

1 A bill to be entitled
2 An act relating to court fees; amending s. 28.24,
3 F.S.; increasing the service charges a clerk of the
4 circuit court charges for certain services rendered by
5 the clerk's office; requiring the clerk, by a
6 specified date, to adjust and increase service charges
7 according to a specified percentage; requiring such
8 charges to be rounded to a specified amount; amending
9 s. 28.2401, F.S.; increasing certain filing fees that
10 may be charged by the clerk in probate matters;
11 requiring the clerk, by a specified date, to adjust
12 and increase filing fees according to a specified
13 percentage; requiring such fees to be rounded to a
14 specified amount; amending s. 28.241, F.S.; increasing
15 certain filing fees and service charges in trial and
16 appellate proceedings; requiring the clerk, by a
17 specified date, to adjust and increase filing fees and
18 service charges according to a specified percentage;
19 requiring such fees and charges to be rounded to a
20 specified amount; amending s. 34.041, F.S.; increasing
21 certain filing fees and service charges for civil
22 actions, suits, or proceedings in county court;
23 deleting provisions requiring clerks to submit
24 portions of fees collected to the Department of
25 Revenue for deposit into the Clerks of the Court Trust

26 Fund; revising the distribution formula for additional
27 filing fees; requiring the clerk, by a specified date,
28 to adjust and increase filing fees and service charges
29 according to a specified percentage; requiring such
30 fees and charges to be rounded to a specified amount;
31 amending s. 45.035, F.S.; increasing the service
32 charge the clerk is entitled to for disbursement of
33 surplus proceeds for certain judicial sales
34 procedures; requiring the clerk, by a specified date,
35 to adjust and increase service charges according to a
36 specified percentage; requiring such charges to be
37 rounded to a specified amount; amending s. 721.83,
38 F.S.; increasing the filing fee for additional
39 timeshare interests joining a consolidated timeshare
40 foreclosure action; requiring the clerk, by a
41 specified date, to adjust and increase filing fees and
42 service charges according to a specified percentage;
43 requiring such fees and charges to be rounded to a
44 specified amount; amending s. 744.3678, F.S.;
45 increasing the fee a clerk of the circuit court may
46 charge for auditing of the return of ward's estate;
47 requiring the clerk, by a specified date, to adjust
48 and increase the fee according to a specified
49 percentage; requiring the fee to be rounded to a
50 specified amount; 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 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

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

78 | (5) (a) For verifying any instrument presented for
79 | certification prepared by someone other than clerk, per page:
80 | 4.00 ~~3.50~~, from which the clerk shall remit 0.50 per page to the
81 | Department of Revenue for deposit into the General Revenue Fund.

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

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

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

91 | (14) (a) Oath, administering, attesting, and sealing of
92 | court records not otherwise provided for in this section: 4.00
93 | ~~3.50~~, from which the clerk shall remit 0.50 to the Department of
94 | Revenue for deposit into the General Revenue Fund.

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

99 | (17) For exemplified certificates, including the signing
100 | and sealing of them: 8.00 ~~7.00~~, from which the clerk shall remit

101 1.00 to the Department of Revenue for deposit into the General
102 Revenue Fund.

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

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

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

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

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

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

(30) By January 1, 2030, and every 3 years thereafter, the clerk shall adjust and increase 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.

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, 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 clerk shall adjust and increase 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.

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 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

176 of that court a filing fee of up to \$460 ~~\$395~~ in all cases in
177 which there are not more than five defendants and an additional
178 filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit
179 \$0.50 to the Department of Revenue for deposit into the General
180 Revenue Fund, for each defendant in excess of five. Of the first
181 \$200 in filing fees, \$195 must be remitted to the Department of
182 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
183 must be remitted to the Department of Revenue for deposit into
184 the Administrative Trust Fund within the Department of Financial
185 Services and used to fund the contract with the Florida Clerks
186 of Court Operations Corporation created in s. 28.35, and \$1 must
187 be remitted to the Department of Revenue for deposit into the
188 Administrative Trust Fund within the Department of Financial
189 Services to fund audits of individual clerks' court-related
190 expenditures conducted by the Department of Financial Services.

191 b. The party instituting any civil action, suit, or
192 proceeding in the circuit court under chapter 39, chapter 61,
193 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
194 753 shall pay to the clerk of that court a filing fee of up to
195 \$345 ~~\$295~~ in all cases in which there are not more than five
196 defendants and an additional filing fee of up to \$5 ~~\$2.50~~ for
197 each defendant in excess of five. Of the first \$100 in filing
198 fees, \$95 must be remitted to the Department of Revenue for
199 deposit into the State Courts Revenue Trust Fund, \$4 must be
200 remitted to the Department of Revenue for deposit into the

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

c. An additional filing fee of \$5 ~~\$4~~ shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 must ~~shall~~ be paid by the party seeking each severance that is granted, from which the clerk shall remit \$3 to the Department of Revenue for deposit into the General Revenue Fund. The clerk may impose an additional filing fee of up to \$85, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund, for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties must ~~shall~~ be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the

226 filing fees imposed under this section, except as authorized in
227 this section or by general law.

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

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

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

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

251 (I) Four hundred and seventy ~~Three hundred and ninety-five~~
252 dollars in all cases in which the value of the claim is \$50,000
253 or less and in which there are not more than five defendants.
254 The party must ~~shall~~ pay an additional filing fee of up to \$5
255 ~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in
256 filing fees, \$195 must be remitted by the clerk to the
257 Department of Revenue for deposit into the General Revenue Fund,
258 \$4 must be remitted to the Department of Revenue for deposit
259 into the Administrative Trust Fund within the Department of
260 Financial Services and used to fund the contract with the
261 Florida Clerks of Court Operations Corporation created in s.
262 28.35, and \$1 must be remitted to the Department of Revenue for
263 deposit into the Administrative Trust Fund within the Department
264 of Financial Services to fund audits of individual clerks'
265 court-related expenditures conducted by the Department of
266 Financial Services;

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

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

e. An additional filing fee of \$5 ~~\$4~~ ~~shall~~ be paid to

the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 must ~~shall~~ be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties must ~~shall~~ be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

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

jurisdiction by a court does not cause a case to remain open for purposes of this section or exempt a party from paying a reopen fee. A party is exempt from paying the fee for any of the following:

1. A writ of garnishment;
2. A writ of replevin;
3. A distress writ;
4. A writ of attachment;
5. A motion for rehearing filed within 10 days;
6. A motion for attorney's fees filed within 30 days after entry of a judgment or final order;
7. A motion for dismissal filed after a mediation agreement has been filed;
8. A disposition of personal property without administration;
9. Any probate case prior to the discharge of a personal representative;
10. Any guardianship pleading prior to discharge;
11. Any mental health pleading;
12. Motions to withdraw by attorneys;
13. Motions exclusively for the enforcement of child support orders;
14. A petition for credit of child support;
15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested relocation;

16. Stipulations and motions to enforce stipulations;
17. Responsive pleadings;
18. Cases in which there is no initial filing fee; or
19. Motions for contempt.

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

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint must ~~shall~~ pay the clerk of court a graduated fee of:

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

b. One thousand and seventy ~~Nine hundred~~ dollars in all

cases in which the value of the pleading is more than \$50,000 but less than \$250,000; or

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

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

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

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

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

(b) For filing a notice of appeal from the county or

401 circuit court to the district court of appeal or to the Supreme
402 Court, in addition to the filing fee required under s. 25.241 or
403 s. 35.22, a filing fee not to exceed \$115 ~~\$100~~, of which the
404 clerk shall remit \$20 to the Department of Revenue for deposit
405 into the General Revenue Fund. If the party is determined to be
406 indigent, the clerk must ~~shall~~ defer payment of the fee
407 otherwise required by this subsection.

408 (7) By January 1, 2030, and every 3 years thereafter, the
409 clerk shall adjust and increase the filing fees and service
410 charges in this section according to the percentage change in
411 the Consumer Price Index. The filing fees and service charges
412 must be rounded to the nearest \$5.

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

416 34.041 Filing fees.—

417 (1)(a) Filing fees are due at the time a party files a
418 pleading to initiate a proceeding or files a pleading for
419 relief. Reopen fees are due at the time a party files a pleading
420 to reopen a proceeding if at least 90 days have elapsed since
421 the filing of a final order or final judgment with the clerk. If
422 a fee is not paid upon the filing of the pleading as required
423 under this section, the clerk must ~~shall~~ pursue collection of
424 the fee pursuant to s. 28.246. Upon the institution of any civil
425 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

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

473 (d) The clerk of court shall collect a service charge of
474 \$15 ~~\$10~~ for issuing a summons or an electronic certified copy of
475 a summons, which the clerk shall deposit into the fine and

forfeiture fund established pursuant to s. 142.01. The clerk shall assess the fee against the party seeking to have the summons issued.

(e) Of the first \$200 in filing fees payable under subparagraph (a)5., \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial 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

501 exhausted, or time to file an appeal from a final order or final
502 judgment has expired. A reopen fee may be assessed by the clerk
503 for any motion filed by any party at least 90 days after a final
504 order or final judgment has been filed with the clerk in the
505 initial case. A reservation of jurisdiction by a court does not
506 cause a case to remain open for purposes of this section or
507 exempt a party from paying a reopen fee. A party is exempt from
508 paying the fee for any of the following:

- 509 (a) A writ of garnishment;
- 510 (b) A writ of replevin;
- 511 (c) A distress writ;
- 512 (d) A writ of attachment;
- 513 (e) A motion for rehearing filed within 10 days;
- 514 (f) A motion for attorney's fees filed within 30 days of
515 the entry of the judgment or final order;
- 516 (g) A motion for dismissal filed after a mediation
517 agreement has been filed;
- 518 (h) A motion to withdraw by attorneys;
- 519 (i) Stipulations and motions to enforce stipulations;
- 520 (j) Responsive pleadings; or
- 521 (k) Motions for contempt.
- 522 (9) By January 1, 2030, and every 3 years thereafter, the
523 clerk shall adjust and increase the filing fees and service
524 charges in this section according to the percentage change in
525 the Consumer Price Index. The filing fees and service charges

526 must be rounded to the nearest \$5.

527 **Section 5. Paragraph (b) of subsection (2) of section**
528 **45.035, Florida Statutes, is amended and subsection (4) is added**
529 **to that section, to read:**

530 45.035 Clerk's fees.—In addition to other fees or service
531 charges authorized by law, the clerk shall receive service
532 charges related to the judicial sales procedure set forth in ss.
533 45.031-45.033 and this section:

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

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

541 (4) By January 1, 2030, and every 3 years thereafter, the
542 clerk shall adjust and increase the service charges in this
543 section according to the percentage change in the Consumer Price
544 Index. The service charges must be rounded to the nearest \$5.

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

547 721.83 Consolidation of judicial foreclosure actions.—

548 (3) (a) A consolidated timeshare foreclosure action is
549 ~~shall be~~ considered a single action, suit, or proceeding for the
550 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.

(b) By January 1, 2030, and every 3 years thereafter, the clerk shall adjust and increase 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.

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

744.3678 Annual accounting.—

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

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

(b) For estates with a value of more than \$25,000 up to

and including \$100,000 the clerk of the court may charge a fee of up to \$100 ~~\$85~~, from which the clerk shall remit \$10 to the Department of Revenue for deposit into the General Revenue Fund.

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

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

Upon petition by the guardian, the court may waive the auditing 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 clerk shall adjust and increase the fees in this section according to the percentage change in the Consumer Price Index. The fees must be rounded to the nearest \$5.

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