup> *Id.*

<sup>41</sup> Florida Courts, Office of the State Courts Administrator, *Uncontested Probate Proceedings*, 2, undated (on file with the Committee on Judiciary); The Workgroup on Uncontested Probate Proceedings, *Final Report and Recommendations* (July 15, 2025), <https://www.flcourts.gov/Services/innovations-outreach/workgroups/workgroup-on-uncontested-probate-proceedings2/the-workgroup-on-uncontested-probate-proceedings-report>.

<sup>42</sup> *Id.*

Regarding the apparent obstacles faced by personal representatives, the Workgroup's Final Report recommended amendments to:

- Section 733.603, F.S., which regulates the duties of personal representatives without court order.
- Section 733.612, F.S., which authorizes personal representatives to undertake certain transactions.
- Section 733.6171, F.S., which regulates the compensation a personal representative's attorney may collect.

The recommended amendments expressly authorize personal representatives to initiate legal proceedings to enforce their authority under the Florida Probate Code and to clarify that that attorney involvement in enforcement proceedings constitutes an extraordinary service for which reasonable compensation is warranted.<sup>43</sup> **Sections 3, 4, and 6** implement these recommendations.

The Workgroup's Final Report also recommended creating s. 733.6125, F.S., entitled "Proceedings to enforce authority," to require the award of taxable costs, including attorney fees, against any person whose actions or inactions necessitate a successful enforcement proceeding by a personal representative.<sup>44</sup> **Section 5** of the bill implements this recommendation.

### **Outdated Statutory Small Estate Values**

Another challenge identified by the Workgroup is the statutory value of small estates eligible for Florida's simplified probate processes. According to the Workgroup, these statutory values have not kept pace with inflation and evolving economic conditions, limiting access to simplified probate processes for small estates and resulting in more cases being directed to formal administration.<sup>45</sup>

The Workgroup's Final Report recommended amending s. 735.201, F.S., which regulates summary administration eligibility, to increase the value of estates eligible for summary administration from \$75,000 to \$150,000.<sup>46</sup> **Section 7** of the bill implements this recommendation.

The Workgroup's Final Report also recommended amending s. 735.302, F.S., which regulates such tax refunds, to increase the maximum income tax refund that may be claimed by a decedent's spouse or child without administration of the decedent's estate from \$2,500 to \$5,000.<sup>47</sup> **Section 8** of the bill implements this recommendation.

The Workgroup's Final Report also recommended amending s. 735.303, F.S., which regulates the payment of successors without court proceedings, to increase the amount of funds in a qualified account held by a financial institution that may be distributed to a family member of the

---

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

decendent using affidavit procedures from \$1,000 to \$2,000.<sup>48</sup> **Section 9** of the bill implements this recommendation.

The Workgroup's Final Report also recommended amending s. 735.304, F.S., which provides for the disposition of intestate property in small estates without administration, to increase the value of intestate estates consisting only of certain personal property that may be disposed of without administration from \$10,000 to \$20,000. **Section 10** of the bill implements this recommendation.

### **Reenactments**

The bill implements the following reenactments:

- **Section 11** of the bill reenacts s. 655.937(1)(b), F.S., for the purpose of incorporating the amendment made by the bill to s. 655.933, F.S.
- **Section 12** of the bill reenacts s. 734.101(4), F.S., for the purpose of incorporating the amendment made by the bill to s. 655.936, F.S.
- **Section 13** of the bill reenacts s. 733.106, F.S., for the purpose of incorporating the amendment made by the bill to s. 733.6171, F.S.

### **Effective Date**

**Section 14** of the bill provides an effective date of July 1, 2026.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

### **D. State Tax or Fee Increases:**

None.

### **E. Other Constitutional Issues:**

None.

---

<sup>48</sup> *Id.*

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill will increase the number of estates eligible for summary administration or no administration, which means fewer personal representatives will need to incur the legal and other costs to formally administer estates. Additionally, because the bill clarifies the authority of personal representatives to access certain assets held by financial institutions, it is anticipated the bill will result in fewer legal disputes with financial institutions.

**C. Government Sector Impact:**

The bill will increase the number of estates eligible for summary administration or no administration. It will also increase the number of assets held by financial institutions that may be distributed without further action by the court. Accordingly, it is anticipated that the bill will conserve judicial resources because it will result in fewer probate cases requiring formal administration or other court action.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 655.933, 655.936, 733.603, 733.612, 733.6171, 735.201, 735.302, 735.303, and 735.304.

This bill creates section 733.6125 of the Florida Statutes.

This bill reenacts the following sections of the Florida Statutes: 655.937(1)(b), 734.101(4), and 733.106.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



By Senator Bradley

6-00418A-26

20261500

1 A bill to be entitled  
 2 An act relating to estates; amending ss. 655.933 and  
 3 655.936, F.S.; revising the responsibilities a lessor  
 4 of a safe-deposit box has to certain persons; amending  
 5 s. 733.603, F.S.; revising the issues a court may  
 6 resolve for a personal representative; amending s.  
 7 733.612, F.S.; revising the list of transactions a  
 8 personal representative may make if acting reasonably  
 9 for the benefit of certain persons; creating s.  
 10 733.6125, F.S.; requiring the court to award taxable  
 11 costs and attorney fees in certain proceedings;  
 12 authorizing the court to direct such payment from  
 13 certain persons; providing that such payment may be  
 14 satisfied from certain property; amending s. 733.6171,  
 15 F.S.; revising what constitutes an extraordinary  
 16 service of an attorney; making technical changes;  
 17 amending s. 735.201, F.S.; revising when summary  
 18 administration proceedings may commence for either a  
 19 resident or nonresident decedent's estate; amending s.  
 20 735.302, F.S.; revising the sum at which an  
 21 overpayment of taxes by a decedent may be refunded by  
 22 the United States Treasury Department; amending s.  
 23 735.303, F.S.; revising the sum for funds certain  
 24 financial institutions may make payable to a  
 25 decedent's family member; conforming provisions to  
 26 changes made by the act; amending s. 735.304, F.S.;  
 27 revising the prohibition against certain proceedings  
 28 for a decedent when he or she dies intestate and  
 29 leaves only certain personal property worth a

Page 1 of 13

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-00418A-26

20261500

30 specified sum; reenacting s. 655.937(1)(b), F.S.,  
 31 relating to access to safe-deposit boxes leased in two  
 32 or more names, to incorporate the amendment made to s.  
 33 655.933, F.S., in a reference thereto; reenacting s.  
 34 734.101(4), F.S., relating to foreign personal  
 35 representatives, to incorporate the amendment made to  
 36 s. 655.936, F.S., in a reference thereto; reenacting  
 37 s. 733.106(4), F.S., relating to costs and attorney  
 38 fees, to incorporate the amendment made to s.  
 39 733.6171, F.S., in a reference thereto; providing an  
 40 effective date.  
 41  
 42 Be It Enacted by the Legislature of the State of Florida:  
 43  
 44 Section 1. Section 655.933, Florida Statutes, is amended to  
 45 read:  
 46 655.933 Access by fiduciaries.—If a safe-deposit box is  
 47 made available by a lessor to one or more persons acting as  
 48 fiduciaries, the lessor ~~may~~, except as otherwise expressly  
 49 provided in the lease or the writings pursuant to which such  
 50 fiduciaries are acting, ~~allow access thereto as follows:~~  
 51 (1) Must allow access to the safe-deposit box by any ~~one or~~  
 52 ~~more~~ of the persons acting as personal representatives; and—  
 53 (2) May allow access to the safe-deposit box by:  
 54 (a) Any one or more of the persons otherwise acting as  
 55 fiduciaries if authorized in writing, which writing is signed by  
 56 all other persons so acting; or—  
 57 (b) ~~(3)~~ By Any agent authorized in writing, which writing is  
 58 signed by all persons acting as fiduciaries.

Page 2 of 13

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-00418A-26

20261500

Section 2. Subsection (1) of section 655.936, Florida Statutes, is amended to read:

655.936 Delivery of safe-deposit box contents or property held in safekeeping to personal representative.—

(1) Subject to ~~the provisions of~~ subsection (3), the lessor shall:

(a) Immediately deliver to a personal representative appointed by a court in this state, upon presentation of a certified copy of his or her letters of authority, all property deposited with it by the decedent for safekeeping; ~~and shall~~

(b) Grant the personal representative access to any safe-deposit box in the decedent's name and allow ~~permit~~ him or her to remove from such box any part or all of the contents thereof; and

(c) Allow the personal representative or the personal representative's attorney to pay the accumulated charges and terminate the lease.

Section 3. Section 733.603, Florida Statutes, is amended to read:

733.603 Personal representative to proceed without court order.—A personal representative shall proceed expeditiously with the settlement and distribution of a decedent's estate and, except as otherwise specified by this code or ordered by the court, shall do so without adjudication, order, or direction of the court. A personal representative may invoke the jurisdiction of the court to resolve questions concerning the estate or its administration or to enforce the authority of a personal representative conferred by this code.

Section 4. Subsection (28) is added to section 733.612,

6-00418A-26

20261500

Florida Statutes, to read:

733.612 Transactions authorized for the personal representative; exceptions.—Except as otherwise provided by the will or court order, and subject to the priorities stated in s. 733.805, without court order, a personal representative, acting reasonably for the benefit of the interested persons, may properly:

(28) Institute a proceeding to enforce his or her authority as personal representative as conferred by this code.

Section 5. Section 733.6125, Florida Statutes, is created to read:

733.6125 Proceedings to enforce authority.—In any proceeding to enforce the authority of a personal representative as conferred by this code, the court shall award to a prevailing personal representative taxable costs as in chancery actions, including attorney fees. When awarding taxable costs and attorney fees under this section, the court may direct payment from any person whose action or inaction necessitated the enforcement proceeding or from any person having an interest in the estate and may enter a judgment that may be satisfied from other property.

Section 6. Paragraph (b) of subsection (2) and subsection (6) of section 733.6171, Florida Statutes, are amended, and paragraph (1) is added to subsection (4) of that section, to read:

733.6171 Compensation of attorney for the personal representative.—

(2)

(b) An attorney representing a personal representative in

6-00418A-26

20261500\_\_

an estate administration who intends to charge a fee based upon the schedule set forth in subsection (3) shall make the following disclosures in writing to the personal representative:

1. There is not a mandatory statutory attorney fee for estate administration.

2. The attorney fee is not required to be based on the size of the estate, and the presumed reasonable fee provided in subsection (3) may not be appropriate in all estate administrations.

3. The fee is subject to negotiation between the personal representative and the attorney.

4. The selection of the attorney is made at the discretion of the personal representative, who is not required to select the attorney who prepared the will.

5. The personal representative is ~~shall be~~ entitled to a summary of ordinary and extraordinary services rendered for the fees agreed upon at the conclusion of the representation. The summary must ~~shall~~ be provided by counsel and must ~~shall~~ consist of the total hours devoted to the representation or a detailed summary of the services performed during the representation.

(4) Subject to subsection (2), in addition to fees for ordinary services, the attorney for the personal representative shall be allowed further reasonable compensation for any extraordinary service. What is an extraordinary service may vary depending on many factors, including the size and complexity of the estate. Extraordinary services may include, but are not limited to:

(1) Involvement in any proceeding to enforce the authority of a personal representative as conferred by this code.

6-00418A-26

20261500\_\_

(6) If a separate written agreement regarding compensation exists between the attorney and the decedent, the attorney must ~~shall~~ furnish a copy to the personal representative before ~~prior~~ ~~to~~ commencement of employment, and, if employed, must ~~shall~~ promptly file and serve a copy on all interested persons. A separate agreement or a provision in the will suggesting or directing that the personal representative retain a specific attorney does not obligate the personal representative to employ the attorney or obligate the attorney to accept the representation, but if the attorney who is a party to the agreement or who drafted the will is employed, the compensation paid may ~~shall~~ not exceed the compensation provided in the agreement or in the will.

Section 7. Subsection (2) of section 735.201, Florida Statutes, is amended to read:

735.201 Summary administration; nature of proceedings.—  
Summary administration may be had in the administration of either a resident or nonresident decedent's estate, when it appears:

(2) That the value of the entire estate subject to administration in this state, less the value of property exempt from the claims of creditors, does not exceed \$150,000 ~~\$75,000~~ or that the decedent has been dead for more than 2 years.

Section 8. Subsection (1) of section 735.302, Florida Statutes, is amended to read:

735.302 Income tax refunds in certain cases.—

(1) In any case when the United States Treasury Department determines that an overpayment of federal income tax exists and the person in whose favor the overpayment is determined is dead

6-00418A-26 20261500

at the time the overpayment of tax is to be refunded, and notwithstanding ~~irrespective of~~ whether the decedent had filed a joint and several or separate income tax return, the amount of the overpayment, if not in excess of \$5,000 ~~\$2,500~~, may be refunded as follows:

(a) Directly to the surviving spouse on his or her verified application; or

(b) If there is no surviving spouse, to one of the decedent's children who is designated in a verified application purporting to be executed by all of the decedent's children over the age of 14 years.

In either event, the application must show that the decedent was not indebted, that provision has been made for the payment of the decedent's debts, or that the entire estate is exempt from the claims of creditors under the constitution and statutes of the state, and that no administration of the estate, including summary administration, has been initiated and that none is planned, to the knowledge of the applicant.

Section 9. Subsection (2), paragraph (c) of subsection (3), and subsection (4) of section 735.303, Florida Statutes, are amended to read:

735.303 Payment to successor without court proceedings.—

(2) A financial institution in this state may pay to the family member of a decedent, without any court proceeding, order, or judgment, the funds on deposit in all qualified accounts of the decedent at the financial institution if the total amount of the combined funds in the qualified accounts at the financial institution do not exceed an aggregate total of

6-00418A-26 20261500

\$2,000 ~~\$1,000~~. The financial institution may not make such payment earlier than 6 months after the date of the decedent's death.

(3) In order to receive the funds described in subsection (2), the family member must provide to the financial institution a certified copy of the decedent's death certificate and a sworn affidavit that includes all of the following:

(c) A statement attesting that the total amount in all qualified accounts held by the decedent in all financial institutions known to the affiant does not exceed an aggregate total of \$2,000 ~~\$1,000~~.

(4) The family member may use an affidavit in substantially the following form to fulfill the requirements of subsection (3):

AFFIDAVIT UNDER  
SECTION 735.303, FLORIDA STATUTES,  
TO OBTAIN BANK PROPERTY OF DECEASED  
ACCOUNT HOLDER: ...(Name of decedent)...

State of .....  
County of .....

Before the undersigned authority personally appeared ...(name of affiant)..., of ...(residential address of affiant)..., who has been sworn and says the following statements are true:

(a) The affiant is (initial one of the following responses):

.... The surviving spouse of the decedent.  
.... A surviving adult child of the decedent, and the

6-00418A-26

20261500

decedent left no surviving spouse.

.... A surviving adult descendant of the decedent, and the decedent left no surviving spouse and no surviving adult child.

.... A surviving parent of the decedent, and the decedent left no surviving spouse, no surviving adult child, and no surviving adult descendant.

(b) As shown in the certified death certificate, the date of death of the decedent was ...(date of death)..., and the address of the decedent's last residence was ...(address of last residence)....

(c) The affiant is entitled to payment of the funds in the decedent's depository accounts and certificates of deposit held by the financial institution ...(name of financial institution).... The total amount in all qualified accounts held by the decedent in all financial institutions known to the affiant does not exceed an aggregate total of \$2,000 ~~\$1,000~~. The affiant requests full payment from the financial institution.

(d) A personal representative has not been appointed to administer the decedent's estate, and no probate proceeding or summary administration procedure has been commenced with respect to the estate.

(e) The affiant has no knowledge of any last will and testament or other document or agreement relating to the distribution of the decedent's estate.

(f) The payment of the funds constitutes a full release and discharge of the financial institution regarding the amount paid.

(g) The affiant understands that he or she is personally liable to the creditors of the decedent and other persons

6-00418A-26

20261500

rightfully entitled to the funds under the Florida Probate Code, to the extent the amount paid exceeds the amount properly attributable to the affiant's share.

(h) The affiant understands that making a false statement in this affidavit may be punishable as a criminal offense.

By ...(signature of affiant)...

Sworn to and subscribed before me this .... day of .... by ...(name of affiant)..., who is personally known to me or produced .... as identification, and did take an oath.

...(Signature of Notary Public - State of Florida)...

...(Print, Type, or Stamp Commissioned Name of Notary Public)...

My commission expires: ...(date of expiration of commission)...

Section 10. Subsection (1) of section 735.304, Florida Statutes, is amended to read:

735.304 Disposition without administration of intestate property in small estates.—

(1) ~~No Administration is not shall be required and or~~ formal proceedings may not be instituted upon the estate of a decedent who has died intestate leaving only personal property exempt under ~~the provisions of~~ s. 732.402, personal property exempt from the claims of creditors under the State Constitution, and nonexempt personal property the value of which

6-00418A-26

20261500

does not exceed the sum of \$20,000 ~~\$10,000~~ and the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness, provided the decedent has been deceased for more than 1 year and no administration of the decedent's estate is pending in this state.

Section 11. For the purpose of incorporating the amendment made by this act to section 655.933, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 655.937, Florida Statutes, is reenacted to read:

655.937 Access to safe-deposit boxes leased in two or more names.—

(1) Unless specifically provided in the lease or rental agreement to the contrary, if a safe-deposit box is rented or leased in the names of two or more lessees, access to the safe-deposit box will be granted to:

(b) Subject to s. 655.933, those persons named in s. 655.933.

Section 12. For the purpose of incorporating the amendment made by this act to section 655.936, Florida Statutes, in a reference thereto, subsection (4) of section 734.101, Florida Statutes, is reenacted to read:

734.101 Foreign personal representative.—

(4) Except as provided in s. 655.936, all persons indebted to the estate of a decedent, or having possession of personal property belonging to the estate, who have received no written demand from a personal representative or curator appointed in this state for payment of the debt or the delivery of the property are authorized to pay the debt or to deliver the

6-00418A-26

20261500

personal property to the foreign personal representative after the expiration of 90 days from the date of appointment of the foreign personal representative.

Section 13. For the purpose of incorporating the amendment made by this act to section 733.6171, Florida Statutes, in a reference thereto, subsection (4) of section 733.106, Florida Statutes, is reenacted to read:

733.106 Costs and attorney fees.—

(4) If costs and attorney fees are to be paid from the estate under this section, s. 733.6171(4), s. 736.1005, or s. 736.1006, the court, in its discretion, may direct from what part of the estate they shall be paid.

(a) If the court directs an assessment against a person's part of the estate and such part is insufficient to fully pay the assessment, the court may direct payment from the person's part of a trust, if any, if a pour-over will is involved and the matter is interrelated with the trust.

(b) All or any part of the costs and attorney fees to be paid from the estate may be assessed against one or more persons' part of the estate in such proportions as the court finds to be just and proper.

(c) In the exercise of its discretion, the court may consider the following factors:

1. The relative impact of an assessment on the estimated value of each person's part of the estate.

2. The amount of costs and attorney fees to be assessed against a person's part of the estate.

3. The extent to which a person whose part of the estate is to be assessed, individually or through counsel, actively

6-00418A-26

20261500\_\_

participated in the proceeding.

4. The potential benefit or detriment to a person's part of the estate expected from the outcome of the proceeding.

5. The relative strength or weakness of the merits of the claims, defenses, or objections, if any, asserted by a person whose part of the estate is to be assessed.

6. Whether a person whose part of the estate is to be assessed was a prevailing party with respect to one or more claims, defenses, or objections.

7. Whether a person whose part of the estate is to be assessed unjustly caused an increase in the amount of costs and attorney fees incurred by the personal representative or another interested person in connection with the proceeding.

8. Any other relevant fact, circumstance, or equity.

(d) The court may assess a person's part of the estate without finding that the person engaged in bad faith, wrongdoing, or frivolousness.

Section 14. This act shall take effect July 1, 2026.



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Regulated Industries, *Chair*  
Appropriations Committee on Higher  
Education, *Vice Chair*  
Appropriations Committee on Pre-K - 12 Education  
Criminal Justice  
Ethics and Elections  
Fiscal Policy  
Rules

## JOINT COMMITTEES:

Joint Committee on Public Counsel Oversight,  
*Alternating Chair*

## SENATOR JENNIFER BRADLEY

6th District

January 20, 2026

Senator Clay Yarborough, Chairman  
Judiciary Committee  
308 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

Dear Chair Yarborough:

I respectfully request that Senate Bill 1500 be placed on the agenda of the Judiciary Committee at your earliest convenience. The bill implements recommendations of the Workgroup on Uncontested Probate Proceedings.

Thank you for your consideration and please reach out if you have any questions or concerns about the bill.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Bradley". The signature is fluid and cursive, with the first name "Jennifer" being more prominent than the last name "Bradley".

Jennifer Bradley

cc: Tom Cibula, Staff Director  
Lisa Larson, Administrative Assistant

## REPLY TO:

- ☐ 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- ☐ 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore



The Florida Senate

January 27, 2026

**APPEARANCE RECORD**

SB 1500

Meeting Date

Senate Judiciary Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Chief Judge Frank Allman**

Phone **850-606-4305**

Address **Leon County Courthouse, 301 S. Monroe Street**

Email

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/27/26

Meeting Date

Senate Judiciary Committee

Committee

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 1500

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Eric W. Maclure, State Courts Administrator**

Phone **850-922-9340**

Address **Supreme Court Bldg., 500 S. Duval Street**

Email **macluree@flcourts.gov**

Street

**Tallahassee**

City

**FL**

State

**32399**

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**State Courts System**

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

# **Uncontested Probate Proceedings**

## **Source of Proposal**

Judicial Management Council Workgroup on Uncontested Probate Proceedings

## **Summary**

This proposal implements legislative recommendations of the Judicial Management Council Workgroup on Uncontested Probate Proceedings (Workgroup).<sup>1</sup>

On April 30, 2024, [Administrative Order No. AOSC24-20](#) established the Workgroup within the Judicial Management Council to make recommendations to redesign and improve the efficiency and effectiveness of Florida's processes and procedures for uncontested probate proceedings.<sup>2</sup> After conducting a comprehensive review of Florida's probate procedures, probate laws in other states, probate data trends, and feedback from extensive stakeholder outreach, the Workgroup submitted its Final Report and Recommendations to the Judicial Management Council (Council) on July 15, 2025. The report was approved by the Council on August 11, 2025, for submission to the Supreme Court.

The Workgroup's report identified numerous recurring challenges in Florida's probate proceedings that contribute to inefficiencies, delays, and inconsistent outcomes statewide. Among these challenges are:

- **Outdated Statutory Small Estate Values:** The statutory value of small estates eligible for Florida's simplified probate processes have not keep pace with inflation and evolving economic conditions, limiting access to simplified probate processes for small estates and resulting in more cases being directed to formal administration.
- **Barriers Imposed by Financial Institutions:** Interactions with financial institutions are a significant source of delay in probate proceedings. Personal representatives frequently face obstacles when financial institutions refuse to honor valid letters of administration, impose inconsistent or extralegal requirements, or restrict access to account information and safe-deposit boxes. These practices delay asset distribution, generate unnecessary court filings, and impose additional burdens on judges, attorneys, and personal representatives.

---

<sup>1</sup> Judicial Management Council Workgroup on Uncontested Probate Proceedings, [Final Report and Recommendations](#) (July 15, 2025).

<sup>2</sup> *In re: Workgroup on Uncontested Probate Proceedings*, Fla. Admin. Order No. AOSC24-20 (April 30, 2024).

- **Clerk Resources:** There is a need for increased funding and support for clerks of court to fulfill expanded probate responsibilities recommended by the Workgroup, including assisting unrepresented persons with completing Supreme Court–approved probate forms.<sup>3</sup>

To address these issues, the Workgroup developed various recommendations<sup>4</sup> to streamline probate procedures, reduce unnecessary delays, optimize judicial resources, and promote greater statewide consistency—with the overarching goal of making probate administration more timely, efficient, and accessible. The statutory recommendations include:

- Amend s. 735.201(2), F.S., to increase the value of estates eligible for summary administration from \$75,000 to \$150,000.
- Amend s. 735.304(1), F.S., to increase the value of intestate estates consisting only of certain personal property that may be disposed of without administration from \$10,000 to \$20,000.
- Amend s. 735.302(1), F.S., to increase the maximum income tax refund that may be claimed by a decedent’s spouse or child without administration of the decedent’s estate from \$2,500 to \$5,000.
- Amend s. 735.303(2), F.S., to increase the maximum amount of funds in a qualified account held by a financial institution that may be distributed to a family member of the decedent by affidavit procedures from \$1,000 to \$2,000.
- Amend s. 655.933, F.S., to require, rather than permit, financial institutions to grant personal representatives access to a decedent’s safe deposit box.
- Amend s. 655.936, F.S., to require financial institutions to allow personal representatives or their attorneys to pay accumulated charges for a safe-deposit box lease and to terminate the safe-deposit box lease.
- Amend ss. 733.603, 733.612, and 733.6171, F.S., to expressly authorize personal representatives to initiate legal proceedings to enforce their authority under the Florida Probate Code and to clarify that attorney involvement in enforcement proceedings constitutes an extraordinary service for which reasonable compensation is warranted.
- Create s. 733.6125, F.S., to require the award of taxable costs, including attorney fees, against any person whose actions or inactions necessitate a successful enforcement proceeding by a personal representative.

The Workgroup’s statutory recommendations are intended to reduce

---

<sup>3</sup> The Workgroup recommended statewide adoption of Supreme Court–approved probate forms to enhance uniformity, reduce confusion, and promote more efficient case processing.

<sup>4</sup> The Workgroup has proposed comprehensive reforms to address its findings, including the creation of an administrative probate process facilitated by magistrates for uncontested probate proceedings, the creation of Supreme Court–approved standardized checklists and forms, additional training and education for the bench and bar, and time limitations for letters of administration.

unnecessary judicial workload while preserving robust judicial safeguards against fraud and error. Updating the statutory values of estates eligible for simplified and expedited probate processes will reduce the number of estates requiring formal administration, thereby enhancing judicial efficiency. Additionally, clarifying the authority of personal representatives and providing for attorney fees in enforcement proceedings are expected to improve financial institution compliance with lawful requests of personal representatives and decrease the volume of disputes requiring court intervention.

The Workgroup also recommended an amendment to s. 28.241, F.S., to repeal a re-open fee exemption for probate proceedings initiated prior to discharge and for disposition of personal property without administration.<sup>5</sup> Potential revenues from repeal of the fee exemption have been identified as a funding source to support clerks' expanded probate responsibilities under the Workgroup's recommendations. In addition to supporting clerk operations, the Workgroup found that the re-open fee may serve as a useful case management tool by encouraging parties to resolve estates within the period prescribed in the letters of administration. The process improvement could reduce the need for courts and clerks to dismiss and later reopen dormant cases.

---

<sup>5</sup> The re-open fee is set by the clerk of court but may not exceed \$50. Section 28.241(1)(b), F.S.

## Draft Legislation

A bill to be entitled

An act relating to probate; amending ss. 28.241, 655.933, 655.936, 733.603, 733.612, 733.6171, 735.201, 735.302, 735.303, and 735.304, F.S.; creating s. 633.6125, F.S.; providing an effective date.

Be it Enacted by the Legislature of the State of Florida.

### **Section 1. Paragraph (b) of subsection (1) of section 28.241, Florida Statutes, is amended to read:**

28.241 Filing fees for trial and appellate proceedings.—

(1) 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 shall pursue collection of the fee pursuant to s. 28.246.

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

1. A writ of garnishment;
2. A writ of replevin;
3. A distress writ;
4. A writ of attachment;
5. A motion for rehearing filed within 10 days;
6. A motion for attorney's fees filed within 30 days after entry of a judgment or final order;
7. A motion for dismissal filed after a mediation agreement has been filed;
- ~~8. A disposition of personal property without administration;~~
- ~~9. Any probate case prior to the discharge of a personal representative;~~
- ~~8. 10. Any guardianship pleading prior to discharge;~~
- ~~9. 11. Any mental health pleading;~~
- ~~10 12. Motions to withdraw by attorneys;~~

- ~~11~~ 13. Motions exclusively for the enforcement of child support orders;
- ~~12~~ 14. A petition for credit of child support;
- ~~13~~ 15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested relocation;
- ~~14~~ 16. Stipulations and motions to enforce stipulations;
- ~~15~~ 17. Responsive pleadings;
- ~~16~~ 18. Cases in which there is no initial filing fee; or
- ~~17~~ 19. Motions for contempt.

**Section 2. Section 655.933, Florida Statutes, is amended to read:**

655.933 Access by fiduciaries.—If a safe-deposit box is made available by a lessor to one or more persons acting as fiduciaries, the lessor ~~may~~, except as otherwise expressly provided in the lease or the writings pursuant to which such fiduciaries are acting, ~~allow access thereto as follows:~~

- (1) Must allow access thereto by any one or more of the persons acting as personal representatives; ~~or-~~
- (2) May allow access thereto by:
  - (a) Any one or more of the persons otherwise acting as fiduciaries if authorized in writing, which writing is signed by all other persons so acting; ~~or-~~
  - ~~(b) (3)~~ By Any agent authorized in writing, which writing is signed by all persons acting as fiduciaries.

**Section 3. Section 655.936, Florida Statutes, is amended to read:**

655.936 Delivery of safe-deposit box contents or property held in safekeeping to personal representative.—

- (1) Subject to the provisions of subsection (3), the lessor must; ~~shall~~
  - (a) Immediately deliver to a personal representative appointed by a court in this state, upon presentation of a certified copy of his or her letters of authority, all property deposited with it by the decedent for safekeeping; ~~and shall~~
  - (b) Grant the personal representative access to any safe-deposit box in the decedent's name and permit him or her to remove from such box any part or all of the contents thereof; and
  - (c) Allow the personal representative or the personal representative's attorney to pay the accumulated charges and terminate the lease.

(2) If a personal representative of a deceased lessee has been appointed by a court of any other state, a lessor may, at its discretion, after 3 months from the issuance to such personal representative of his or her letters of authority, deliver to such personal representative all properties deposited with it for safekeeping and the contents of any safe-deposit box in the name of the decedent if at such time the lessor has not received written notice of the appointment of a personal representative in this state, and such delivery is a valid discharge of the

lessor for all property or contents so delivered. A personal representative appointed by a court of any other state must ~~shall~~ furnish the lessor with an affidavit setting forth facts showing the domicile of the deceased lessee to be other than this state and stating that there are no unpaid creditors of the deceased lessee in this state, together with a certified copy of his or her letters of authority. A lessor making delivery pursuant to this subsection must ~~shall~~ maintain in its files a receipt executed by such personal representative which itemizes in detail all property so delivered.

(3) Notwithstanding the provisions of subsection (1), after the death of a lessee of a safe-deposit box, the lessor must ~~shall~~ permit the initial opening of the safe-deposit box and the removal of the contents of the safe-deposit box in accordance with s. 733.6065.

(4) A lessor is not liable for damages or penalty by reason of any delivery made pursuant to this section.

**Section 4. Section 733.603, Florida Statutes, is amended to read:**

733.603 Personal representative to proceed without court order.—A personal representative must ~~shall~~ proceed expeditiously with the settlement and distribution of a decedent's estate and, except as otherwise specified by this code or ordered by the court, must ~~shall~~ do so without adjudication, order, or direction of the court. A personal representative may invoke the jurisdiction of the court to resolve questions concerning the estate, ~~or its administration,~~ or to enforce the authority of a personal representative conferred by this code.

**Section 5. Subsection (28) is added to section 733.612, Florida Statutes, to read:**

733.612 Transactions authorized for the personal representative; exceptions.—Except as otherwise provided by the will or court order, and subject to the priorities stated in s. 733.805, without court order, a personal representative, acting reasonably for the benefit of the interested persons, may properly:

(28) Institute a proceeding to enforce the authority of a personal representative conferred by this code.

**Section 6. Section 733.6125, Florida Statutes, is created to read:**

733.6125 Proceedings to enforce authority.— In any proceeding to enforce the authority of a personal representative conferred by this code, the court must award taxable costs as in chancery actions, including attorney's fees. When awarding taxable costs and attorney's fees under this section, the court may direct payment from any person whose action or inaction necessitated the enforcement proceeding or from an interest in the estate, and may enter a judgment that may be satisfied from other property.

**Section 7. Subsections (2), (4), (5), and (6) of section 733.6171, Florida**



**Statutes, are amended to read:**

733.6171 Compensation of attorney for the personal representative.—

(2)(a) The attorney, the personal representative, and persons bearing the impact of the compensation may agree to compensation determined in a different manner than provided in this section. Compensation may also be determined in a different manner than provided in this section if the manner is disclosed to the parties bearing the impact of the compensation and if no objection is made as provided for in the Florida Probate Rules.

(b) An attorney representing a personal representative in an estate administration who intends to charge a fee based upon the schedule set forth in subsection (3) must ~~shall~~ make the following disclosures in writing to the personal representative:

1. There is not a mandatory statutory attorney fee for estate administration.

2. The attorney fee is not required to be based on the size of the estate, and the presumed reasonable fee provided in subsection (3) may not be appropriate in all estate administrations.

3. The fee is subject to negotiation between the personal representative and the attorney.

4. The selection of the attorney is made at the discretion of the personal representative, who is not required to select the attorney who prepared the will.

5. The personal representative is ~~shall be~~ entitled to a summary of ordinary and extraordinary services rendered for the fees agreed upon at the conclusion of the representation. The summary must ~~shall~~ be provided by counsel and must ~~shall~~ consist of the total hours devoted to the representation or a detailed summary of the services performed during the representation.

(c) The attorney must ~~shall~~ obtain the personal representative's timely signature acknowledging the disclosures.

(d) If the attorney does not make the disclosures required by this section, the attorney may not be paid for legal services without prior court approval of the fees or the written consent of all interested parties.

(4) Subject to subsection (2), in addition to fees for ordinary services, the attorney for the personal representative must ~~shall~~ be allowed further reasonable compensation for any extraordinary service. What is an extraordinary service may vary depending on many factors, including the size and complexity of the estate. Extraordinary services may include, but are not limited to:

(a) Involvement in a will contest, will construction, a proceeding for determination of beneficiaries, a contested claim, elective share proceeding, apportionment of estate taxes, or any adversarial proceeding or litigation by or against the estate.

(b) Representation of the personal representative in audit or any proceeding for adjustment, determination, or collection of any taxes.

(c) Tax advice on postmortem tax planning, including, but not limited to, disclaimer, renunciation of fiduciary commission, alternate valuation date, allocation of administrative expenses between tax returns, the QTIP or reverse QTIP election, allocation of GST exemption, qualification for Internal Revenue Code ss. 6166 and 303 privileges, deduction of last illness expenses, fiscal year planning, distribution planning, asset basis considerations, handling income or deductions in respect of a decedent, valuation discounts, special use and other valuation, handling employee benefit or retirement proceeds, prompt assessment request, or request for release of personal liability for payment of tax.

(d) Review of estate tax return and preparation or review of other tax returns required to be filed by the personal representative.

(e) Preparation of the estate's federal estate tax return. If this return is prepared by the attorney, a fee of one-half of 1 percent up to a value of \$10 million and one-fourth of 1 percent on the value in excess of \$10 million of the gross estate as finally determined for federal estate tax purposes, is presumed to be reasonable compensation for the attorney for this service. These fees shall include services for routine audit of the return, not beyond the examining agent level, if required.

(f) Purchase, sale, lease, or encumbrance of real property by the personal representative or involvement in zoning, land use, environmental, or other similar matters.

(g) Legal advice regarding carrying on of the decedent's business or conducting other commercial activity by the personal representative.

(h) Legal advice regarding claims for damage to the environment or related procedures.

(i) Legal advice regarding homestead status of real property or proceedings involving that status and services related to protected homestead.

(j) Involvement in fiduciary, employee, or attorney compensation disputes.

(k) Proceedings involving ancillary administration of assets not subject to administration in this state.

(l) Involvement in any proceeding to enforce the authority of a personal representative conferred by this code.

(5) Upon petition of any interested person, the court may increase or decrease the compensation for ordinary services of the attorney or award compensation for extraordinary services if the facts and circumstances of the particular administration warrant. In determining reasonable compensation, the court must ~~shall~~ consider all of the following factors, giving weight to each as it

determines to be appropriate:

(a) The promptness, efficiency, and skill with which the administration was handled by the attorney.

(b) The responsibilities assumed by and the potential liabilities of the attorney.

(c) The nature and value of the assets that are affected by the decedent's death.

(d) The benefits or detriments resulting to the estate or interested persons from the attorney's services.

(e) The complexity or simplicity of the administration and the novelty of issues presented.

(f) The attorney's participation in tax planning for the estate and the estate's beneficiaries and tax return preparation, review, or approval.

(g) The nature of the probate, nonprobate, and exempt assets, the expenses of administration, the liabilities of the decedent, and the compensation paid to other professionals and fiduciaries.

(h) Any delay in payment of the compensation after the services were furnished.

(i) Any agreement relating to the attorney's compensation and whether written disclosures were made to the personal representative in a timely manner under the circumstances pursuant to subsection (2).

(j) Any other relevant factors.

(6) If a separate written agreement regarding compensation exists between the attorney and the decedent, the attorney must ~~shall~~ furnish a copy to the personal representative prior to commencement of employment, and, if employed, must ~~shall~~ promptly file and serve a copy on all interested persons. A separate agreement or a provision in the will suggesting or directing that the personal representative retain a specific attorney does not obligate the personal representative to employ the attorney or obligate the attorney to accept the representation, but if the attorney who is a party to the agreement or who drafted the will is employed, the compensation paid must ~~shall~~ not exceed the compensation provided in the agreement or in the will.

**Section 8. Subsection (2) of section 735.201, Florida Statutes, is amended to read:**

735.201 Summary administration; nature of proceedings.—Summary administration may be had in the administration of either a resident or nonresident decedent's estate, when it appears:

(2) That the value of the entire estate subject to administration in this state, less the value of property exempt from the claims of creditors, does not exceed \$150,000 ~~\$75,000~~ or that the decedent has been dead for more than 2

years.

**Section 9. Subsection (1) of section 735.302, Florida Statutes, is amended to read:**

735.302 Income tax refunds in certain cases.—

(1) In any case when the United States Treasury Department determines that an overpayment of federal income tax exists and the person in whose favor the overpayment is determined is dead at the time the overpayment of tax is to be refunded, and irrespective of whether the decedent had filed a joint and several or separate income tax return, the amount of the overpayment, if not in excess of \$5,000 ~~\$2,500~~, may be refunded as follows:

- (a) Directly to the surviving spouse on his or her verified application; or
- (b) If there is no surviving spouse, to one of the decedent's children who is designated in a verified application purporting to be executed by all of the decedent's children over the age of 14 years.

In either event, the application must show that the decedent was not indebted, that provision has been made for the payment of the decedent's debts, or that the entire estate is exempt from the claims of creditors under the constitution and statutes of the state, and that no administration of the estate, including summary administration, has been initiated and that none is planned, to the knowledge of the applicant.

**Section 10. Paragraph (c) of subsection (3), paragraph (c) of subsection (4), and subsection (2) of section 735.303, Florida Statutes, are amended to read:**

735.303 Payment to successor without court proceedings.—

(2) A financial institution in this state may pay to the family member of a decedent, without any court proceeding, order, or judgment, the funds on deposit in all qualified accounts of the decedent at the financial institution if the total amount of the combined funds in the qualified accounts at the financial institution do not exceed an aggregate total of \$2,000 ~~\$1,000~~. The financial institution may not make such payment earlier than 6 months after the date of the decedent's death.

(3) In order to receive the funds described in subsection (2), the family member must provide to the financial institution a certified copy of the decedent's death certificate and a sworn affidavit that includes all of the following:

(c) A statement attesting that the total amount in all qualified accounts held by the decedent in all financial institutions known to the affiant does not exceed an aggregate total of \$2,000 ~~\$1,000~~.

(4) The family member may use an affidavit in substantially the following

form to fulfill the requirements of subsection (3):

AFFIDAVIT UNDER  
SECTION 735.303, FLORIDA STATUTES,  
TO OBTAIN BANK PROPERTY OF DECEASED  
ACCOUNT HOLDER: (Name of decedent)

State of

County of

Before the undersigned authority personally appeared (name of affiant) , of (residential address of affiant) , who has been sworn and says the following statements are true:

(c) The affiant is entitled to payment of the funds in the decedent's depository accounts and certificates of deposit held by the financial institution (name of financial institution) . The total amount in all qualified accounts held by the decedent in all financial institutions known to the affiant does not exceed an aggregate total of \$2,000 ~~\$1,000~~. The affiant requests full payment from the financial institution.

**Section 11. Subsection (1) of section 735.304, Florida Statutes, is amended to read:**

735.304 Disposition without administration of intestate property in small estates.—

(1) No administration shall be required or formal proceedings instituted upon the estate of a decedent who has died intestate leaving only personal property exempt under the provisions of s. 732.402, personal property exempt from the claims of creditors under the State Constitution, and nonexempt personal property the value of which does not exceed the sum of \$20,000 ~~\$10,000~~ and the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness, provided the decedent has been deceased for more than 1 year and no administration of the decedent's estate is pending in this state.

**Section 12.** This act shall take effect July 1, 2026.

# CourtSmart Tag Report

**Room:** SB 110

**Case No.:**

**Type:**

**Caption:** Senate Judiciary Committee

**Judge:**

**Started:** 1/27/2026 1:02:21 PM

**Ends:** 1/27/2026 2:21:20 PM **Length:** 01:19:00

1:02:21 PM Chair Yarborough calls the meeting to order  
1:02:27 PM Roll call  
1:02:45 PM Chair Yarborough makes opening remarks  
1:03:08 PM Tab 4: SB 532-Court Fees by Senator Simon is TP'd  
1:03:10 PM Tab 5: SB 620-Qualifying Candidates by Senator Mayfield  
1:03:16 PM Chair Yarborough recognizes Sen Mayfield to explain the bill  
1:03:19 PM Sen Mayfield explains the bill  
1:04:00 PM Chair Yarborough reads appearance cards waiving  
1:04:16 PM Chair Yarborough recognizes Sen Mayfield to close on the bill  
1:04:27 PM Roll call  
1:04:48 PM Chair Yarborough reports SB 620  
1:05:02 PM Tab 11: SB 1396-Litigation Financing Consumer Protection by Senator Burton  
1:05:07 PM Chair Yarborough recognizes Vice Chair Burton to explain the bill  
1:05:12 PM Vice Chair Burton explains the bill  
1:07:11 PM Questions:  
1:07:13 PM Sen Polsky  
1:07:34 PM Vice Chair Burton  
1:08:06 PM Sen Polsky  
1:08:18 PM Vice Chair Burton  
1:08:35 PM Sen Polsky  
1:08:47 PM Vice Chair Burton  
1:09:00 PM Sen Polsky  
1:09:14 PM Vice Chair Burton  
1:09:58 PM Sen Polsky  
1:10:10 PM Vice Chair Burton  
1:10:35 PM Public Testimony:  
1:10:47 PM Bob Schulte, Florida Justice Reform Institute  
1:12:20 PM Chair Yarborough  
1:12:26 PM Bob Schulte  
1:12:51 PM Caroline Gieser, American Tort Reform Association  
1:16:19 PM Sen Polsky  
1:16:38 PM Caroline Gieser  
1:17:46 PM Sen Polsky  
1:18:10 PM Caroline Gieser  
1:19:24 PM George Feijoo, U.S. Chamber Institute for Legal Reform  
1:23:45 PM Bill Cotterall, Florida Justice Association  
1:27:02 PM Chair Yarborough reads appearance cards waiving  
1:27:46 PM Chair Yarborough recognizes Vice Chair Burton to close on the bill  
1:28:43 PM Roll call  
1:29:10 PM Chair Yarborough reports SB 1396  
1:29:22 PM Recess  
1:29:25 PM Recording Paused

**1:30:41 PM** Recording Resumed  
**1:31:00 PM** Tab 2: SB 192-Patient Funds held in Trust by Chiropractic Physicians by Senator Martin  
**1:31:11 PM** Chair Yarborough recognizes Sen Martin to explain the bill  
**1:31:14 PM** Sen Martin explains the bill  
**1:31:25 PM** Chair Yarborough  
**1:31:31 PM** Sen Osgood  
**1:32:00 PM** Chair Yarborough  
**1:32:23 PM** Chair Yarborough reads appearance cards waiving  
**1:32:25 PM** Public Testimony:  
**1:32:29 PM** Dr. Rick Means, Florida Chiropractors Association  
**1:33:38 PM** Roll call  
**1:34:02 PM** Chair Yarborough reports SB 192  
**1:34:15 PM** Tab 8: SB 888-Professional Services Contracts by Senator Martin  
**1:34:18 PM** Chair Yarborough recognizes Sen Martin to explain the bill  
**1:34:20 PM** Sen Martin explains the bill  
**1:35:06 PM** Public Testimony:  
**1:35:20 PM** Peter Moore  
**1:37:20 PM** Chair Yarborough reads appearance cards waiving  
**1:37:50 PM** Sen Martin waives close on the bill  
**1:37:54 PM** Roll call  
**1:38:12 PM** Chair Yarborough reports SB 888  
**1:38:30 PM** Tab 3: SB 332-Public Meetings by Senator Bradley  
**1:38:34 PM** Chair Yarborough recognizes Sen Bradley to explain amendment 865486  
**1:38:36 PM** Sen Bradley explains the bill  
**1:40:08 PM** Questions:  
**1:40:10 PM** Sen Osgood  
**1:40:21 PM** Sen Bradley  
**1:41:46 PM** Chair Yarborough reads appearance cards waiving  
**1:42:27 PM** Chair Yarborough recognizes Sen Bradley to close on the bill  
**1:43:10 PM** Roll call  
**1:43:32 PM** Chair Yarborough reports CS/SB 332  
**1:43:40 PM** Tab 7: SB 820-Problem-solving Court Reports  
**1:43:45 PM** Chair Yarborough recognizes Sen Bradley to explain the bill  
**1:43:47 PM** Sen Bradley  
**1:45:10 PM** Roll call  
**1:45:30 PM** Chair Yarborough reports SB 820  
**1:45:40 PM** Tab 12: SB 1500-Estates by Senator Bradley  
**1:45:46 PM** Chair Yarborough recognizes Sen Bradley to explain the bill  
**1:45:47 PM** Sen Bradley  
**1:47:31 PM** Chair Yarborough reads appearance cards waiving  
**1:47:41 PM** Sen Bradley closes on bill  
**1:47:52 PM** Roll call  
**1:48:13 PM** Chair Yarborough reports SB 1500  
**1:48:26 PM** Tab 6: SB 694-Compensation of the Descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas by Senator Bracy Davis  
**1:48:28 PM** Chair Yarborough recognizes Sen Bracy Davis to explain the bill  
**1:48:33 PM** Sen Bracy Davis  
**1:51:05 PM** Questions:  
**1:51:08 PM** Sen Hooper  
**1:51:42 PM** Sen Bracy Davis  
**1:52:01 PM** Sen Hooper  
**1:52:35 PM** Chair Yarborough recognizes Sen Bracy Davis to explain amendment 412616

1:52:41 PM Sen Bracy Davis  
1:53:40 PM Public Testimony:  
1:53:45 PM Beverly Robinson  
1:59:35 PM Kiara Nixon, Equal Ground  
2:02:15 PM Adjournment  
2:02:58 PM Delaitre Hollinger  
2:04:40 PM Jonathan Webber, Southern Poverty Law Center  
2:07:12 PM Chair Yarborough reads appearance cards waiving  
2:07:40 PM Debate:  
2:07:46 PM Sen Osgood  
2:09:36 PM Chair Yarborough recognizes Sen Bracy Davis to close on the bill  
2:09:41 PM Sen Bracy Davis closes on the bill  
2:10:51 PM Roll call  
2:11:13 PM Chair Yarborough reports CS/SB 694  
2:11:22 PM Tab 1: SB 144-Public Records/Judicial Qualifications Commission by Senator Rouson  
2:11:31 PM Chair Yarborough recognizes Sen Rouson to explain the bill  
2:11:35 PM Sen Rouson  
2:13:16 PM Chair Yarborough reads appearance cards waiving  
2:13:29 PM Roll call  
2:13:52 PM Chair Yarborough reports SB 144  
2:13:59 PM Tab 10: SB 1224-Fraudulent Entry of Residential Dwellings by Senator Rodriguez  
2:14:30 PM Chair Yarborough recognizes Sen Rodriguez to explain amendment 809630  
2:15:09 PM Sen Rodriguez  
2:16:06 PM Chair Yarborough reads appearance cards waiving  
2:16:12 PM Sen Rodriguez waives close on the bill  
2:16:21 PM Roll call  
2:16:42 PM Chair Yarborough reports CS/SB 1224  
2:16:56 PM Chair Yarborough recognizes Sen Osgood for a recognition  
2:17:28 PM Tab 9: SB 1000-Trust Fund Interest for Purposes Approved by the Supreme Court by Senator Grall  
2:17:33 PM Chair Yarborough recognizes Sen Grall to explain the bill  
2:17:37 PM Sen Grall explains the bill  
2:18:29 PM Public Testimony:  
2:18:33 PM Chair Yarborough reads appearance cards waiving  
2:18:37 PM Anthony DiMarco, Florida Bankers Association  
2:18:52 PM Debate:  
2:18:55 PM Sen Passidomo  
2:19:21 PM Chair Yarborough recognizes Sen Grall to close on the bill  
2:19:23 PM Sen Grall closes on the bill  
2:19:52 PM Roll call  
2:20:17 PM Chair Yarborough reports SB 1000  
2:20:38 PM Sen Osgood motions to record vote after roll call for Tab 5, affirmative  
2:20:48 PM Sen Passidomo motions to record votes after roll call for Tab 2 and Tab 8, affirmative  
2:20:56 PM Sen Gaetz motions to record votes after roll call for Tabs 5, 11, 2, and 8, affirmative  
2:21:04 PM Sen Trumbull motions to record votes after roll call for Tab 2 and Tab 8, affirmative  
2:21:15 PM Adjournment





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations Committee on Agriculture,  
Environment, and General Government, *Vice Chair*  
Appropriations  
Education Postsecondary  
Education Pre-K - 12  
Health Policy  
Judiciary  
Rules

### JOINT COMMITTEE:

Joint Legislative Budget Commission

### SENATOR LORI BERMAN

*Democratic Leader*

26th District

## MEMORANDUM

**To:** Senator Yarborough

**From:** Senator Berman

**Subject:** Absence

**Date:** January 22, 2026

---

Good afternoon, Chair Yarborough,

Please excuse my absence from the Judiciary Committee on January 27, 2025. Please let me know if you have any questions.

All the best,

A handwritten signature in cursive script that reads "Lori Berman". The signature is written in black ink and is followed by a horizontal line.

### REPLY TO:

- ☐ 2300 High Ridge Road, Suite 161, Boynton Beach, Florida 33426 (561) 292-6014 FAX: (888) 284-6491
- ☐ 228 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5026

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore