

26 removing a provision requiring each state attorney to
 27 publish an annual report addressing results of his or
 28 her affirmative action program; amending s. 186.003,
 29 F.S.; revising the definition of "state agency" for
 30 certain purposes; amending s. 318.18, F.S.; revising
 31 the distribution of certain civil penalty amounts and
 32 administrative fees; creating s. 322.76, F.S.;

33 creating the Clerk of the Court Driver License
 34 Reinstatement Pilot Program; authorizing the Clerk of
 35 the Circuit Court for Miami-Dade County to reinstate
 36 or provide an affidavit to the department to reinstate
 37 certain suspended driver licenses; establishing
 38 requirements for the clerk under the program to be
 39 performed by a date certain; providing for expiration
 40 of the program; amending s. 501.2101, F.S.; revising
 41 the funds into which certain moneys received by state
 42 attorneys must be deposited; amending s. 741.30, F.S.;

43 removing a provision authorizing certain clerks of
 44 circuit courts to request reimbursement for certain
 45 petitions related to domestic violence; amending s.
 46 784.046, F.S.; removing a provision authorizing the
 47 clerk of circuit court, under specific circumstances,
 48 to request reimbursement for certain petitions related
 49 to repeat, sexual, or dating violence; amending s.
 50 784.0485, F.S.; removing a provision authorizing the

51 clerk of circuit courts, under specific circumstances,
 52 to request reimbursement for certain petitions related
 53 to stalking; providing an effective date.

54
 55 Be It Enacted by the Legislature of the State of Florida:

56
 57 Section 1. Paragraph (b) of subsection (7) of section
 58 27.52, Florida Statutes is amended to read:

59 27.52 Determination of indigent status.—

60 (7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

61 (b) If the court has reason to believe that any applicant,
 62 through fraud or misrepresentation, was improperly determined to
 63 be indigent or indigent for costs, the matter shall be referred
 64 to the state attorney. Twenty-five percent of any amount
 65 recovered by the state attorney as reasonable value of the
 66 services rendered, including fees, charges, and costs paid by
 67 the state on the person's behalf, shall be remitted to the
 68 Department of Revenue for deposit into the Grants and Donations
 69 Trust Fund of the applicable state attorney ~~within the Justice~~
 70 ~~Administrative Commission~~. Seventy-five percent of any amount
 71 recovered shall be remitted to the Department of Revenue for
 72 deposit into the General Revenue Fund.

73 Section 2. Paragraph (c) of subsection (2) of section
 74 27.54, Florida Statutes, is amended to

75 27.54 Limitation on payment of expenditures other than by

76 | the state.—
 77 | (2) A county or municipality may contract with, or
 78 | appropriate or contribute funds to, the operation of the offices
 79 | of the various public defenders and regional counsels ~~counsel~~ as
 80 | provided in this subsection. A public defender or regional
 81 | counsel defending violations of special laws or county or
 82 | municipal ordinances punishable by incarceration and not
 83 | ancillary to a state charge shall contract with counties and
 84 | municipalities to recover the full cost of services rendered on
 85 | an hourly basis or reimburse the state for the full cost of
 86 | assigning one or more full-time equivalent attorney positions to
 87 | work on behalf of the county or municipality. Notwithstanding
 88 | any other provision of law, in the case of a county with a
 89 | population of less than 75,000, the public defender or regional
 90 | counsel shall contract for full reimbursement, or for
 91 | reimbursement as the parties otherwise agree. In local ordinance
 92 | violation cases, the county or municipality shall pay for due
 93 | process services that are approved by the court, including
 94 | deposition costs, deposition transcript costs, investigative
 95 | costs, witness fees, expert witness costs, and interpreter
 96 | costs. The person charged with the violation shall be assessed a
 97 | fee for the services of a public defender or regional counsel
 98 | and other costs and fees paid by the county or municipality,
 99 | which assessed fee may be reduced to a lien, in all instances in
 100 | which the person enters a plea of guilty or no contest or is

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101 found to be in violation or guilty of any count or lesser
102 included offense of the charge or companion case charges,
103 regardless of adjudication. The court shall determine the amount
104 of the obligation. The county or municipality may recover
105 assessed fees through collections court or as otherwise
106 permitted by law, and any fees recovered pursuant to this
107 section shall be forwarded to the applicable county or
108 municipality as reimbursement.

109 (c) Any payments received pursuant to this subsection
110 shall be deposited into the Grants and Donations Trust Fund of
111 ~~within~~ the applicable public defender or criminal conflict and
112 civil regional counsel ~~Justice Administrative Commission~~ for
113 appropriation by the Legislature.

114 Section 3. Subsection (2) of section 27.703, Florida
115 Statutes, is amended to read:

116 27.703 Conflict of interest and substitute counsel.-

117 (2) Appointed counsel shall be paid from funds
118 appropriated to the Justice Administrative Commission ~~Chief~~
119 ~~Financial Officer~~. The hourly rate may not exceed \$100. However,
120 all appointments of private counsel under this section shall be
121 in accordance with ss. 27.710 and 27.711.

122 Section 4. Paragraph (a) of subsection (1) of section
123 28.241, Florida Statutes, is amended to read:

124 28.241 Filing fees for trial and appellate proceedings.-

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

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126 pleading to initiate a proceeding or files a pleading for
127 relief. Reopen fees are due at the time a party files a pleading
128 to reopen a proceeding if at least 90 days have elapsed since
129 the filing of a final order or final judgment with the clerk. If
130 a fee is not paid upon the filing of the pleading as required
131 under this section, the clerk shall pursue collection of the fee
132 pursuant to s. 28.246.

133 (a)1.a. Except as provided in sub-subparagraph b. and
134 subparagraph 2., the party instituting any civil action, suit,
135 or proceeding in the circuit court shall pay to the clerk of
136 that court a filing fee of up to \$395 in all cases in which
137 there are not more than five defendants and an additional filing
138 fee of up to \$2.50, from which the clerk shall remit \$0.50 to
139 the Department of Revenue for deposit into the General Revenue
140 Fund, for each defendant in excess of five. Of the first \$200 in
141 filing fees, \$195 must be remitted to the Department of Revenue
142 for deposit into the State Courts Revenue Trust Fund, \$4 must be
143 remitted to the Department of Revenue for deposit into the
144 Administrative Trust Fund within the Department of Financial
145 Services and used to fund the contract with the Florida Clerks
146 of Court Operations Corporation created in s. 28.35, and \$1 must
147 be remitted to the Department of Revenue for deposit into the
148 Administrative Trust Fund within the Department of Financial
149 Services to fund audits of individual clerks' court-related
150 expenditures conducted by the Department of Financial Services.

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151 b. The party instituting any civil action, suit, or
152 proceeding in the circuit court under chapter 39, chapter 61,
153 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
154 753 shall pay to the clerk of that court a filing fee of up to
155 \$295 in all cases in which there are not more than five
156 defendants and an additional filing fee of up to \$2.50 for each
157 defendant in excess of five. Of the first \$100 in filing fees,
158 \$95 must be remitted to the Department of Revenue for deposit
159 into the State Courts Revenue Trust Fund, \$4 must be remitted to
160 the Department of Revenue for deposit into the Administrative
161 Trust Fund within the Department of Financial Services and used
162 to fund the contract with the Florida Clerks of Court Operations
163 Corporation created in s. 28.35, and \$1 must be remitted to the
164 Department of Revenue for deposit into the Administrative Trust
165 Fund within the Department of Financial Services to fund audits
166 of individual clerks' court-related expenditures conducted by
167 the Department of Financial Services.

168 c. An additional filing fee of \$4 shall be paid to the
169 clerk. The clerk shall remit \$3.50 to the Department of Revenue
170 for deposit into the Court Education Trust Fund and shall remit
171 50 cents to the Department of Revenue for deposit into the
172 Administrative Trust Fund within the Department of Financial
173 Services to fund clerk education provided by the Florida Clerks
174 of Court Operations Corporation. An additional filing fee of up
175 to \$18 shall be paid by the party seeking each severance that is

176 granted, from which the clerk shall remit \$3 to the Department
177 of Revenue for deposit into the General Revenue Fund. The clerk
178 may impose an additional filing fee of up to \$85, from which the
179 clerk shall remit \$10 to the Department of Revenue for deposit
180 into the General Revenue Fund, for all proceedings of
181 garnishment, attachment, replevin, and distress. Postal charges
182 incurred by the clerk of the circuit court in making service by
183 certified or registered mail on defendants or other parties
184 shall be paid by the party at whose instance service is made.
185 Additional fees, charges, or costs may not be added to the
186 filing fees imposed under this section, except as authorized in
187 this section or by general law.

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

192 b. A party shall estimate in writing the amount in
193 controversy of the claim upon filing the action. For purposes of
194 this subparagraph, the value of a mortgage foreclosure action is
195 based upon the principal due on the note secured by the
196 mortgage, plus interest owed on the note and any moneys advanced
197 by the lender for property taxes, insurance, and other advances
198 secured by the mortgage, at the time of filing the foreclosure.
199 The value shall also include the value of any tax certificates
200 related to the property. In stating the value of a mortgage

201 foreclosure claim, a party shall declare in writing the total
202 value of the claim, as well as the individual elements of the
203 value as prescribed in this sub-subparagraph.

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

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

211 (I) Three hundred and ninety-five dollars in all cases in
212 which the value of the claim is \$50,000 or less and in which
213 there are not more than five defendants. The party shall pay an
214 additional filing fee of up to \$2.50 for each defendant in
215 excess of five. Of the first \$200 in filing fees, \$195 must be
216 remitted by the clerk to the Department of Revenue for deposit
217 into the General Revenue Fund, \$4 must be remitted to the
218 Department of Revenue for deposit into the Administrative Trust
219 Fund within the Department of Financial Services and used to
220 fund the contract with the Florida Clerks of Court Operations
221 Corporation created in s. 28.35, and \$1 must be remitted to the
222 Department of Revenue for deposit into the Administrative Trust
223 Fund within the Department of Financial Services to fund audits
224 of individual clerks' court-related expenditures conducted by
225 the Department of Financial Services;

226 (II) Nine hundred dollars in all cases in which the value
 227 of the claim is more than \$50,000 but less than \$250,000 and in
 228 which there are not more than five defendants. The party shall
 229 pay an additional filing fee of up to \$2.50 for each defendant
 230 in excess of five. Of the first \$355 in filing fees, \$350 must
 231 be remitted by the clerk to the Department of Revenue for
 232 deposit into the General Revenue Fund, \$4 must be remitted to
 233 the Department of Revenue for deposit into the Administrative
 234 Trust Fund within the Department of Financial Services and used
 235 to fund the contract with the Florida Clerks of Court Operations
 236 Corporation created in s. 28.35, and \$1 must be remitted to the
 237 Department of Revenue for deposit into the Administrative Trust
 238 Fund within the Department of Financial Services to fund audits
 239 of individual clerks' court-related expenditures conducted by
 240 the Department of Financial Services; or

241 (III) One thousand nine hundred dollars in all cases in
 242 which the value of the claim is \$250,000 or more and in which
 243 there are not more than five defendants. The party shall pay an
 244 additional filing fee of up to \$2.50 for each defendant in
 245 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465
 246 ~~\$930~~ must be remitted by the clerk to the Department of Revenue
 247 for deposit into the General Revenue Fund, \$770 must be remitted
 248 to the Department of Revenue for deposit into the State Courts
 249 Revenue Trust Fund, \$4 must be remitted to the Department of
 250 Revenue for deposit into the Administrative Trust Fund within

251 the Department of Financial Services to fund the contract with
252 the Florida Clerks of Court Operations Corporation created in s.
253 28.35, and \$1 must be remitted to the Department of Revenue for
254 deposit into the Administrative Trust Fund within the Department
255 of Financial Services to fund audits of individual clerks'
256 court-related expenditures conducted by the Department of
257 Financial Services.

258 e. An additional filing fee of \$4 shall be paid to the
259 clerk. The clerk shall remit \$3.50 to the Department of Revenue
260 for deposit into the Court Education Trust Fund and shall remit
261 50 cents to the Department of Revenue for deposit into the
262 Administrative Trust Fund within the Department of Financial
263 Services to fund clerk education provided by the Florida Clerks
264 of Court Operations Corporation. An additional filing fee of up
265 to \$18 shall be paid by the party seeking each severance that is
266 granted. The clerk may impose an additional filing fee of up to
267 \$85 for all proceedings of garnishment, attachment, replevin,
268 and distress. Postal charges incurred by the clerk of the
269 circuit court in making service by certified or registered mail
270 on defendants or other parties shall be paid by the party at
271 whose instance service is made. Additional fees, charges, or
272 costs may not be added to the filing fees imposed under this
273 section, except as authorized in this section or by general law.

274 Section 5. Paragraph (i) of subsection (2) and paragraph
275 (a) of subsection (3) of section 28.35, Florida Statutes are

276 amended, and paragraph (j) is added to subsection (2) of that
 277 section, to read:

278 28.35 Florida Clerks of Court Operations Corporation.—

279 (2) The duties of the corporation shall include the
 280 following:

281 (i) Annually preparing a budget request which,
 282 notwithstanding the provisions of chapter 216 and in accordance
 283 with s. 216.351, provides the anticipated amount necessary for
 284 reimbursement pursuant to s. 40.29(6) and 40.29(7). The request
 285 for the anticipated reimbursement amount shall be submitted in
 286 the form and manner prescribed by the Justice Administrative
 287 Commission. Such request is not subject to change by the Justice
 288 Administrative Commission, except for technical changes
 289 necessary to conform to the legislative budget instructions, and
 290 shall be submitted to the Governor for transmittal to the
 291 Legislature.

292 (j) Annually preparing a budget request that,
 293 notwithstanding the provisions of chapter 216 and in accordance
 294 with s. 216.351, provides the anticipated amount necessary to
 295 fund increases in employer contribution rates pursuant to 121.71
 296 and 121.72 for court-related employees participating in the
 297 Florida Retirement System. The request for the anticipated
 298 appropriation must be submitted in the form and manner
 299 prescribed by the Justice Administrative Commission. The budget
 300 request may not be changed by the Justice Administrative

301 Commission, except for technical changes necessary to conform to
 302 the legislative budget instructions and must be submitted to the
 303 Governor for transmittal to the Legislature.

304 (3)(a) The list of court-related functions that clerks may
 305 fund from filing fees, service charges, court costs, and fines
 306 is limited to those functions expressly authorized by law or
 307 court rule. Those functions include the following: case
 308 maintenance; records management; court preparation and
 309 attendance; processing the assignment, reopening, and
 310 reassignment of cases; processing of appeals; collection and
 311 distribution of fines, fees, service charges, and court costs;
 312 processing of bond forfeiture payments; data collection and
 313 reporting; determinations of indigent status; improving court
 314 technology; and paying reasonable administrative support costs
 315 to enable the clerk of the court to carry out these court-
 316 related functions.

317 Section 6. Paragraph (b) subsection (4) of section 28.37,
 318 Florida Statutes is amended to read:

319 28.37 Fines, fees, service charges, and costs remitted to
 320 the state.—

321 (4)

322 (b) No later than February 1 annually, ~~2022, and each~~
 323 ~~February 1 thereafter,~~ the Florida Clerks of Court Operations
 324 Corporation must calculate ~~Department of Revenue shall transfer~~
 325 ~~50 percent of the cumulative excess, which of the original~~

326 ~~revenue projection from the Clerks of the Court Trust Fund to~~
 327 ~~the General Revenue Fund. The remaining 50 percent in the Clerks~~
 328 ~~of the Court Trust Fund~~ may be used in the development of the
 329 total combined budgets of the clerks of the court as provided in
 330 s. 28.35(2)(f)6. ~~However,~~ A minimum of 10 percent ~~of the clerk-~~
 331 ~~retained portion~~ of the cumulative excess amount must be held in
 332 reserve until such funds reach an amount equal to at least 16
 333 percent of the total budget authority from the current county
 334 fiscal year, as provided in s. 28.36(3)(a).

335 Section 7. Paragraphs (c) and (d) of subsection (1) of
 336 section 34.041, Florida Statutes, are amended to read:

337 34.041 Filing fees.—

338 (1)

339 (c) A party in addition to a party described in paragraph
 340 (a) who files a pleading in an original civil action in the
 341 county court for affirmative relief by cross-claim, counterclaim,
 342 counterpetition, or third-party complaint, or who files a notice
 343 of cross-appeal or notice of joinder or motion to intervene as an
 344 appellant, cross-appellant, or petitioner, shall pay the clerk of
 345 court a fee of \$295 if the relief sought by the party under this
 346 paragraph exceeds \$2,500 but is not more than \$15,000 and \$395 if
 347 the relief sought by the party under this paragraph exceeds
 348 \$15,000. The clerk shall deposit ~~remit~~ the fee if the relief
 349 sought by the party under this paragraph exceeds \$2,500 but is
 350 not more than \$15,000 ~~to the Department of Revenue for deposit~~

351 into the fine and forfeiture fund established pursuant to s.
 352 142.01 General Revenue Fund. This fee does not apply if the
 353 cross-claim, counterclaim, counterpetition, or third-party
 354 complaint requires transfer of the case from county to circuit
 355 court. However, the party shall pay to the clerk the standard
 356 filing fee for the court to which the case is to be transferred.

357 (d) The clerk of court shall collect a service charge of
 358 \$10 for issuing a summons or an electronic certified copy of a
 359 summons, which the clerk shall deposit into the fine and
 360 forfeiture fund established pursuant to s. 142.01 ~~remit to the~~
 361 ~~Department of Revenue for deposit into the General Revenue~~
 362 ~~Fund~~. The clerk shall assess the fee against the party seeking
 363 to have the summons issued.

364 Section 8. Subsection (6) of section 40.29, Florida
 365 Statutes, is amended, and subsections (7) and (8) are added to
 366 that section, to read:

367 40.29 Payment of due-process costs; reimbursement for
 368 petitions, ~~and~~ orders, and waived civil filing fees for
 369 indigency; payment of Florida Retirement System costs for
 370 court-related employees.-

371 (6) Subject to legislative appropriation, the Florida
 372 Clerks of Court Operations Corporation ~~clerk of the circuit~~
 373 ~~court~~ may, on behalf of the clerks of the circuit court, on a
 374 quarterly basis, submit to the Justice Administrative
 375 Commission a certified request for reimbursement for petitions

376 and orders filed under ss. 394.459, 394.463, 394.467, 394.917,
377 and 397.6814, at the rate of \$40 per petition or order and for
378 orders filed under ss. 741.30, 784.046, and 784.0485, the
379 Florida Clerks of Court Operation Corporation may, on a
380 quarterly basis, submit a request for reimbursement at the
381 rate of \$195 per petition. From this reimbursement, the clerk
382 of the court receiving reimbursement must pay any law
383 enforcement agency serving injunctions a fee not to exceed
384 \$40, if so requested by the law enforcement agency. Such
385 request for reimbursement shall be submitted in the form and
386 manner prescribed by the Justice Administrative Commission
387 pursuant to s. 28.35(2)(i).

388 (7) Subject to legislative appropriation, the Florida
389 Clerks of Court Operations Corporation may, on a quarterly
390 basis, submit to the Justice Administrative Commission a
391 certified request for reimbursement for approved applications
392 for civil indigency under s. 57.082, in which the civil filing
393 fee has been waived, at the rate of \$195 per approved
394 application. The request for reimbursement shall be submitted
395 in the form and manner prescribed by the Justice
396 Administrative Commission pursuant to s. 28.35(2)(i).

397 (8) Subject to legislative appropriation, the Florida
398 Clerks of Court Operations Corporation must submit to the
399 Justice Administrative Commission a certified amount by county
400 of the employer contribution rate increases for the Florida

401 Retirement System for court-related employees.

402 Section 9. Paragraph (b) of subsection (7) of section
403 57.082, Florida Statutes, is amended to read:

404 57.082 Determination of civil indigent status.—

405 (7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

406 (b) If the court has reason to believe that any applicant,
407 through fraud or misrepresentation, was improperly determined to
408 be indigent, the matter shall be referred to the state attorney.

409 Twenty-five percent of any amount recovered by the state
410 attorney as reasonable value of the services rendered, including
411 fees, charges, and costs paid by the state on the person's
412 behalf, shall be remitted to the Department of Revenue for
413 deposit into the Grants and Donations Trust Fund of ~~within~~ the
414 applicable state attorney ~~Justice Administrative Commission~~.

415 Seventy-five percent of any amount recovered shall be remitted
416 to the Department of Revenue for deposit into the General
417 Revenue Fund.

418 Section 10. Paragraph (d) of subsection (4) of section
419 110.112, Florida Statutes, is amended to read:

420 110.112 Affirmative action; equal employment opportunity.—

421 (4) Each state attorney and public defender shall:

422 ~~(d) Report annually to the Justice Administrative~~
423 ~~Commission on the implementation, continuance, updating, and~~
424 ~~results of his or her affirmative action program for the~~
425 ~~previous fiscal year.~~

426 Section 11. Subsection (6) of section 186.003, Florida
 427 Statutes, is amended to read:

428 186.003 Definitions; ss. 186.001-186.031, 186.801-
 429 186.901.—As used in ss. 186.001-186.031 and 186.801-186.901, the
 430 term:

431 (6) "State agency" or "agency" means any official, officer,
 432 commission, board, authority, council, committee, or department
 433 of the executive branch of state government. For purposes of
 434 this chapter, "state agency" or "agency" includes ~~state~~
 435 ~~attorneys, public defenders, the capital collateral regional~~
 436 ~~counsel, the Justice Administrative Commission, and the Public~~
 437 Service Commission.

438 Section 12. Paragraph (a) of subsection (8) and subsection
 439 (18) of section 318.18, Florida Statutes, are amended to read:

440 318.18 Amount of penalties.—The penalties required for a
 441 noncriminal disposition pursuant to s. 318.14 or a criminal
 442 offense listed in s. 318.17 are as follows:

443 (8)(a) Any person who fails to comply with the court's
 444 requirements or who fails to pay the civil penalties specified
 445 in this section within the 30-day period provided for in s.
 446 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~
 447 of which must be remitted to the Department of Revenue for
 448 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be
 449 remitted to the Department of Revenue for deposit in the Highway
 450 Safety Operating Trust Fund, and \$5.00 of which shall be

451 retained by the clerk of the court to be deposited in the Public
 452 Records Modernization Trust Fund and used exclusively for
 453 funding court-related technology needs of the clerk, as defined
 454 in s. 29.008(1)(f)2. and (h). ~~Of this additional civil penalty~~
 455 ~~of \$16, \$4 is not revenue for purposes of s. 28.36 and may not~~
 456 ~~be used in establishing the budget of the clerk of the court~~
 457 ~~under that section or s. 28.35.~~ The department shall contract
 458 with the Florida Association of Court Clerks, Inc., to design,
 459 establish, operate, upgrade, and maintain an automated statewide
 460 Uniform Traffic Citation Accounting System to be operated by the
 461 clerks of the court which shall include, but not be limited to,
 462 the accounting for traffic infractions by type, a record of the
 463 disposition of the citations, and an accounting system for the
 464 fines assessed and the subsequent fine amounts paid to the
 465 clerks of the court. The clerks of the court must provide the
 466 information required by this chapter to be transmitted to the
 467 department by electronic transmission pursuant to the contract.

468 (18) In addition to any penalties imposed, an
 469 administrative fee of \$12.50 must be paid for all noncriminal
 470 moving and nonmoving violations under chapters 316, 320, and
 471 322. Of this administrative fee, \$6.25 must be deposited into
 472 the Public Records Modernization Trust Fund and used exclusively
 473 for funding court-related technology needs of the clerk, as
 474 defined in s. 29.008(1)(f)2. and (h), and \$6.25 must be
 475 deposited into the fine and forfeiture fund established pursuant

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476 ~~to s. 142.01. The clerk shall remit the administrative fee to~~
477 ~~the Department of Revenue for deposit into the General Revenue~~
478 ~~Fund.~~

479 Section 13. Section 322.76, Florida Statutes, is created
480 to read:

481 322.76 Miami-Dade County the Clerk of Court Driver License
482 Reinstatement Pilot Program.-There is created in Miami-Dade
483 County the Clerk of Court Driver License Reinstatement Pilot
484 Program.

485 (1) As used in this section, the term "clerk" means the
486 Clerk of the Circuit Court for Miami-Dade County.

487 (2) Notwithstanding any other provision to the contrary in
488 this chapter, the clerk may reinstate or provide an affidavit to
489 the department to reinstate a suspended driver license:

490 (a) For a person's failure to fulfill a court-ordered
491 child support obligation.

492 (b) As a result of the end of suspension because of
493 points, under s. 322.37, notwithstanding hardship license.

494 (c) For failure to comply with any provision of chapter
495 318 or this chapter.

496 (3) Notwithstanding s. 322.29(1), an examination is not
497 required for the reinstatement of a driver license suspended
498 under s. 318.15 or s. 322.245 unless an examination is otherwise
499 required by this chapter. A person applying for the
500 reinstatement of a driver license suspended under s. 318.15 or

501 s. 322.245 must present to the clerk certification from the
502 court that he or she has either complied with all obligations
503 and penalties imposed pursuant to s. 318.15 or with all
504 directives of the court and the requirements of s. 322.245.

505 (4) A nonrefundable service fee must be paid pursuant to
506 s. 322.29(2).

507 (5) Before July 1, 2024, the department shall work with
508 the clerk, through its association, to ensure the ability within
509 its technology system for the clerk to reinstate suspended
510 driver licenses under the pilot program, to begin on July 1,
511 2024.

512 (6) By December 31, 2025, the clerk must submit the
513 Governor, the President of the Senate, the Speaker of the House
514 of Representatives, and the Executive Director of the Florida
515 Clerks of Court Operations Corporation a report containing the
516 following information:

517 (a) Number of driver license reinstatements.

518 (b) Amount of fees and costs collected, including the
519 aggregate funds received by the clerk, local governmental
520 entities, and state entities, including the General Revenue
521 Fund.

522 (c) The personnel, operating, and other expenditures
523 incurred by the clerk.

524 (d) Feedback received from the community, if any, in
525 response to the clerk's participation in the pilot program.

526 (e) Whether the pilot program led to improved timeliness
 527 for the reinstatement of driver licenses.

528 (f) The clerk's recommendation as to whether the pilot
 529 program should be extended in Miami-Dade County or to other
 530 clerks' offices.

531 (g) Any other information the clerk deems necessary.

532 (7) This section is repealed on July 1, 2026.

533 Section 14. Subsection (1) of section 501.2101, Florida
 534 Statutes, is amended to read:

535 501.2101 Enforcing authorities; moneys received in certain
 536 proceedings.—

537 (1) Any moneys received by an enforcing authority for
 538 attorney ~~attorney's~~ fees and costs of investigation or
 539 litigation in proceedings brought under the provisions of s.
 540 501.207, s. 501.208, or s. 501.211 shall be deposited as
 541 received in the Legal Affairs Revolving Trust Fund if the action
 542 is brought by the Department of Legal Affairs, and in the Grants
 543 and Donations ~~Consumer Frauds~~ Trust Fund of a state attorney ~~the~~
 544 ~~Justice Administrative Commission~~ if the action is brought by
 545 the ~~a~~ state attorney.

546 Section 15. Paragraph (a) of subsection (2) of section
 547 741.30, Florida Statutes, is amended to read:

548 741.30 Domestic violence; injunction; powers and duties of
 549 court and clerk; petition; notice and hearing; temporary
 550 injunction; issuance of injunction; statewide verification

551 system; enforcement; public records exemption.—

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

565 Section 16. Paragraph (b) of subsection (3) of section
 566 784.046, Florida Statutes, is amended to read:

567 784.046 Action by victim of repeat violence, sexual
 568 violence, or dating violence for protective injunction; dating
 569 violence investigations, notice to victims, and reporting;
 570 pretrial release violations; public records exemption.—

571 (3)(b) Notwithstanding any other law, the clerk of the
 572 court may not assess a fee for filing a petition for protection
 573 against repeat violence, sexual violence, or dating violence.
 574 ~~However, subject to legislative appropriation, the clerk of the~~
 575 ~~court may, each quarter, submit to the Office of the State~~

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576 ~~Courts Administrator a certified request for reimbursement for~~
577 ~~petitions for protection issued by the court under this section~~
578 ~~at the rate of \$40 per petition. The request for reimbursement~~
579 ~~shall be submitted in the form and manner prescribed by the~~
580 ~~Office of the State Courts Administrator. From this~~
581 ~~reimbursement, the clerk shall pay the law enforcement agency~~
582 ~~serving the injunction the fee requested by the law enforcement~~
583 ~~agency; however, this fee may not exceed \$20.~~

584 Section 17. Paragraph (a) of subsection (2) of section
585 784.0485, Florida Statutes, is amended to read:

586 784.0485 Stalking; injunction; powers and duties of court
587 and clerk; petition; notice and hearing; temporary injunction;
588 issuance of injunction; statewide verification system;
589 enforcement.—

590 (2) (a) Notwithstanding any other law, the clerk of court
591 may not assess a filing fee to file a petition for protection
592 against stalking. ~~However, subject to legislative appropriation,~~
593 ~~the clerk of the circuit court may, on a quarterly basis, submit~~
594 ~~to the Office of the State Courts Administrator a certified~~
595 ~~request for reimbursement for petitions for protection against~~
596 ~~stalking issued by the court, at the rate of \$40 per petition.~~
597 ~~The request for reimbursement shall be submitted in the form and~~
598 ~~manner prescribed by the Office of the State Courts~~
599 ~~Administrator. From this reimbursement, the clerk shall pay any~~
600 ~~law enforcement agency serving the injunction the fee requested~~

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601 | ~~by the law enforcement agency; however, this fee may not exceed~~
602 | ~~\$20.~~
603 | Section 18. This act shall take effect upon becoming a
604 | law.