

By Senator Hutson

7-00687A-23

20231130\_\_

1                                   A bill to be entitled  
2       An act relating to clerks of the court; amending s.  
3       28.101, F.S.; requiring the clerk to deposit a certain  
4       portion of the filing fee for dissolution of marriage  
5       into the fine and forfeiture fund; amending s.  
6       28.2401, F.S.; deleting the requirement that the clerk  
7       remit a portion of a certain filing fee in probate  
8       matters to the Department of Revenue for deposit into  
9       the General Revenue Fund; amending s. 28.241, F.S.;  
10      deleting the requirement that the clerk submit  
11      portions of filing fees collected in excess of the  
12      clerk's total monthly budget for deposit into the  
13      Clerks of the Court Trust Fund; revising the portions  
14      of certain filing fees the clerk must remit to the  
15      department for deposit into the General Revenue Fund;  
16      requiring the clerk to deposit the service charge for  
17      an original or certified or electronic copy of a  
18      summons into the fine and forfeiture fund; amending s.  
19      28.35, F.S.; requiring the Florida Clerks of Court  
20      Operations Corporation to annually prepare a budget  
21      request to fund increases in employer contributions to  
22      the Florida Retirement System for court-related  
23      employees; requiring that the request conform to the  
24      form and manner prescribed by the Justice  
25      Administrative Commission; authorizing the commission  
26      to make technical changes under specified  
27      circumstances; requiring that the request be submitted  
28      to the Governor for transmittal to the Legislature;  
29      conforming a provision to changes made by the act;

7-00687A-23

20231130\_\_

30 amending s. 28.37, F.S.; revising the portion of all  
31 fines, fees, service charges, and costs collected by  
32 the clerk which must be remitted to the Department of  
33 Revenue for deposit into the Clerks of Court Trust  
34 Fund; requiring the clerk of the court to submit such  
35 revenues quarterly rather than monthly; amending s.  
36 34.041, F.S.; requiring the court to deposit the  
37 filing fee associated with certain pleadings in civil  
38 actions into the fine and forfeiture fund under  
39 specified circumstances; amending s. 40.29, F.S.;  
40 revising the petitions and orders for which a clerk  
41 may request the reimbursement of filing fees from the  
42 Justice Administrative Commission; requiring the clerk  
43 to pay a law enforcement agency serving an injunction  
44 a specified fee if the agency requests the payment;  
45 authorizing the clerk to seek reimbursement from the  
46 commission for specified petitions for civil indigent  
47 status, subject to an appropriation; requiring the  
48 Florida Clerks of Court Operations Corporation to  
49 submit to the commission a certified request for  
50 reimbursement for the amount required for each county  
51 to fund the employer contribution rate increases  
52 required by the Florida Retirement System for  
53 applicable court-related employees, subject to an  
54 appropriation; amending s. 318.18, F.S.; revising the  
55 portions of a civil penalty the clerk must remit to  
56 the department to deposit into the General Revenue  
57 Fund; requiring the clerk to retain a portion of the  
58 civil penalty to be deposited into the Public Records

7-00687A-23

20231130\_\_

59 Modernization Trust Fund for a specified purpose;  
60 deleting a prohibition against using a specified  
61 assessment for all noncriminal moving and nonmoving  
62 violations as revenue to establish the budget of the  
63 clerk; amending s. 741.30, F.S.; deleting a provision  
64 authorizing the clerk of the circuit court to request  
65 reimbursement for filing fees for petitions for  
66 protection against domestic violence; amending s.  
67 784.046, F.S.; deleting a provision authorizing the  
68 clerk of the circuit court to request reimbursement  
69 for filing fees for petitions for protection against  
70 repeat violence, sexual violence, or dating violence;  
71 amending s. 784.0485, F.S.; deleting a provision  
72 authorizing the clerk of the circuit court to request  
73 reimbursement for filing fees for petitions for  
74 protection against stalking; providing an effective  
75 date.

76  
77 Be It Enacted by the Legislature of the State of Florida:

78  
79 Section 1. Paragraph (c) of subsection (1) of section  
80 28.101, Florida Statutes, is amended to read:

81 28.101 Petitions and records of dissolution of marriage;  
82 additional charges.—

83 (1) When a party petitions for a dissolution of marriage,  
84 in addition to the filing charges in s. 28.241, the clerk shall  
85 collect and receive:

86 (c) A charge of \$37.50. ~~On a monthly basis,~~ The clerk shall  
87 deposit ~~transfer~~ the moneys collected pursuant to this paragraph

7-00687A-23

20231130\_\_

88 into the fine and forfeiture fund established by s. 142.01 to  
89 ~~the Department of Revenue for deposit in the General Revenue~~  
90 ~~Fund.~~

91 Section 2. Subsection (1) of section 28.2401, Florida  
92 Statutes, is amended to read:

93 28.2401 Service charges and filing fees in probate  
94 matters.—

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

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

105 (b) Charge for caveat.....\$40

106 (c) Fee for petition and order to admit foreign wills,  
107 authenticated copies, exemplified copies, or transcript to  
108 record.....\$230

109 (d) Fee for disposition of personal property without  
110 administration.....\$230

111 (e) Fee for summary administration—estates valued at \$1,000  
112 or more.....\$340

113 (f) Fee for summary administration—estates valued at less  
114 than \$1,000.....\$230

115 (g) Fee for formal administration, guardianship, ancillary,  
116 curatorship, or conservatorship proceedings.....\$395

7-00687A-23

20231130\_\_

- 117 (h) Fee for guardianship proceedings of person only.....\$230
- 118 (i) Fee for veterans' guardianship pursuant to chapter
- 119 744.....\$230
- 120 (j) Charge for exemplified certificates.....\$7
- 121 (k) Fee for petition for determination of incompetency..\$230

122

123 The clerk shall remit \$115 of each filing fee collected under

124 paragraphs (a), (c)-(i), and (k) to the Department of Revenue

125 for deposit into the State Courts Revenue Trust Fund and shall

126 ~~remit \$15 of each filing fee collected under paragraphs (a),~~

127 ~~(c), (d), (f), (h), (i), and (k), \$1 of each filing fee~~

128 ~~collected under paragraph (j), \$5 of each filing fee collected~~

129 ~~under paragraph (b), \$25 of each filing fee collected under~~

130 ~~paragraph (e), and \$30 of each filing fee collected under~~

131 ~~paragraph (g) to the Department of Revenue for deposit into the~~

132 ~~General Revenue Fund.~~

133 Section 3. Paragraphs (a) and (d) of subsection (1) of

134 section 28.241, Florida Statutes, are amended to read:

135 28.241 Filing fees for trial and appellate proceedings.—

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

137 pleading to initiate a proceeding or files a pleading for

138 relief. Reopen fees are due at the time a party files a pleading

139 to reopen a proceeding if at least 90 days have elapsed since

140 the filing of a final order or final judgment with the clerk. If

141 a fee is not paid upon the filing of the pleading as required

142 under this section, the clerk shall pursue collection of the fee

143 pursuant to s. 28.246.

144 (a)1.a. Except as provided in sub-subparagraph b. and

145 subparagraph 2., the party instituting any civil action, suit,

7-00687A-23

20231130\_\_

146 or proceeding in the circuit court shall pay to the clerk of  
147 that court a filing fee of up to \$395 in all cases in which  
148 there are not more than five defendants and an additional filing  
149 fee of up to \$2.50, from which the clerk shall remit \$0.50 to  
150 the Department of Revenue for deposit into the General Revenue  
151 Fund, for each defendant in excess of five. Of the first \$200 in  
152 filing fees, \$195 must be remitted to the Department of Revenue  
153 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
154 remitted to the Department of Revenue for deposit into the  
155 Administrative Trust Fund within the Department of Financial  
156 Services and used to fund the contract with the Florida Clerks  
157 of Court Operations Corporation created in s. 28.35, and \$1 must  
158 be remitted to the Department of Revenue for deposit into the  
159 Administrative Trust Fund within the Department of Financial  
160 Services to fund audits of individual clerks' court-related  
161 expenditures conducted by the Department of Financial Services.  
162 ~~By the 10th of each month, the clerk shall submit that portion~~  
163 ~~of the filing fees collected in the previous month which is in~~  
164 ~~excess of one-twelfth of the clerk's total budget to the~~  
165 ~~Department of Revenue for deposit into the Clerks of the Court~~  
166 ~~Trust Fund.~~

167 b. The party instituting any civil action, suit, or  
168 proceeding in the circuit court under chapter 39, chapter 61,  
169 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
170 753 shall pay to the clerk of that court a filing fee of up to  
171 \$295 in all cases in which there are not more than five  
172 defendants and an additional filing fee of up to \$2.50 for each  
173 defendant in excess of five. Of the first \$100 in filing fees,  
174 \$95 must be remitted to the Department of Revenue for deposit

7-00687A-23

20231130\_\_

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

184 c. An additional filing fee of \$4 shall be paid to the  
185 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
186 for deposit into the Court Education Trust Fund and shall remit  
187 50 cents to the Department of Revenue for deposit into the  
188 Administrative Trust Fund within the Department of Financial  
189 Services to fund clerk education provided by the Florida Clerks  
190 of Court Operations Corporation. An additional filing fee of up  
191 to \$18 shall be paid by the party seeking each severance that is  
192 granted, from which the clerk shall remit \$3 to the Department  
193 of Revenue for deposit into the General Revenue Fund. The clerk  
194 may impose an additional filing fee of up to \$85, from which the  
195 clerk shall remit \$10 to the Department of Revenue for deposit  
196 into the General Revenue Fund, for all proceedings of  
197 garnishment, attachment, replevin, and distress. Postal charges  
198 incurred by the clerk of the circuit court in making service by  
199 certified or registered mail on defendants or other parties  
200 shall be paid by the party at whose instance service is made.  
201 Additional fees, charges, or costs may not be added to the  
202 filing fees imposed under this section, except as authorized in  
203 this section or by general law.

7-00687A-23

20231130\_\_

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

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

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

226           d. The party shall pay a filing fee of:

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

7-00687A-23

20231130\_\_

233 into the General Revenue Fund, \$4 must be remitted to the  
234 Department of Revenue for deposit into the Administrative Trust  
235 Fund within the Department of Financial Services and used to  
236 fund the contract with the Florida Clerks of Court Operations  
237 Corporation created in s. 28.35, and \$1 must be remitted to the  
238 Department of Revenue for deposit into the Administrative Trust  
239 Fund within the Department of Financial Services to fund audits  
240 of individual clerks' court-related expenditures conducted by  
241 the Department of Financial Services;

242 (II) Nine hundred dollars in all cases in which the value  
243 of the claim is more than \$50,000 but less than \$250,000 and in  
244 which there are not more than five defendants. The party shall  
245 pay an additional filing fee of up to \$2.50 for each defendant  
246 in excess of five. Of the first \$355 ~~\$705~~ in filing fees, \$350  
247 ~~\$700~~ must be remitted by the clerk to the Department of Revenue  
248 for deposit into the General Revenue Fund, ~~except that the first~~  
249 ~~\$1.5 million in such filing fees remitted to the Department of~~  
250 ~~Revenue and deposited into the General Revenue Fund in fiscal~~  
251 ~~year 2018-2019 shall be distributed to the Miami-Dade County~~  
252 ~~Clerk of Court~~; \$4 must be remitted to the Department of Revenue  
253 for deposit into the Administrative Trust Fund within the  
254 Department of Financial Services and used to fund the contract  
255 with the Florida Clerks of Court Operations Corporation created  
256 in s. 28.35; and \$1 must be remitted to the Department of  
257 Revenue for deposit into the Administrative Trust Fund within  
258 the Department of Financial Services to fund audits of  
259 individual clerks' court-related expenditures conducted by the  
260 Department of Financial Services; or

261 (III) One thousand nine hundred dollars in all cases in

7-00687A-23

20231130\_\_

262 which the value of the claim is \$250,000 or more and in which  
263 there are not more than five defendants. The party shall pay an  
264 additional filing fee of up to \$2.50 for each defendant in  
265 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465  
266 ~~\$930~~ must be remitted by the clerk to the Department of Revenue  
267 for deposit into the General Revenue Fund, \$770 must be remitted  
268 to the Department of Revenue for deposit into the State Courts  
269 Revenue Trust Fund, \$4 must be remitted to the Department of  
270 Revenue for deposit into the Administrative Trust Fund within  
271 the Department of Financial Services to fund the contract with  
272 the Florida Clerks of Court Operations Corporation created in s.  
273 28.35, and \$1 must be remitted to the Department of Revenue for  
274 deposit into the Administrative Trust Fund within the Department  
275 of Financial Services to fund audits of individual clerks'  
276 court-related expenditures conducted by the Department of  
277 Financial Services.

278 e. An additional filing fee of \$4 shall be paid to the  
279 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
280 for deposit into the Court Education Trust Fund and shall remit  
281 50 cents to the Department of Revenue for deposit into the  
282 Administrative Trust Fund within the Department of Financial  
283 Services to fund clerk education provided by the Florida Clerks  
284 of Court Operations Corporation. An additional filing fee of up  
285 to \$18 shall be paid by the party seeking each severance that is  
286 granted. The clerk may impose an additional filing fee of up to  
287 \$85 for all proceedings of garnishment, attachment, replevin,  
288 and distress. Postal charges incurred by the clerk of the  
289 circuit court in making service by certified or registered mail  
290 on defendants or other parties shall be paid by the party at

7-00687A-23

20231130\_\_

291 whose instance service is made. Additional fees, charges, or  
292 costs may not be added to the filing fees imposed under this  
293 section, except as authorized in this section or by general law.

294 (d) The clerk of court shall collect a service charge of  
295 \$10 for issuing an original, a certified copy, or an electronic  
296 certified copy of a summons, which the clerk shall deposit into  
297 the fine and forfeiture fund established pursuant to s. 142.01  
298 ~~shall remit to the Department of Revenue for deposit into the~~  
299 ~~General Revenue Fund.~~ The clerk shall assess the fee against the  
300 party seeking to have the summons issued.

301 Section 4. Paragraph (i) of subsection (2) of section  
302 28.35, Florida Statutes, is amended, and paragraph (j) is added  
303 to that subsection, to read:

304 28.35 Florida Clerks of Court Operations Corporation.—

305 (2) The duties of the corporation shall include the  
306 following:

307 (i) Annually preparing a budget request that ~~which~~,  
308 notwithstanding the provisions of chapter 216 and in accordance  
309 with s. 216.351, provides the anticipated amount necessary for  
310 reimbursement pursuant to s. 40.29(6) and (7). The request for  
311 the anticipated reimbursement amount must ~~shall~~ be submitted in  
312 the form and manner prescribed by the Justice Administrative  
313 Commission. Such request is not subject to change by the Justice  
314 Administrative Commission, except for technical changes  
315 necessary to conform to the legislative budget instructions, and  
316 must ~~shall~~ be submitted to the Governor for transmittal to the  
317 Legislature.

318 (j) Annually preparing a budget request that,  
319 notwithstanding the provisions of chapter 216 and in accordance

7-00687A-23

20231130\_\_

320 with s. 216.351, provides the anticipated amount necessary to  
321 fund increases in employer contribution rates pursuant to ss.  
322 121.71 and 121.72 for court-related employees participating in  
323 the Florida Retirement System. The request for the anticipated  
324 appropriation must be submitted in the form and manner  
325 prescribed by the Justice Administrative Commission. The request  
326 is not subject to change by the Justice Administrative  
327 Commission, except for technical changes necessary to conform to  
328 the legislative budget instruction, and must be submitted to the  
329 Governor for transmittal to the Legislature.

330 Section 5. Subsection (3) of section 28.37, Florida  
331 Statutes, is amended to read:

332 28.37 Fines, fees, service charges, and costs remitted to  
333 the state.—

334 (3) The portion of all fines, fees, service charges, and  
335 costs collected by the clerks of the court for the previous  
336 quarter ~~month~~ which is in excess of one-fourth ~~one-twelfth~~ of  
337 the clerks' total budget for the performance of court-related  
338 functions must be remitted to the Department of Revenue for  
339 deposit into the Clerks of the Court Trust Fund. Such  
340 collections do not include funding received for the operation of  
341 the Title IV-D child support collections and disbursement  
342 program. The clerk of the court shall remit the revenues  
343 collected during the previous quarter ~~month~~ due to the state on  
344 or before the 10th day of the month after each quarterly  
345 calculation ~~each month~~.

346 Section 6. Paragraph (c) of subsection (1) of section  
347 34.041, Florida Statutes, is amended to read:

348 34.041 Filing fees.—

7-00687A-23

20231130\_\_

(1)

(c) A party in addition to a party described in paragraph (a) who files a pleading in an original civil action in the county court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint, or who files a notice of cross-appeal or notice of joinder or motion to intervene as an appellant, cross-appellant, or petitioner, shall pay the clerk of court a fee of \$295 if the relief sought by the party under this paragraph exceeds \$2,500 but is not more than \$15,000 and \$395 if the relief sought by the party under this paragraph exceeds \$15,000. The clerk shall deposit ~~remit~~ the fee if the relief sought by the party under this paragraph exceeds \$2,500 but is not more than \$15,000 ~~to the Department of Revenue for deposit~~ into the fine and forfeiture fund established pursuant to s. 142.01 ~~General Revenue Fund~~. This fee does not apply if the cross-claim, counterclaim, counterpetition, or third-party complaint requires transfer of the case from county to circuit court. However, the party shall pay to the clerk the standard filing fee for the court to which the case is to be transferred.

Section 7. Section 40.29, Florida Statutes, is amended to read:

40.29 Payment of due-process costs; reimbursement for petitions and orders; waived civil filing fees for indigency; payment of Florida Retirement System costs for court-related employees.—

(1) Each clerk of the circuit court, on behalf of the state attorney, private court-appointed counsel, the public defender, and the criminal conflict and civil regional counsel, shall

7-00687A-23

20231130\_\_

378 forward to the Justice Administrative Commission, by county, a  
379 quarterly estimate of funds necessary to pay for ordinary  
380 witnesses, including, but not limited to, witnesses in civil  
381 traffic cases and witnesses of the state attorney, the public  
382 defender, criminal conflict and civil regional counsel, private  
383 court-appointed counsel, and persons determined to be indigent  
384 for costs. Each quarter of the state fiscal year, the  
385 commission, based upon the estimates, shall advance funds to  
386 each clerk to pay for these ordinary witnesses from state funds  
387 specifically appropriated for the payment of ordinary witnesses.

388 (2) Upon receipt of an estimate pursuant to subsection (1),  
389 the Justice Administrative Commission shall endorse the amount  
390 deemed necessary for payment by the clerk of the court during  
391 the quarterly fiscal period and shall submit a request for  
392 payment to the Chief Financial Officer.

393 (3) Upon receipt of the funds from the Chief Financial  
394 Officer, the clerk of the court shall pay all invoices approved  
395 and submitted by the state attorney, the public defender,  
396 criminal conflict and civil regional counsel, and private court-  
397 appointed counsel for the items enumerated in subsection (1).

398 (4) After review for compliance with applicable rates and  
399 requirements, the Justice Administrative Commission shall pay  
400 all due process service related invoices, except those  
401 enumerated in subsection (1), approved and submitted by the  
402 state attorney, the public defender, criminal conflict and civil  
403 regional counsel, or private court-appointed counsel in  
404 accordance with the applicable requirements of ss. 29.005-  
405 29.007.

406 (5) The Justice Administrative Commission shall reimburse

7-00687A-23

20231130\_\_

407 funds to the clerks of the court to compensate jurors, to pay  
408 for meals or lodging provided to jurors, and to pay for jury-  
409 related personnel costs as provided in this section. Each clerk  
410 of the court must submit a request for reimbursement to the  
411 Florida Clerks of Court Operations Corporation within 20 days  
412 after each quarter attesting to the clerk's actual costs to  
413 compensate jurors, to pay for meals or lodging provided to  
414 jurors, and to pay for jury-related personnel costs. The Florida  
415 Clerks of Court Operations Corporation must review the request  
416 for reimbursement to ensure that the costs are reasonably and  
417 directly related to jury management. The Florida Clerks of Court  
418 Operations Corporation must forward to the Justice  
419 Administrative Commission the amount necessary to reimburse each  
420 clerk of the court for its personnel and other costs related to  
421 jury management unless the total request for reimbursement by  
422 the clerks exceeds the quarterly funds available to the Justice  
423 Administrative Commission, in which case the Florida Clerks of  
424 Court Operations Corporation shall adjust the cumulative total  
425 to match the available funds before submitting the request to  
426 the Justice Administrative Commission. Upon receipt of each  
427 request for reimbursement, the Justice Administrative Commission  
428 must review the amount deemed necessary for payment to the  
429 clerks of the court for the most recently completed quarter,  
430 determine if the total payment amount is available, and submit a  
431 request for payment to the Chief Financial Officer. The clerks  
432 of the court are responsible for any compensation to jurors, for  
433 payments for meals or lodging provided to jurors, and for jury-  
434 related personnel costs that exceed the funding provided in the  
435 General Appropriations Act for these purposes.

7-00687A-23

20231130\_\_

436 (6) Subject to legislative appropriation, the clerk of the  
437 circuit court may, on a quarterly basis, submit to the Justice  
438 Administrative Commission a certified request for reimbursement  
439 for petitions and orders filed under ss. 394.459, 394.463,  
440 394.467, 394.917, and 397.6814, at the rate of \$40 per petition  
441 or order and, for petitions and orders filed under ss. 741.30,  
442 784.046, and 784.0485, the clerk may, on a quarterly basis,  
443 submit a request for reimbursement at the rate of \$60 per  
444 petition or order. From this reimbursement, the clerk shall pay  
445 any law enforcement agency serving the injunction a fee of up  
446 to, but not exceeding, \$20, if so requested by the law  
447 enforcement agency. Such request for reimbursement ~~shall~~ be  
448 submitted in the form and manner prescribed by the Justice  
449 Administrative Commission pursuant to s. 28.35(2)(i).

450 (7) Subject to legislative appropriation, the clerk of the  
451 circuit court may, on a quarterly basis, submit to the Justice  
452 Administrative Commission a certified request for reimbursement  
453 for approved applications for civil indigent status pursuant to  
454 s. 57.082, in which the filing fee for civil indigent status has  
455 been waived, at the rate of \$195 per approved application. Such  
456 request for reimbursement must be submitted in the form and  
457 manner prescribed by the Justice Administrative Commission  
458 pursuant to s. 28.35(2)(i).

459 (8) Subject to legislative appropriation, the Florida  
460 Clerks of Court Operations Corporation shall submit to the  
461 Justice Administrative Commission a certified request for  
462 reimbursement for the amounts required by each county to fund  
463 the employer contribution rate increases required by the Florida  
464 Retirement System for any applicable court-related employees.

7-00687A-23

20231130\_\_

465 Section 8. Paragraph (a) of subsection (8) and subsection  
466 (19) of section 318.18, Florida Statutes, are amended to read:

467 318.18 Amount of penalties.—The penalties required for a  
468 noncriminal disposition pursuant to s. 318.14 or a criminal  
469 offense listed in s. 318.17 are as follows:

470 (8) (a) Any person who fails to comply with the court's  
471 requirements or who fails to pay the civil penalties specified  
472 in this section within the 30-day period provided for in s.  
473 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~  
474 of which must be remitted to the Department of Revenue for  
475 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be  
476 remitted to the Department of Revenue for deposit in the Highway  
477 Safety Operating Trust Fund, and \$5 of which must be retained by  
478 the clerk to be deposited in the Public Records Modernization  
479 Trust Fund and used exclusively for funding court-related  
480 technology needs of the clerk as described in s. 29.008(1)(f)2.  
481 and (h). Of this additional civil penalty of \$16, \$4 is not  
482 revenue for purposes of s. 28.36 and may not be used in  
483 establishing the budget of the clerk of the court under that  
484 section or s. 28.35. The department shall contract with the  
485 Florida Association of Court Clerks, Inc., to design, establish,  
486 operate, upgrade, and maintain an automated statewide Uniform  
487 Traffic Citation Accounting System to be operated by the clerks  
488 of the court which shall include, but not be limited to, the  
489 accounting for traffic infractions by type, a record of the  
490 disposition of the citations, and an accounting system for the  
491 fines assessed and the subsequent fine amounts paid to the  
492 clerks of the court. The clerks of the court must provide the  
493 information required by this chapter to be transmitted to the

7-00687A-23

20231130\_\_

494 department by electronic transmission pursuant to the contract.

495 (19) In addition to any penalties imposed, an Article V  
496 assessment of \$10 must be paid for all noncriminal moving and  
497 nonmoving violations under chapters 316, 320, and 322. ~~The~~  
498 ~~assessment is not revenue for purposes of s. 28.36 and may not~~  
499 ~~be used in establishing the budget of the clerk of the court~~  
500 ~~under that section or s. 28.35.~~ Of the funds collected under  
501 this subsection:

502 (a) The sum of \$5 shall be deposited in the State Courts  
503 Revenue Trust Fund for use by the state courts system;

504 (b) The sum of \$3.33 shall be deposited in the State  
505 Attorneys Revenue Trust Fund for use by the state attorneys; and

506 (c) The sum of \$1.67 shall be deposited in the Indigent  
507 Criminal Defense Trust Fund for use by the public defenders.

508 Section 9. Paragraph (a) of subsection (2) of section  
509 741.30, Florida Statutes, is amended to read:

510 741.30 Domestic violence; injunction; powers and duties of  
511 court and clerk; petition; notice and hearing; temporary  
512 injunction; issuance of injunction; statewide verification  
513 system; enforcement; public records exemption.—

514 (2) (a) Notwithstanding any other law, the assessment of a  
515 filing fee for a petition for protection against domestic  
516 violence is prohibited. ~~However, subject to legislative~~  
517 ~~appropriation, the clerk of the circuit court may, on a~~  
518 ~~quarterly basis, submit to the Office of the State Courts~~  
519 ~~Administrator a certified request for reimbursement for~~  
520 ~~petitions for protection against domestic violence issued by the~~  
521 ~~court, at the rate of \$40 per petition. The request for~~  
522 ~~reimbursement must be submitted in the form and manner~~

7-00687A-23

20231130\_\_

523 ~~prescribed by the Office of the State Courts Administrator. From~~  
524 ~~this reimbursement, the clerk shall pay any law enforcement~~  
525 ~~agency serving the injunction the fee requested by the law~~  
526 ~~enforcement agency; however, this fee may not exceed \$20.~~

527 Section 10. Paragraph (b) of subsection (3) of section  
528 784.046, Florida Statutes, is amended to read:

529 784.046 Action by victim of repeat violence, sexual  
530 violence, or dating violence for protective injunction; dating  
531 violence investigations, notice to victims, and reporting;  
532 pretrial release violations; public records exemption.—

533 (3)

534 (b) Notwithstanding any other law, the clerk of the court  
535 may not assess a fee for filing a petition for protection  
536 against repeat violence, sexual violence, or dating violence.  
537 ~~However, subject to legislative appropriation, the clerk of the~~  
538 ~~court may, each quarter, submit to the Office of the State~~  
539 ~~Courts Administrator a certified request for reimbursement for~~  
540 ~~petitions for protection issued by the court under this section~~  
541 ~~at the rate of \$40 per petition. The request for reimbursement~~  
542 ~~shall be submitted in the form and manner prescribed by the~~  
543 ~~Office of the State Courts Administrator. From this~~  
544 ~~reimbursement, the clerk shall pay the law enforcement agency~~  
545 ~~serving the injunction the fee requested by the law enforcement~~  
546 ~~agency; however, this fee may not exceed \$20.~~

547 Section 11. Paragraph (a) of subsection (2) of section  
548 784.0485, Florida Statutes, is amended to read:

549 784.0485 Stalking; injunction; powers and duties of court  
550 and clerk; petition; notice and hearing; temporary injunction;  
551 issuance of injunction; statewide verification system;

7-00687A-23

20231130\_\_

552 enforcement.—

553 (2) (a) Notwithstanding any other law, the clerk of court  
554 may not assess a filing fee to file a petition for protection  
555 against stalking. ~~However, subject to legislative appropriation,~~  
556 ~~the clerk of the circuit court may, on a quarterly basis, submit~~  
557 ~~to the Office of the State Courts Administrator a certified~~  
558 ~~request for reimbursement for petitions for protection against~~  
559 ~~stalking issued by the court, at the rate of \$40 per petition.~~  
560 ~~The request for reimbursement shall be submitted in the form and~~  
561 ~~manner prescribed by the Office of the State Courts~~  
562 ~~Administrator. From this reimbursement, the clerk shall pay any~~  
563 ~~law enforcement agency serving the injunction the fee requested~~  
564 ~~by the law enforcement agency; however, this fee may not exceed~~  
565 ~~\$20.~~

566 Section 12. This act shall take effect July 1, 2023.