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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to courts; amending s. 25.221, F.S.; deleting the requirement that the Clerk of the Supreme Court physically keep books, records, and other materials in the clerk's office; amending s. 25.301, F.S.; deleting the requirement that Supreme Court decisions and orders remain in the clerk's office; amending s. 28.2457, F.S.; requiring the clerks of the circuit court, with specified entities, to prepare a plan to procure or develop a statewide electronic solution to accurately identify all assessments mandated by statute; requiring the plan to address certain considerations relating to the implementation of the electronic solution; requiring the clerks to submit the plan to the Legislature by a specified date; deleting a provision requiring the clerks to annually submit a uniform form for identification and imposition of mandated assessments to the Supreme Court; amending s. 34.01, F.S.; providing for the periodic inflationary adjustment of the monetary jurisdictional limit applicable to all actions at law in county courts filed on or after a specified date, beginning in 2030; requiring the Office of Economic and Demographic Research to periodically calculate and certify such jurisdictional limit to the Chief Justice of the Supreme Court by a specified date; requiring specified entities to publish the adjusted



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28 jurisdictional limit on their websites; deleting
29 obsolete language; amending s. 35.15, F.S.; deleting
30 the requirement that decisions and orders of district
31 courts of appeal remain in the office of the clerk of
32 any such court; amending s. 35.23, F.S.; requiring the
33 clerk of a district court of appeal to have an office
34 at the headquarters of the court; deleting a
35 requirement that the clerk keep records at the
36 headquarters office; amending s. 35.24, F.S.; deleting
37 the requirement that the clerk of a district court of
38 appeal physically keep books, records, and other
39 materials in the clerk's office; amending s. 40.23,
40 F.S.; authorizing any person who has been summoned for
41 jury service to postpone such service for an
42 additional timeframe in the event of a declared public
43 health emergency or a state of emergency; specifying
44 requirements for any such request; amending s.
45 812.014, F.S.; removing the requirement that
46 fingerprints be taken in open court and in the judge's
47 presence upon a judgment of guilt of petit theft;
48 authorizing the electronic capture of fingerprints;
49 requiring the court officer, the employee of the
50 court, or the employee of a criminal justice agency
51 who captures fingerprints to sign a specified
52 certification; amending s. 921.241, F.S.; removing the
53 requirement that fingerprints be taken in open court
54 and in the judge's presence upon a judgment of guilt
55 for a felony; authorizing the electronic capture of
56 fingerprints; requiring the court officer, the



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57 employee of the court, or the employee of a criminal
58 justice agency who captures fingerprints to sign a
59 specified certification; conforming a provision to
60 changes made by the act; removing the requirement that
61 a judge obtain a defendant's social security number at
62 the time of fingerprinting; amending s. 921.242, F.S.;
63 removing the requirement that fingerprints be taken in
64 open court and in the judge's presence upon a judgment
65 of guilt for an offense under ch. 796, F.S.;
66 authorizing the electronic capture of fingerprints;
67 requiring the court officer, the employee of the
68 court, or the employee of a criminal justice agency
69 who captures fingerprints to sign a specified
70 certification; conforming a provision to changes made
71 by the act; providing an effective date.

72

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

74

75 Section 1. Section 25.221, Florida Statutes, is amended to
76 read:

77 25.221 Maintenance Custody of books, records, and other
78 materials etc.—All books, papers, records, files, and the seal
79 of the Supreme Court must be maintained by ~~shall be kept in the~~
80 ~~office of the clerk of said court~~ and be in the clerk's control,
81 as prescribed by the Supreme Court ~~custody~~.

82 Section 2. Section 25.301, Florida Statutes, is amended to
83 read:

84 25.301 Decisions to be filed; copies to be furnished.—All
85 decisions and opinions delivered by the Supreme ~~said~~ Court, or



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86 any justice thereof, relating in relation to any action or
87 proceeding pending in the said court must shall be filed and
88 remain in the office of the clerk and maintained by the clerk in
89 the manner prescribed by the Supreme Court. Such decisions or
90 opinions may, and shall not be taken out from the clerk's
91 maintenance or control except by order of the court; however,
92 the but said clerk must shall at all times be required to
93 furnish certified copies of such opinions and decisions to any
94 person who makes such a request may desire the same certified
95 copies of such opinions and decisions, upon receiving any
96 required fees his or her fees therefor.

97 Section 3. Subsection (2) of section 28.2457, Florida
98 Statutes, is amended to read:

99 28.2457 Mandatory monetary assessments.—

100 (2) The clerks of the circuit courts shall collaborate with
101 the state courts through the Florida Courts Technology
102 Commission to prepare a plan to procure or develop a statewide
103 electronic solution that will accurately identify all
104 assessments mandated by statute. The plan must, at a minimum,
105 address operational, technological, and fiscal considerations
106 related to the implementation of the electronic solution. The
107 clerks shall submit the plan to the President of the Senate and
108 the Speaker of the House of Representatives no later than
109 January 1, 2022 ~~The clerks of court, through their association~~
110 ~~and in consultation with the Office of the State Courts~~
111 ~~Administrator, shall develop by October 1, 2012, a uniform form~~
112 ~~for the identification and imposition of all assessments~~
113 ~~mandated by statute. The clerks shall submit the form by that~~
114 ~~date, and by October 1 every year thereafter if necessary to~~



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115 ~~reflect changes in the law, to the Supreme Court for approval.~~
116 ~~Upon approval of the form by the Supreme Court, all circuit and~~
117 ~~county courts shall use the form.~~

118 Section 4. Subsection (1) of section 34.01, Florida
119 Statutes, is amended to read:

120 34.01 Jurisdiction of county court.—

121 (1) County courts shall have original jurisdiction:

122 (a) In all misdemeanor cases not cognizable by the circuit
123 courts.

124 (b) Of all violations of municipal and county ordinances.

125 (c) Of all actions at law, except those within the
126 exclusive jurisdiction of the circuit courts, in which the
127 matter in controversy does not exceed, exclusive of interest,
128 costs, and attorney fees:

129 1. If filed on or before December 31, 2019, the sum of
130 \$15,000.

131 2. If filed on or after January 1, 2020, the sum of
132 \$30,000.

133 3. If filed on or after January 1, 2023, the sum of
134 \$50,000.

135
136 Effective July 1, 2030, and every 10 years thereafter, the
137 \$50,000 jurisdictional limit in subparagraph 3. must be adjusted
138 and increased by the percentage change in the Consumer Price
139 Index for All Urban Consumers, U.S. City Average, All Items
140 1982-84=100, or successor reports, for the preceding 10 calendar
141 years as initially reported by the United States Department of
142 Labor, Bureau of Labor Statistics. The adjusted jurisdictional
143 limit must be rounded to the nearest \$5,000. However, the



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144 jurisdictional limit may not be lower than \$50,000. The Office
145 of Economic and Demographic Research must calculate the adjusted
146 jurisdictional limit and certify the adjusted jurisdictional
147 limit to the Chief Justice of the Supreme Court beginning
148 January 31, 2030, and every 10 years thereafter. The Office of
149 Economic and Demographic Research and the Office of the State
150 Courts Administrator must publish the adjusted jurisdictional
151 limit on their websites.

152 (d) Of disputes occurring in the homeowners' associations
153 as described in s. 720.311(2)(a), which shall be concurrent with
154 jurisdiction of the circuit courts.

155
156 ~~By February 1, 2021, the Office of the State Courts~~
157 ~~Administrator shall submit a report to the Governor, the~~
158 ~~President of the Senate, and the Speaker of the House of~~
159 ~~Representatives. The report must make recommendations regarding~~
160 ~~the adjustment of county court jurisdiction, including, but not~~
161 ~~limited to, consideration of the claim value of filings in~~
162 ~~county court and circuit court, case events, timeliness in~~
163 ~~processing cases, and any fiscal impact to the state as a result~~
164 ~~of adjusted jurisdictional limits. The clerks of the circuit~~
165 ~~court and county court shall provide claim value data and~~
166 ~~necessary case event data to the office to be used in~~
167 ~~development of the report. The report must also include a review~~
168 ~~of fees to ensure that the court system is adequately funded and~~
169 ~~a review of the appellate jurisdiction of the district courts~~
170 ~~and the circuit courts, including the use of appellate panels by~~
171 ~~circuit courts.~~

172 Section 5. Section 35.15, Florida Statutes, is amended to



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173 read:

174 35.15 Decisions to be filed; copies to be furnished.—All
175 decisions and opinions delivered by the district courts of
176 appeal, or any judge thereof, relating in relation to any action
177 or proceeding pending in such said court must shall be filed and
178 remain in the office of the clerk and maintained in the control
179 of the clerk. Such decisions and opinions may, and shall not be
180 taken from the clerk's maintenance or control therefrom except
181 by order of the court; however, the but said clerk must shall at
182 all times be required to furnish certified copies of such
183 opinions and decisions to any person who makes such a request
184 may desire the same certified copies of such opinions and
185 decisions, upon receiving any required fees his or her fees
186 therefor.

187 Section 6. Section 35.23, Florida Statutes, is amended to
188 read:

189 35.23 Location of clerk's office.—Each clerk shall have an
190 office keep his or her records at the headquarters of the
191 district court of appeal.

192 Section 7. Section 35.24, Florida Statutes, is amended to
193 read:

194 35.24 Maintenance Custody of books, records, and other
195 materials etc.—All books, papers, records, files and the seal of
196 each district court of appeal shall be maintained by, and in the
197 control of, kept in the office of the clerk of the said court.

198 Section 8. Subsection (2) of section 40.23, Florida
199 Statutes, is amended to read:

200 40.23 Summoning jurors.—

201 (2) The jury service of any person who has been summoned



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202 may be postponed for a period not to exceed 6 months upon
203 written or oral request. However, if either a public health
204 emergency has been declared by the State Health Officer pursuant
205 to s. 381.00315 or a state of emergency has been declared by the
206 Governor pursuant to s. 252.36(2), the jury service of any
207 person who has been summoned may be postponed for a period not
208 to exceed 12 months upon written or oral request. The request
209 may specify a date or period of time to which service is to be
210 postponed and, if so, shall be given consideration when the
211 assignment of the postponed date of jury service is made.

212 Section 9. Paragraph (d) of subsection (3) of section
213 812.014, Florida Statutes, is amended to read:

214 812.014 Theft.—

215 (3)

216 (d)1. A judgment of guilty or not guilty of a petit theft
217 must ~~shall~~ be in:

218 a. A written record that is signed by the judge and
219 recorded by the clerk of the circuit court; or

220 b. An electronic record that contains the judge's
221 electronic signature as defined in s. 933.40 and is recorded by
222 the clerk of the circuit court.

223 2. ~~A At the time a defendant is found guilty of petit~~
224 ~~theft, the judge shall cause the following to occur in open~~
225 ~~court and in the judge's presence:~~

226 ~~a. For a written judgment of guilty, the fingerprints of a~~
227 ~~the defendant who is found guilty of petit theft to against whom~~
228 ~~such judgment is rendered shall be manually taken or~~
229 ~~electronically captured and affixed beneath the judge's~~
230 ~~signature on the judgment. Beneath Such fingerprints must be~~



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231 ~~certified and filed in the case in which the judgment of guilty~~
232 ~~is entered as provided in s. 921.241(3). shall be appended a~~
233 ~~certificate to the following effect:~~

234
235 ~~"I hereby certify that the above and foregoing fingerprints~~
236 ~~on this judgment are the fingerprints of the defendant, . . . ,~~
237 ~~and that they were placed thereon by said defendant in my~~
238 ~~presence, in open court, this the day of ,~~
239 ~~. . . (year)"~~

240
241 ~~Such certificate shall be signed by the judge, whose signature~~
242 ~~thereto shall be followed by the word "Judge."~~

243 ~~b. For an electronic judgment of guilty, the fingerprints~~
244 ~~of the defendant must be electronically captured and a~~
245 ~~certificate must be issued as provided in s. 921.241(3)(b).~~

246 3. A written or an electronic judgment of guilty of a petit
247 theft, or a certified copy thereof, is admissible in evidence in
248 the courts of this state as provided in s. 921.241(4).

249 Section 10. Section 921.241, Florida Statutes, is amended
250 to read:

251 921.241 Felony judgments ~~and~~ fingerprints ~~and social~~
252 ~~security number~~ required in record.—

253 (1) As used in this section, the term:

254 (a) "Electronic signature" has the same meaning as in s.
255 933.40.

256 (b) "Transaction control number" means the unique
257 identifier comprised of numbers, letters, or other symbols for a
258 digital fingerprint record generated by the device used to
259 electronically capture the fingerprints.



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260 (2) A judgment of guilty or not guilty of a felony must
261 ~~shall~~ be in:

262 (a) A written record ~~that is~~ signed by the judge and
263 recorded by the clerk of the court; or

264 (b) An electronic record that contains the judge's
265 electronic signature and is recorded by the clerk of the court.

266 (3) ~~A At the time a defendant is found guilty of a felony,~~
267 ~~the judge shall cause the following to occur in open court and~~
268 ~~in the judge's presence:~~

269 (a) ~~For a written judgment of guilty, the fingerprints of a~~
270 ~~the defendant~~ who is found guilty of a felony to shall be
271 manually taken or electronically captured. If the fingerprints
272 are:

273 (a) Manually taken, the fingerprints must be filed in the
274 case in which ~~and affixed beneath the judge's signature on the~~
275 judgment of guilty is entered. Beneath such fingerprints shall
276 be appended a certification ~~certificate~~ to the following effect:

277
278 "I hereby certify that the above and foregoing fingerprints
279 ~~on this judgment~~ are the fingerprints of the defendant,,
280 and that they were placed thereon by said defendant in my
281 presence, ~~in open court,~~ this the day of,
282 . . . (year)"

283
284 The court officer, the employee of the court, or the employee of
285 a criminal justice agency who manually took the fingerprints
286 shall place his or her written signature on the certification.
287 ~~Such certificate shall be signed by the judge, whose signature~~
288 ~~thereto shall be followed by the word "Judge."~~



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289 (b) ~~For an electronic judgment of guilty, the fingerprints~~
290 ~~of the defendant shall be~~ Electronically captured, ~~and the~~
291 following certification must ~~certificate shall be~~ filed in the
292 case in which ~~included in the electronic judgment of guilty is~~
293 entered:

294
295 "I hereby certify that the digital fingerprint record
296 associated with Transaction Control Number contains the
297 fingerprints of the defendant,, which were electronically
298 captured from the defendant in my presence, ~~in open court,~~ this
299 the day of, ... (year)...."

300
301 The court officer, the employee of the court, or the employee of
302 a criminal justice agency who electronically captured the
303 fingerprints ~~judge~~ shall place his or her written or electronic
304 signature, ~~which shall be followed by the word "Judge,"~~ on the
305 certification certificate.

306 (4) A written or electronic judgment of guilty, or a
307 certified copy thereof, is ~~shall be~~ admissible in evidence in
308 the several courts of this state as prima facie evidence that
309 the:

310 (a) Manual fingerprints filed in the case in which the
311 judgment of guilty is entered ~~appearing thereon~~ and certified ~~by~~
312 ~~the judge~~ as specified in this section ~~aforsaid~~ are the
313 fingerprints of the defendant against whom the judgment of
314 guilty was rendered.

315 (b) Digital fingerprint record associated with the
316 transaction control number specified in the certification
317 required by this section and filed in the case in which the



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318 judgment of guilty is entered ~~judge's certificate~~ contains the
319 fingerprints of the defendant against whom the judgment of
320 guilty was rendered.

321 ~~(5) At the time the defendant's fingerprints are manually~~
322 ~~taken or electronically captured, the judge shall also cause the~~
323 ~~defendant's social security number to be taken. The defendant's~~
324 ~~social security number shall be specified in each written or~~
325 ~~electronic judgment of guilty of a felony, in open court, in the~~
326 ~~presence of such judge, and at the time the judgment is~~
327 ~~rendered. If the defendant is unable or unwilling to provide his~~
328 ~~or her social security number, the reason for its absence shall~~
329 ~~be specified in the written or electronic judgment.~~

330 Section 11. Section 921.242, Florida Statutes, is amended
331 to read:

332 921.242 Subsequent offenses under chapter 796; method of
333 proof applicable.—

334 (1) A judgment of guilty with respect to any offense
335 governed by ~~the provisions of~~ chapter 796 must ~~shall~~ be in:

336 (a) A written record ~~that is~~ signed by the judge and
337 recorded by the clerk of the circuit court; or

338 (b) An electronic record that contains the judge's
339 electronic signature as defined in s. 933.40 and is recorded by
340 the clerk of the circuit court.

341 (2) ~~A~~ At the time a defendant is found guilty, the judge
342 shall cause the ~~following to occur in open court and in the~~
343 ~~judge's presence:~~

344 ~~(a) For a written judgment of guilty, the fingerprints of a~~
345 ~~the defendant~~ who is found guilty of any offense governed by
346 chapter 796 to ~~against whom such judgment is rendered shall be~~



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347 manually taken or electronically captured. ~~and affixed beneath~~
348 ~~the judge's signature on the judgment. Beneath~~ Such fingerprints
349 must be certified and filed in the case in which the judgment of
350 guilty is entered as provided in s. 921.241(3). ~~shall be~~
351 ~~appended a certificate to the following effect:~~

352
353 "I hereby ~~certify that the above and foregoing fingerprints~~
354 ~~are of the defendant, ... (name) ..., and that they were placed~~
355 ~~thereon by said defendant in my presence, in open court, this~~
356 ~~the day of, ... (year)"~~

357
358 ~~Such certificate shall be signed by the judge, whose signature~~
359 ~~thereto shall be followed by the word "Judge."~~

360 ~~(b) For an electronic judgment of guilty, the fingerprints~~
361 ~~of the defendant must be electronically captured, and a~~
362 ~~certificate must be issued as provided in s. 921.241(3) (b).~~

363 (3) A written or an electronic judgment of guilty, or a
364 certified copy thereof, is ~~shall be~~ admissible in evidence in
365 the several courts of this state as provided in s. 921.241(4).

366 Section 12. This act shall take effect July 1, 2021.