

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Civil Justice Subcommittee
Representative Clemons offered the following:

Amendment (with title amendment)

Remove lines 14-101 and insert:

Section 1. Subsection (3) is added to section 28.001,
Florida Statutes, to read:

28.001 Definitions.—As used in this chapter:

(3) "Court records" means the contents of a court file and
also includes:

(a) The progress docket and other similar records
generated to document activity in a case.

(b) Transcripts filed with the clerk.

(c) Documentary exhibits in the custody of the clerk.

(d) Electronic records, videotapes, or stenographic tapes
of depositions or other proceedings filed with the clerk.

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17 (e) Electronic records, videotapes, or stenographic tapes
18 of court proceedings.

19 Section 2. Subsections (3), (4), (6), (8), (13), (14),
20 (17), and (20) of section 28.24, Florida Statutes, are amended
21 to read:

22 28.24 Service charges.—The clerk of the circuit court
23 shall charge for services rendered manually or electronically by
24 the clerk's office in recording documents and instruments and in
25 performing other specified duties. These charges may not exceed
26 those specified in this section, except as provided in s.
27 28.345.

28 (3) (a) For certifying copies of any instrument that is a
29 court record in the public records: 2.00, from which the clerk
30 shall remit 0.50 to the Department of Revenue for deposit into
31 the General Revenue Fund.

32 (b) For certifying copies of any instrument that is not a
33 court record in the public records: 2.00.

34 (4) (a) For verifying any instrument that is a court record
35 presented for certification prepared by someone other than the
36 clerk, per page: 3.50, from which the clerk shall remit 0.50 per
37 page to the Department of Revenue for deposit into the General
38 Revenue Fund.

39 (b) For verifying any instrument that is not a court
40 record presented for certification prepared by someone other
41 than the clerk, per page: 3.50.

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42 (6) For making microfilm copies of any public records:

43 (a) That are court records:

44 1.(a) 16 mm 100' microfilm roll: 42.00, from which the
45 clerk shall remit 4.50 to the Department of Revenue for deposit
46 into the General Revenue Fund.

47 2.(b) 35 mm 100' microfilm roll: 60.00, from which the
48 clerk shall remit 7.50 to the Department of Revenue for deposit
49 into the General Revenue Fund.

50 3.(c) Microfiche, per fiche: 3.50, from which the clerk
51 shall remit 0.50 to the Department of Revenue for deposit into
52 the General Revenue Fund.

53 (b) That are not court records:

54 1. 16 mm 100' microfilm roll: 42.00

55 2. 35 mm 100' microfilm roll: 60.00

56 3. Microfiche, per fiche: 3.50.

57 (8) (a) For writing any paper that is a court record other
58 than a paper otherwise herein specifically mentioned in this
59 section, same as for copying, including signing and sealing:
60 7.00, from which the clerk shall remit 1.00 to the Department of
61 Revenue for deposit into the General Revenue Fund.

62 (b) For writing any paper that is not a court record other
63 than a paper otherwise specifically mentioned in this section,
64 including signing and sealing: 7.00.

65 (13) (a) Oath, administering, attesting, and sealing, of
66 court records not otherwise provided for herein: 3.50, from

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67 which the clerk shall remit 0.50 to the Department of Revenue
68 for deposit into the General Revenue Fund.

69 (b) Oath, administering, attesting, and sealing of non-
70 court records not otherwise provided for herein: 3.50.

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

75 (b) For validating certificates or any authorized bonds
76 that are not court records, each: 3.50.

77 (17) (a) For authenticated certificates, including the
78 signing and sealing of court records: 7.00, from which the clerk
79 shall remit 1.00 to the Department of Revenue for deposit into
80 the General Revenue Fund.

81 (b) For authenticated certificates, including the signing
82 and sealing of noncourt records: 7.00.

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

87 (b) For searching of noncourt records, for each year's
88 search: 2.00.

89 Section 3. Subsection (2) of section 28.241, Florida
90 Statutes, is amended to read:

91 28.241 Filing fees for trial and appellate proceedings.—

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92 (2) Upon the institution of any appellate proceeding from
93 any lower court to the circuit court of any such county,
94 including appeals filed by a county or municipality as provided
95 in s. 34.041(5), or from the county or circuit court to an
96 appellate court of the state, the clerk shall charge and collect
97 from the party or parties instituting such appellate proceedings
98 a filing fee, as follows: not to exceed \$280, from which the
99 clerk shall remit \$20 to the Department of Revenue for deposit
100 into the General Revenue Fund,

101 (a) For filing a notice of appeal from the county court to
102 the circuit court, a filing fee not to exceed \$280. and, In
103 addition to the filing fee required under s. 25.241 or s. 35.22,
104 \$100

105 (b) For filing a notice of appeal from the county or
106 circuit court to the district court of appeal or to the Supreme
107 Court, in addition to the filing fee required under s. 25.241 or
108 s. 35.22, a filing fee not to exceed \$100, of which the clerk
109 shall remit \$20 to the Department of Revenue for deposit into
110 the General Revenue Fund.

111
112 If the party is determined to be indigent,

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114 **T I T L E A M E N D M E N T**

115 Between lines 2 and 3, insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 591 (2020)

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116 | 28.001, F.S.; providing a definition for "court records";
117 | amending s.