

By Senator Simon

3-00016-26

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A bill to be entitled

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

3-00016-26

2026532__

specified timeframe; amending s. 45.035, F.S.;
increasing the service charge the clerk is entitled to
for disbursement of surplus proceeds for certain
judicial sales procedures; requiring the Office of
Economic and Demographic Research to prepare a certain
report; requiring that such report be submitted to the
Legislature within a specified timeframe; amending s.
721.83, F.S.; increasing the filing fee for additional
timeshare interests joining a consolidated timeshare
foreclosure action; requiring the Office of Economic
and Demographic Research to prepare a certain report;
requiring that such report be submitted to the
Legislature within a specified timeframe; amending s.
744.3678, F.S.; increasing the fee a clerk of the
circuit court may charge for auditing of the return of
ward's estate; requiring the Office of Economic and
Demographic Research to prepare a certain report;
requiring that such report be submitted to the
Legislature within a specified timeframe; providing an
effective date.

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

Section 1. Subsections (2) and (3), paragraph (a) of
subsection (5), paragraph (a) of subsection (9), paragraph (b)
of subsection (11), paragraph (a) of subsection (14), paragraph
(a) of subsection (15), subsection (17), paragraph (a) of
subsection (18), subsection (19), paragraph (a) of subsection
(20), paragraph (a) of subsection (21), and subsection (26) of

3-00016-26

2026532__

section 28.24, Florida Statutes, are amended, and subsection (30) is added to that section, to read:

28.24 Service charges.—The clerk of the circuit court shall charge for services rendered manually or electronically by the clerk's office in recording documents and instruments and in performing other specified duties. These charges may not exceed those specified in this section, except as provided in s. 28.345.

(2) For examining, comparing, correcting, verifying, and certifying transcripts of record in appellate proceedings, prepared by attorney for appellant or someone else other than clerk, per page: 6.00 ~~5.00~~, from which the clerk shall remit 0.50 per page to the Department of Revenue for deposit into the General Revenue Fund.

(3) For preparing, numbering, and indexing an original record of appellate proceedings, per instrument: 4.00 ~~3.50~~, from which the clerk shall remit 0.50 per instrument to the Department of Revenue for deposit into the General Revenue Fund.

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

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

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

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

3-00016-26

2026532__

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

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

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

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

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

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

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

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

3-00016-26

2026532__

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

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

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

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

28.2401 Service charges and filing fees in probate matters.—

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

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

3-00016-26

2026532__

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

(c) Fee for petition and order to admit foreign wills, authenticated copies, exemplified copies, or transcript to record..... \$275 ~~\$230~~

(d) Fee for disposition of personal property without administration.....\$275 ~~\$230~~

(g) Fee for formal administration, guardianship, ancillary, curatorship, or conservatorship proceedings.....\$470 ~~\$395~~

The clerk shall remit \$115 of each filing fee collected under paragraphs (a), (c)-(i), and (k) to the Department of Revenue for deposit into the State Courts Revenue Trust Fund.

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

Section 3. Present subsection (7) of section 28.241, Florida Statutes, is redesignated as subsection (8), a new subsection (7) is added to that section, and subsections (1) and (2) of that section are amended, to read:

28.241 Filing fees for trial and appellate proceedings.—

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

3-00016-26

2026532__

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

(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court must ~~shall~~ pay to the clerk of that court a filing fee of up to \$460 ~~\$395~~ in all cases in which there are not more than five defendants and an additional filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit \$0.50 to the Department of Revenue for deposit into the General Revenue Fund, for each defendant in excess of five. Of the first \$200 in filing fees, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to

3-00016-26

2026532__

204 \$345 ~~\$295~~ in all cases in which there are not more than five
205 defendants and an additional filing fee of up to \$5 ~~\$2.50~~ for
206 each defendant in excess of five. Of the first \$100 in filing
207 fees, \$95 must be remitted to the Department of Revenue for
208 deposit into the State Courts Revenue Trust Fund, \$4 must be
209 remitted to the Department of Revenue for deposit into the
210 Administrative Trust Fund within the Department of Financial
211 Services and used to fund the contract with the Florida Clerks
212 of Court Operations Corporation created in s. 28.35, and \$1 must
213 be remitted to the Department of Revenue for deposit into the
214 Administrative Trust Fund within the Department of Financial
215 Services to fund audits of individual clerks' court-related
216 expenditures conducted by the Department of Financial Services.

217 c. An additional filing fee of \$5 ~~\$4~~ shall be paid to the
218 clerk. The clerk shall remit \$3.50 to the Department of Revenue
219 for deposit into the Court Education Trust Fund and shall remit
220 \$1.50 ~~50 cents~~ to the Department of Revenue for deposit into the
221 Administrative Trust Fund within the Department of Financial
222 Services to fund clerk education provided by the Florida Clerks
223 of Court Operations Corporation. An additional filing fee of up
224 to \$18 must ~~shall~~ be paid by the party seeking each severance
225 that is granted, from which the clerk shall remit \$3 to the
226 Department of Revenue for deposit into the General Revenue Fund.
227 The clerk may impose an additional filing fee of up to \$85, from
228 which the clerk shall remit \$10 to the Department of Revenue for
229 deposit into the General Revenue Fund, for all proceedings of
230 garnishment, attachment, replevin, and distress. Postal charges
231 incurred by the clerk of the circuit court in making service by
232 certified or registered mail on defendants or other parties must

3-00016-26

2026532__

~~shall~~ be paid by the party at whose instance service is made.

Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

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

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

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

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

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

3-00016-26

2026532__

or less and in which there are not more than five defendants.
The party must ~~shall~~ pay an additional filing fee of up to \$5
~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in
filing fees, \$195 must be remitted by the clerk to the
Department of Revenue for deposit into the General Revenue Fund,
\$4 must be remitted to the Department of Revenue for deposit
into the Administrative Trust Fund within the Department of
Financial Services and used to fund the contract with the
Florida Clerks of Court Operations Corporation created in s.
28.35, and \$1 must be remitted to the Department of Revenue for
deposit into the Administrative Trust Fund within the Department
of Financial Services to fund audits of individual clerks'
court-related expenditures conducted by the Department of
Financial Services;

(II) One thousand and seventy ~~Nine hundred~~ dollars in all
cases in which the value of the claim is more than \$50,000 but
less than \$250,000 and in which there are not more than five
defendants. The party must ~~shall~~ pay an additional filing fee of
up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the
first \$355 in filing fees, \$350 must be remitted by the clerk to
the Department of Revenue for deposit into the General Revenue
Fund, \$4 must be remitted to the Department of Revenue for
deposit into the Administrative Trust Fund within the Department
of Financial Services and used to fund the contract with the
Florida Clerks of Court Operations Corporation created in s.
28.35, and \$1 must be remitted to the Department of Revenue for
deposit into the Administrative Trust Fund within the Department
of Financial Services to fund audits of individual clerks'
court-related expenditures conducted by the Department of

3-00016-26

2026532__

Financial Services; or

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

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

3-00016-26

2026532__

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

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

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

3-00016-26

2026532__

administration;

9. Any probate case prior to the discharge of a personal representative;

10. Any guardianship pleading prior to discharge;

11. Any mental health pleading;

12. Motions to withdraw by attorneys;

13. Motions exclusively for the enforcement of child support orders;

14. A petition for credit of child support;

15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested relocation;

16. Stipulations and motions to enforce stipulations;

17. Responsive pleadings;

18. Cases in which there is no initial filing fee; or

19. Motions for contempt.

(c)1. A party in addition to a party described in subparagraph (a)1.a. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a fee of \$470 ~~\$395~~. A party in addition to a party described in sub-subparagraph (a)1.b. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a fee of \$350 ~~\$295~~. The clerk shall deposit the fee into the fine and forfeiture fund established pursuant to s. 142.01.

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in

3-00016-26

2026532__

378 circuit court for affirmative relief by cross-claim,
379 counterclaim, counterpetition, or third-party complaint must
380 ~~shall~~ pay the clerk of court a graduated fee of:

381 a. Four hundred and seventy ~~Three hundred and ninety-five~~
382 dollars in all cases in which the value of the pleading is
383 \$50,000 or less;

384 b. One thousand and seventy ~~Nine hundred~~ dollars in all
385 cases in which the value of the pleading is more than \$50,000
386 but less than \$250,000; or

387 c. Two thousand two hundred sixty ~~One thousand nine hundred~~
388 dollars in all cases in which the value of the pleading is
389 \$250,000 or more.

390
391 The clerk shall deposit the fees collected under this
392 subparagraph into the fine and forfeiture fund established
393 pursuant to s. 142.01.

394 (d) The clerk of court shall collect a service charge of
395 \$15 ~~\$10~~ for issuing an original, a certified copy, or an
396 electronic certified copy of a summons, which the clerk shall
397 deposit into the fine and forfeiture fund established pursuant
398 to s. 142.01. The clerk shall assess the fee against the party
399 seeking to have the summons issued.

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

3-00016-26

2026532__

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

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

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

Section 4. Paragraphs (a), (b), (d), and (e) of subsection (1) and subsection (2) of section 34.041, Florida Statutes, are amended and subsection (9) is added to that section, to read:

34.041 Filing fees.—

(1)(a) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If

3-00016-26

2026532__

a fee is not paid upon the filing of the pleading as required under this section, the clerk must ~~shall~~ pursue collection of the fee pursuant to s. 28.246. Upon the institution of any civil action, suit, or proceeding in county court, the party must ~~shall~~ pay the following filing fee, not to exceed:

1. For all claims less than \$100\$50.
2. For all claims of \$100 or more but not more than \$500\$75.
3. For all claims of more than \$500 but not more than \$2,500: \$170, from which the clerk shall remit \$20 to the Department of Revenue for deposit into the General Revenue Fund.
4. For all claims of more than \$2,500 but not more than \$15,000.....\$295.
5. For all claims more than \$15,000\$460 ~~\$395~~.
6. In addition, for all proceedings of garnishment, attachment, replevin, and distress: \$85, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund.
7. Notwithstanding subparagraphs 3. and 6., for all claims of not more than \$1,000 filed simultaneously with an action for replevin of property that is the subject of the claim.....\$125.
8. For removal of tenant action.....\$180.

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

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

3-00016-26

2026532__

465 Courts Revenue Trust Fund. ~~By the 10th day of each month, the~~
466 ~~clerk shall submit that portion of the fees collected in the~~
467 ~~previous month which is in excess of one-twelfth of the clerk's~~
468 ~~total budget for the performance of court-related functions to~~
469 ~~the Department of Revenue for deposit into the Clerks of the~~
470 ~~Court Trust Fund.~~ An additional filing fee of \$5 ~~must~~ \$4 ~~shall~~
471 be paid to the clerk. The clerk shall transfer \$3.50 to the
472 Department of Revenue for deposit into the Court Education Trust
473 Fund and shall transfer \$1.50 ~~50 cents~~ to the Department of
474 Revenue for deposit into the Administrative Trust Fund within
475 the Department of Financial Services to fund clerk education
476 provided by the Florida Clerks of Court Operations Corporation.
477 Postal charges incurred by the clerk of the county court in
478 making service by mail on defendants or other parties must ~~shall~~
479 be paid by the party at whose instance service is made. Except
480 as provided in this section, filing fees and service charges for
481 performing duties of the clerk relating to the county court are
482 ~~shall be~~ as provided in ss. 28.24 and 28.241. Except as
483 otherwise provided in this section, all filing fees must ~~shall~~
484 be retained as fee income of the office of the clerk of the
485 circuit court. Filing fees imposed by this section may not be
486 added to any penalty imposed by chapter 316 or chapter 318.

487 (d) The clerk of court shall collect a service charge of
488 \$15 ~~\$10~~ for issuing a summons or an electronic certified copy of
489 a summons, which the clerk shall deposit into the fine and
490 forfeiture fund established pursuant to s. 142.01. The clerk
491 shall assess the fee against the party seeking to have the
492 summons issued.

493 (e) Of the first \$200 in filing fees payable under

3-00016-26

2026532__

subparagraph (a)5., \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures conducted by the Department of Financial Services. ~~By the 10th day of each month, the clerk shall submit that portion of the filing fees collected pursuant to this subsection in the previous month which is in excess of one-twelfth of the clerk's total budget to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.~~

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

3-00016-26

2026532__

(a) A writ of garnishment;
(b) A writ of replevin;
(c) A distress writ;
(d) A writ of attachment;
(e) A motion for rehearing filed within 10 days;
(f) A motion for attorney's fees filed within 30 days of the entry of the judgment or final order;
(g) A motion for dismissal filed after a mediation agreement has been filed;
(h) A motion to withdraw by attorneys;
(i) Stipulations and motions to enforce stipulations;
(j) Responsive pleadings; or
(k) Motions for contempt.

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

Section 5. Paragraph (b) of subsection (2) of section 45.035, Florida Statutes, is amended and subsection (4) is added to that section, to read:

45.035 Clerk's fees.—In addition to other fees or service charges authorized by law, the clerk shall receive service charges related to the judicial sales procedure set forth in ss.

3-00016-26

2026532__

45.031-45.033 and this section:

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

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

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

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

721.83 Consolidation of judicial foreclosure actions.—

(3)(a) A consolidated timeshare foreclosure action ~~is shall~~ be considered a single action, suit, or proceeding for the payment of filing fees and service charges pursuant to general law. In addition to the payment of such filing fees and service charges, an additional filing fee of up to \$15 ~~\$10~~, from which the clerk shall remit \$5 to the Department of Revenue for deposit into the General Revenue Fund, for each timeshare interest joined in that action must ~~shall~~ be paid to the clerk of court.

3-00016-26

2026532__

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

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

594 744.3678 Annual accounting.—

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

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

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

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

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Department of Revenue for deposit into the General Revenue Fund.

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

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

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

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