



THE HONORABLE  
**GWEN MARSHALL**



CLERK OF THE CIRCUIT COURT AND COMPTROLLER  
CLERK OF COURTS • COUNTY COMPTROLLER • AUDITOR • TREASURER • RECORDER  
**CIVIL CUSTOMER ASSISTANCE DIVISION**

September 13, 2019

Austin R. Evers  
Executive Director  
American Oversight  
1030 15<sup>th</sup> Street NW  
Suite B255  
Washington, DC 20005

Re: Public Records Request (FL-LEON-19-1045) & Public Records Request (FL-LEON-19-1046)

Dear Mr. Evers,

Enclosed please find documents provided in response to the two public records requests referenced above. If there is additional documentation that you seek please contact me.

Sincerely,

Kenneth A. Kent  
Director of Civil Courts

[WWW.CLERK.LEON.FL.US](http://WWW.CLERK.LEON.FL.US)

## NOTICE OF FAILURE TO CONTACT AND PAY

1. You were ordered to pay court costs and fines as part of your sentence. You have not contacted this office to meet your financial obligations to the court. You have 30 days from the date of this notice to pay in full or negotiate a payment agreement with this office. As a result of your failure to pay, a \$10.00 late fee has been assessed.
2. We have notified DHSMV to suspend your driver license pursuant to FS 322.245. Additional charges will be assessed for these actions, including a \$7 processing fee and a \$60 fee if you seek reinstatement after payment of all past due amounts. If you wish to avoid these charges, please contact this office immediately. Be advised that knowingly driving with a suspended license could subject you to a misdemeanor or felony conviction under FS 322.34.
3. Failure to respond to this notice within 30 days will result in the assessment of additional late charges to your account, and your case will be referred to a collection law firm, which can add 40% to the amount owed. Payments to the collection law firm will have holds placed on them to insure clearance. Generally, payments made by credit card, money order, cashier's check, or certified check will take 2-3 days to clear; payments made by personal check will take 14 days. Factor in these hold times to insure that your payments reach the collection law firm in advance of the date when your license will be suspended. Your license cannot be reinstated until your payment has reached this office and you have paid the reinstatement fees.

Please contact the Leon County Clerk's Office at 850-577-4220 to address these issues. Payments may be made at: Leon County Courthouse, Central Cashiering, 301 South Monroe Street, Suite 100, Tallahassee, FL 32301.

For your current balance and to view your payment history, please visit our website at [www.clerk.leon.fl.us](http://www.clerk.leon.fl.us). Select "Pay Tickets and Costs", and then "View Your Payment Plans".

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## LATE NOTICE

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LEON COUNTY CLERK OF COURTS  
POLICY AND PROCEDURE MANUAL

**CENTRAL CASHIERING/SPECIAL PROCESSES DIVISION**

Section No.: 8-2	Subject: <b>Arrest Report for Costs and Fines</b>	
Effective Date: 6/14/2010 Inactive Dec 2010	Revision Date: INACTIVE	Approved By: Shannon Cash-Russell

**Purpose**

Each morning a Special Processing/Central Cashiering clerk will update costs and fines cases with arrest information by running the “Fine and Cost Recovery Court Cases” report in JIS. The report can be found under “reports”, “Clerk reports”, tab 6.

**I. Preparing report in JIS**

- a. Enter the date range to be run, starting with the previous business day and ending with the current date. You will have to run the same date sequence each time the report is created in order to pick up afternoon arrests that the morning report didn’t contain. This means that on Monday morning you will run the report from Friday through Monday.
- b. Click the “P” button to generate the report. The report will appear in a separate window which can then be printed by selecting the print button. You will note that the cases appear in the “Z” format.

**II. Updating CourtView With the Writ Service**

For each case listed, update the CourtView status of the case to “Alert Served”:

- a. Enter the case in CourtView using the normal case format. For example, the report notes that the writ for case 2002 ZM 11056 has been served. The service date appears under the “Booking Date/Time” column on the far right of the page. In CourtView enter 2002 MM 11056 and search. You should see the Alert pop-up box appear if there is still an alert on the case.
- b. Go to Parties
- c. Alert
- d. Select the active BW case
- e. Open
- f. Enter the date served in the “Served Date” field
- g. Save
- h. It may automatically take you to the docket update screen to show that the docket code for “Alert Served” has been entered. If the defendant bonded out, you will text “bond posted”.
- i. Save
- f. If the defendant posted the full amount due or enough to cover past due amounts, a DL clearance may be issued for the corresponding case when we receive the Sheriff’s deposit information later in the day or the next day. This information will come in the form of a receipt from the jail.
- g. Effective 7/23/10 – jail staff will be automatically RORing defendants arrested on a blue writ and will release them with a Collections Court notice of hearing.
- h. Set Partial Payment hearing in CV.

You will also be required to update the defendant’s address if what we have in CourtView is different from the address provided at the time of arrest. You will update all Costs & Fines cases with the new address.

If the defendant did not post a bond at the time of arrest, he will be seen at first appearance. The location will indicate "County Jail" if a bond was not posted. While we can update the service of the writ, we will have to wait until after first appearance to update additional information.

### **III Updating CourtView After 1<sup>st</sup> Appearance**

- a. Docket the following after court:
- b. Enter the docket code DPFC and text the following: 1<sup>st</sup> appearance
- c. Enter court action and instructions which could range from : purge remains, purge reduced to \$X, ROR and pay \$X by date certain, ROR and return to Collection Court on MM/DD/YYYY.
- d. Update payment plan(s) with payment information, if any. For example, the defendant may be RORed but ordered to pay \$50 by 8/1/10 and then \$25 per month after.
- e. If ordered to pay by a date certain you will also need to update the Pay or Writ list with the payment info and due date so that a writ may be issued if payment has not been made.
- f. Set court date if ordered.
- g. If the judge orders ROR and no further instructions are given; this is usually due to the fact that the defendant is incarcerated on a no bond/ check to see if a court date has been set and if so reset plan 30 days past that date. If a court date has not be set, reset plan out 90 days and calculate the amount the defendant has to pay to receive a clearance letter.
- h. If a 10:45 am custody docket time/date has been given, verify that they are not in on additional charges before setting it in CourtView. If they are in on other charges, cancel the 10:45 hearing date/time in JIS and do not schedule in CourtView.

### **IV Canceling a hearing in JIS**

- a. Under "Clerk", select "Review Court Schedule"
- b. Tab over to Calendar Type and select "Partial Payment"
- c. Enter date range in the Court Date (From To) fields
- d. Enter courtroom J1
- e. Search
- f. Locate the defendant you wish to cancel and click on the desire case
- g. Click the X button
- h. Save.



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CLERK OF THE CIRCUIT COURT AND COMPTROLLER

CLERK OF COURTS • COUNTY COMPTROLLER • AUDITOR • TREASURER • RECORDER

January 30, 2019

<pull name>  
<pull street>  
<pull, city, state, zip>

Re: <pull case number>

Dear <pull name>

I want to personally take this opportunity to congratulate you for completing your partial payment plan you had with the Leon County Clerk's Office.

Thank you for your commitment and willingness to stay with the program until all of your outstanding fines and fees were paid off.

It may have been a difficult time for you, but you honored your commitment and faithfully made your monthly payments.

I wish you all the best for the future.

Sincerely,

Gwen Marshall  
Leon County Clerk of Court and Comptroller



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LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL  
COURTS DEPARTMENT

Section No.:	Subject: <b>Collections Program Process – No Court</b>	
Effective Date: 7/1/10	Revision Date: 2/5/14	Approved By:

- I. APPLICABILITY: All divisions in the Courts Department, in their interaction with postconviction criminal court costs and fines collections handled in Special Processing / Central Cashiering. This includes bond forfeitures, collections motions and responses, and payments on payment programs.
  
- II. HISTORY
  - A. In 1997, along with now-inactive [AO 1997-08](#), our office created its collections program and payment plans. From the beginning, collections court was a part of the program – first handled by a circuit judge, then by a general magistrate/hearing officer, and finally by all 5 county judges.
  - B. In 2010, we ended collections court and redid our collections program, after engaging in a cost-benefit analysis regarding the staffing of court, and experiencing the Brennan Center [report](#).
  - C. This policy has been created from the 2010-forward process document to reflect 12/13 revisions to the program.
  
- III. PROCESS
  - A. At sentencing, all defendants are handed the yellow Notice of Court Ordered Payments, in which they are told \$ due today' pay in full or you will be placed in our payment program and must pay a one-time \$25 administrative fee.
  - B. The defendant must file a completed Notice of Court Ordered Payment (COPA) form distributed at sentencing.
  - C. The \$25 fee and the 1<sup>st</sup> payment is due the day of sentencing unless otherwise ordered by the court. There is no "grace period". If they say they cannot pay the \$25 now, then we say, ok, we'll roll that into your first payment, which is due xx/yy and will be \$25 + zz.
  - D. If they do not come to us after court to turn in an application and we set up the case from the disposition report, their first payment will be the date of sentencing (unless otherwise ordered).
  - E. A late letter, \$17 fee and suspension of the driver license (DL) will be issued 30 days after sentencing if no payment has been made during that time. If no payments have been made after 90 days, the case will be referred to our collections law firm/agency.
  
- IV. COURT ORDERED PAYMENT APPLICATION (COPA)
  - A. A COPA should be completed when the defendant comes into our office for a first visit so that we have address and financial information on hand. Do not just docket this form: You must update the address, phone number(s), SSN, etc. based on the information provided in the COPA, for each open case. Staff

must call the phone number provided while the customer is present to verify that we were provided with a working phone number.

- B. The form asks for income, weekly, monthly, etc. and for a total of monthly expenses. We can take weekly x 52 or monthly x 12, subtract the total expenses, and then divide that number by 12 for the minimum amount. If the amount is 0, we need to ask why there is no income. If the court orders the defendant to pay a certain amount (i.e. \$35 monthly starting 90 days after release), the amount specified in the court's judgment and sentence controls..
- C. If late notices are accumulating due to lack of payment and the defendant contacts us stating he cannot afford to make the payments, staff must review the COPA and may modify the plan based on the information provided.
- D. If the defendant states that his circumstances have changed since the original COPA was filed and he wants to lower his payment amount, a new form must be prepared and filed.
- E. If a defendant claims a significant change in circumstances like a recent job loss, a new COPA must be completed and the clerk may allow up to 3 months for the defendant to find a new job, but the defendant may still file a motion for community service, etc. However, if the defendant has job loss as a reoccurring problem OR comes back to state he is still unemployed, etc. after the 3 months and/or still cannot make payments, then he must file a motion for relief. If there is a documented disability, joblessness, homelessness, Shannon will review the documentation, and prepare and docket the uncollectible form. If the defendant has a DL suspension when Shannon docket UNCO, the defendant must pay the past due amount prior to the UNCO to get a DL clearance.

#### V. MONTHLY PAYMENT CALCULATIONS

- A. Unless the Court orders otherwise in the judgment and sentence form, CT and MM cases will be set at \$50/month and CF cases at \$75/month. These amounts are based on the total amount of costs and fines for the offense noted, divided by a monthly payment amount that would not take a defendant years to pay in full.
- B. We currently use the COPA for single determinations so we can set those at the \$25/m minimum. When with defendants have multiple cases, we will ask for the most they can pay per month and divide it up between cases.
- C. NOTE: FS 28.246(4) states: "A monthly payment amount, calculated based upon all fees and all anticipated costs, is presumed to correspond to the person's ability to pay if the amount does not exceed 2 percent of the person's annual net income, as defined in s. 27.52(1), divided by 12." This is a rebuttable presumption that must be raised by the defendant (we will not use it as a starting amount); further as currently placed, this language appears to relate solely to costs.

#### VI. CASH BONDS

- A. If a cash bond has been posted on a case, it will be applied to any outstanding court costs, fines, and fees (including civil fees, restitution, you name it) as directed by FS 903.286. The bond will be applied to the case in which it was posted first and then other cases. The statutory notice requirements are met on the face of the cash bond itself and on a large sign at the jail.
- B. If there is a cash bond posted that can be applied to a case that has already been forwarded to our collections law firm/agency, but it is a small amount of

money, it can be applied here in BM. Staff will email our collections law firm/agency to update their records to reflect the new total. *For example:* Defendant has two cases: Case A that is open here and case B that was sent to our collections law firm/agency. Defendant posts a \$500 cash bond on case A and case A only has \$473 owed, clerk will pay case A in full with bond and the remaining \$27 will be applied to case B.

- C. If there is a cash bond posted, the case has been sent to our collections law firm/agency, and there are no cases for it to be applied to here OR the check is a large amount, the Clerk will have Finance cut a check for our collections law firm/agency and deliver the check to our office. Court staff will mail the check to our collections law firm/agency with a cover sheet that identifies the cases to which it should be applied.

## VII. PAYMENT PRIORITY

- A. If a defendant has multiple cases, i.e., case on a payment plan here and another case has been sent to our collections law firm/agency, payments will be applied first to those cases currently open with us. Regardless of what our collections law firm/agency has (partial pay, CJ, or infraction), **cases open here are to be paid first.**
- B. Further, if the defendant is paying on the cases with us, there should be no DL suspension on the case not being paid with our collections law firm/agency. Linebarger (LB) has a “stop work” process that puts cases on hold; Shannon will email LB with the defendant names and case numbers when this happens, asking for “stop work” holds.

## VIII. PRISONERS – LEON COUNTY JAIL OR FL DEPARTMENT OF CORRECTIONS

- A. **At sentencing, whether 1 or multiple cases**
  - 1. If civil judged, click on “manage liens” (converted to CJ) and select the fees and date of the civil judgment which will begin calculating the interest.
  - 2. If not civil judged, set plan out to start 90 days after release. Go to <http://www.dc.state.fl.us/>, click on “Offender Search”, then select [Search All Corrections Offender Databases](#), enter search criteria, and select the correct defendant to determine release date.
- B. **Release dates:** DOC website – <http://www.dc.state.fl.us> – check occasionally, as prompted in BM, particularly with defense motions re collections, (see below).
- C. **Recalls from our collections law firm/agency**
  - 1. Prompted by contact: Example – family member calls, says the defendant is in state prison for 5 years. We verify, advise Shannon, and Shannon will recall.
  - 2. Release from prison: If the defendant is out but has made no contact with us within 90 days of release, cases stay with our collections law firm/agency. If they contact us within 90 days of release we may recall and set a payment plan here.
- D. **Disposition Report**
  - 1. These are run daily at a 3-day lag time to allow for case dispositions to be processed. Most have probably been auto-pulled by JIS but we will still need to set the payment schedule. However, there are some – usually VOPs or criminal traffic – that staff must manually create.

2. We then create the case in BM, if not already auto-pulled, and set the payment schedule to the default amounts of \$50/m for MM & CT and \$75/m for CF, unless otherwise noted on the disposition report. Some judges note in the judgment and sentence what the monthly payment amount will be and when it will start. The defendant may also fill out the COPA if they cannot afford the default amounts.

#### IX. DRIVER LICENSE SUSPENSIONS

- A. We will strictly follow FS 322.245(5)(a), which states: When DHSMV receives notice from the Clerk that a person licensed to operate a motor vehicle in this state under the provisions of this chapter has failed to pay financial obligations for any criminal offense (other than FS 318.17 criminal offenses and misdemeanors under chapter 320 or 322) in full or in part under a payment plan pursuant to s. 28.246(4), DHSMV shall suspend the license.
- B. **Late Notices and DL Suspensions:** The supervisor issues these notices daily, in batch, and mailed out to defendants. The notices include a \$17 late fee, trigger a suspension request with DHSMV, and send the case to our collections law firm/agency on day 91 if not brought current.
- C. DLs are not automatically suspended when a civil judgment (CJ) is entered at sentencing. However, if there is a DL suspension on a CJ shipped to our collections law firm/agency, it likely happened prior to the CJ entry due to nonpayment.

#### X. DRIVER LICENSE CLEARANCE/REINSTATEMENT PROCESS

- A. Reinstatement means collecting the appropriate fees and issuing a paper clearance letter because only DHSMV or Tax Collector staff can clear these. If we issue the clearance before suspension it will be recorded as a court clearance; but if we issue after suspension it will require the reinstatement fee to be paid for each case suspending the DL for court financial obligations. For example, 2 failures to pay court financial obligations suspensions = \$60.00 x 2. Further, if we have already provided the 1<sup>st</sup> free clearance letter and they come back for another staff will charge the papers-written fee for the duplicate letter that must be back-dated to the original clearance date.
- B. For a DL clearance on criminal court costs and fines, FS 322.245(5) requires the defendant to “pay in full” or make “all payments currently due”.
- C. If the defendant has a driver license suspension but has claimed a disability, SSI payments, etc., Shannon will review the paperwork to determine whether to UNCO the case. If she determines uncollectibility, the defendant must pay the past due amount prior to the UNCO to get a DL clearance.
- D. **Clearances for cases that have CJs:** Regardless of whether a CJ is in this office or at our collections law firm/agency, the following process will apply for a DL clearance in a case where a CJ has been entered:
  1. Staff will check case notes to see if the Court ordered a certain amount for clearance in collections court. If there is a court ordered amount, that is the amount the defendant must pay.
  2. If there are no court-ordered amounts, staff will use the chart below to provide the defendant the per-case total that must be paid for a clearance.
- E. As long as the case remains with us, a defendant will pay “all amounts currently due” to get a clearance letter. This means the total amount due plus the next month’s payment for all cases.

**Example:** A defendant has 2 MM cases and 1 CF case. He is behind 2 months on each MM case (4 x \$50/mo) and owes for next month on both cases, so he needs to pay \$300 for DL clearances in these 2 cases. He has never made a payment on the CF case on which he was sentenced in 06/2011, ordered to pay \$25/mo; he owes 5 x \$25/mo = \$125, plus next month's payment of \$25, for a total of \$150. To get DL clearances for all 3 cases, he needs to pay us \$425.

**F. Clearances for cases on Community Service (CS)**

1. If the defendant files a motion for CS and his DL is suspended, Gypsy will file a response that notes the conversion rates, how many hours under each rate, and the number of hours the defendant must perform before we will issue a clearance letter (10:1 ratio).
2. Staff will verify that the hours have been completed with the designated agency, prior to clearing the DL.

**G. Clearances for cases at our collections law firm/agency:** Once a case has gone to our collections law firm/agency, the "pay in full" section of the statute applies, and the clerk will use the chart below to determine how much a defendant must pay for a DL clearance. Remember:

1. The chart is not required by statute and is simply our way of trying to assist defendants, treat them fairly between MM/CT cases and CF cases, and keep calculations simple for staff.
2. If a defendant has more than one case, calculate the amount we show owing per case (not the total noted in the docket) and use this **per-case total** and the chart below to give the defendant the total payment amount for a clearance letter.

**Example:** A defendant has 2 MM cases and 1 CF case. He owes \$197 on one MM case, \$255 on the other MM case, and owes \$679 on the CF case. To get a clearance on 3 cases, he must pay our collections law firm/agency \$250 for DL clearance for the MM cases, that is \$100 for the case with a balance of \$197 and \$150 for the case with a balance of \$255; on the CF case, he must pay our collections law firm/agency \$500 for the clearance letter, for a total payment to our collections law firm/agency of \$750.

<b>DL CLEARANCE CHART for cases at our collections law firm/agency – per case</b>			
<b>CT/MM</b>		<b>CF</b>	
Amount	Payment for Clearance	Amount	Payment for Clearance
\$1 - \$250	\$100	\$1 - \$250	Pay in full
\$251 - \$500	\$150	\$251 - \$500	\$250
\$501 - \$750	\$300	\$501 - \$750	\$500
\$751 - \$1000	\$500	\$751 - \$1000	\$750
\$1001 and above	\$750	\$1001 and above	\$1000

3. The defendant must let us know of such payments and staff will verify that it has been made. Keep in mind:

- a. If the defendant pays LB with a personal check, there is a 14 day hold on LB's end.
- b. If the defendant pays LB with a credit card, cashier's check, money order, or certified check, there is a 2-3 day hold on LB's end.
- c. After the hold is cleared, the payment data is shipped to us and will be reflected in BM. Only then can DL reinstatement paperwork be initiated.
4. If the defendant enters into a payment plan with our collections law firm/agency, the defendant must pay at least the delinquent amount as determined by the chart above and we must receive our partial payment before we can initiate DL reinstatement.
5. If a clearance letter is provided to a defendant and they come back **for any reason** (this includes a CJ) after the case has been forwarded to our collections law firm/agency, then the above rules apply and you may not just provide a duplicate with the \$7 fee.
6. If the defendant makes a payment that will result in the clearance of his driver's license but makes no future payments, after 60 days he will receive another late notice from us, late fees and DL suspension. We will have to check these cases when the defendant contacts us to make note of what needs to be paid to our collections law firm/agency to clear the DL again.

#### XI. CASES/PORTFOLIOS SENT TO OUR COLLECTIONS LAW FIRM/AGENCY

- A. We are required by FS 28.246(6) to refer all debts outstanding for more the 90 days to a collections law firm or agency. The 90 days runs from the date the sentence is entered by the judge.
- B. LB handles the following portfolios:
  1. **Portfolio #1, TR cases, civil infractions only.** Must be paid in full, money not sent to us until paid in full.
  2. **Portfolio #2, civil judgments from criminal costs and fines.** Partial payments are accepted and are sent to us as received. LB distributes pro rata, i.e., if a payment is made, pro rata distributions are made to the 40%, the amount defendants owe us, interest if there is a CJ, etc.
  3. **Portfolio #3, "criminal non-compliance" or partial payment collection cases:** Same rules as portfolio #2. If a defendant sets up a payment plan and makes monthly payments:
    - a. Payment in our pocket triggers DL reinstatement.
    - b. If a defendant pays our collections law firm/agency less than the agreed amount, they will call, send letters, etc. They can accept and remit that money to us; but, if it is not a full monthly payment, if the defendant does not pay the account in full, or if the defendant does not bring all delinquent amounts current, we will not reinstate DLs.
  4. **Portfolio #4, civil filing fees and services:** *In the process of being implemented inBM.*

#### XII. CASES RECALLED FROM OUR COLLECTIONS LAW FIRM/AGENCY

- A. Recalls are the exception, and will be approved or performed by a supervisor.
- B. If a defendant is in jail or prison for more than 6 months, those cases will not be sent or and will be recalled.
  1. If a case/CJ has gone to our collections law firm/agency, Shannon will email them to request recall.

2. Whether a defendant is sentenced to prison and CJed at the same time; or a defendant is on a plan and we later learn he is in prison on another case; or the defendant has a CJ and goes to prison later, the money must be set up in AR and then the plan suspended, with the drop down reason code "Incarceration".
- C. Individual collections cases will be recalled based on the following criteria:
1. We have added additional (usually VOP) fees to a case where the case has gone to our collections law firm/agency and either has been civil judged or is an active case. If on a plan here and a defendant ends up with our collections law firm/agency, recall if new money is assessed against the same case and reset the plan. We will resend if/when he stops paying again.
  2. As ordered by judges on collections motions.
  3. Suzanne will recall TR cases as ordered by the judge - about 200 cases per year.
- D. Staff will: Enter the docket code RECO; cancel the collections alert, and update the disposition.

### XIII. CIVIL JUDGMENTS

- A. We will continue to handle if ordered by the court at sentencing, and will continue to set up in AR with the \$25 fee; this will be continued in BM. If all fees are reduced to civil judgment we will also civil judge the \$25 fee. Also, the civil judgment form will no longer be printed and forwarded to the judge for signature when ordered at sentencing.
- B. Gypsy drafted a document re moving away from CJs. [Final](#) went to the CJ on 03/14/11.
- C. We will use a **Notice of Uncollectibility.doc** that only Shannon will process. The docket code is **UNCO**. While we don't want to be overly technical, we will ask the customer for documentation or visually confirm issues. While accounts are in UNCO status, they will not be forwarded to LB and are not subject to DL suspensions; we will not pursue collection in any way. We will notify LB of cases they already have so that LB can put them in "stop work" status. Uncollectibility is Shannon's decision only. This decision does not eliminate the debt. Staff may instruct defendants, after Shannon approves uncollectibility: "Your account has been made inactive at this time, but the debt remains. You'll need to check back with us if your circumstances change."
- D. We will satisfy civil judgments that already exist. Make sure to satisfy the fines/costs part of criminal judgments, since we record all of these. Form is located at g/gypsy forms/collections/no court.
- E. If a customer complains about one of the CJs we used to do in the previous collections program – not in court by judge, but by our office b/c of DOC – see Shannon. Shannon will make a determination about how to handle these CJ issues.
- F. Satisfactions: Pay-off dates are calculated at the time of the payment. However, payoff dates shall be calculated at least 15 days out when processing motions or if the defendant is hypothesizing about a possible payment.
- G. **Civil Judgments sent to LB**
1. We began shipping civil judgments t to LB on 03/10.

2. We will not issue clearance letters if the suspension happened during a plan, before the CJ was entered by the judge, or because other money was owed.
3. If a CJ is done at sentencing, the CJ will not go to LB until day 91. Once the CJ goes to LB, we will do nothing further, i.e., no tracking, no letters, no suspension.
4. If new amounts are civil judged after an initial CJ, these subsequent CJs can be shipped to LB.
5. If we have recalled a CJ from LB to set up a plan, we will set up 2 terms for payments – one for interest, and one for the principal.
6. Third parties who want to pay off cases: LB will not provide financial information to non-defendants, so we will engage in the following steps:
  - a. These customers must be referred to Shannon, Lindsey, or Adrian.
  - b. Shannon, Lindsey, or Adrian will go to the LB site to get the current amounts owed are, including interest on civil judgments, the 40% fee, etc.
  - c. Shannon, Lindsey, or Adrian will prepare payoff letters for the customer, through a date certain, for all cases, including all amounts owed, including interest on civil judgments, satisfaction recording costs, the 40% fee, etc. We will use the Third Party Payoff letter located at g/gypsy forms/collections/no court for this purpose.
  - d. Shannon, Lindsey, or Adrian will provide these payoff letters to the customer, and instruct the customer how to pay LB, what to expect, etc.
  - e. Shannon, Lindsey, or Adrian will send LB a copy of the payoff letter to let them know to expect a payment from a non-defendant, and to allow the payment when received to be payment in full if the payment is within a month's time of the payoff letter.

#### XIV. COMMUNITY SERVICE

- A. **Cases already on CS when collections court stopped**: These are being supervised by probation, and our only role is, if we receive paperwork, to docket it and file.
- B. **Cases where costs and fines are converted to CS at sentencing**, but there is no probationary sentence (which means County Probation is not monitoring).
  1. Staff will enter the court costs and fines in AR, and set up a lump sum due on the same date the proof of community service hours are to be filed. Staff must use the docket code “**CFCS**” to create a tickler due date. This date is automatically set at 30 days but must be modified to reflect the actual time the defendant has to complete the hours. Also, set a case alert using the “Community Service” as the alert type.
  2. On the AR Maintenance front screen, change the status to “Suspended” and the reason to “Community Service”. This will stop the late notice process pending completion of the hours.
  3. If the sentence provides detail, like “30 hours within the next 90 days”, staff will place an alert/tickler on the case for the time period. If on day xx there is no paperwork showing completion of the hours, we will pull the file and send it to the judge with the proposed order to reconvert. If this order is signed, staff will “reactivate” the costs and fines, do the late and D6 letters, etc.
  4. If the sentence provides no time period within which to monitor, we will calculate the due date by a rate of 10 hours per week/40 per month and



create a tickler. If on day xx there is no paperwork showing completion of the hours, we will pull the file and send it to the judge with the proposed order to reconvert.

5. If this order is signed, staff will “reactivate” the costs and fines, add the DLSP suspension code and the PPLFF, PPLFM or PPLFT to add the \$17 late fee.

**C. Cases where the defendant files a postconviction motion to convert costs and fines into CS hours:**

1. Gypsy will respond to these motions and submit a draft order for the court. Staff will send the information sheet and report form along with a copy of an order granting to the defendant. Staff will tickle the case to insure compliance and change the status to “Suspended/Community Service” and leave the existing payment plan intact. If no compliance, send back to judge with order reconverting. Further, staff will “reactivate” the costs and fines, do the late and D6 letters, etc.
2. If the defendant seeks to convert an existing civil judgment into CS hours, staff will calculate the interest based on the date the motion to convert is filed, with the interest rate at the time the judgment was entered.
3. If the civil judgment is at our collections law firm/agency, staff will recall the case to accomplish the conversion.

- D. Verification:** If the form submitted as proof complies with FS 318.18(8) (notarized by agency staff, on agency letterhead), staff does not have to verify further.

**XV. COSTS OF PROSECUTION (COP)**

- A. FS 28.246 provides the distribution schema for this office. FS 938.27 falls in the 3<sup>rd</sup> tier and will be distributed as required by law.
- B. Further, we have civil judgments and orders converting costs and fines into community service, where the \$100 COP is segregated from the rest of the costs and fines, meaning we have a civil judgment on one hand and \$100 in active collections, or xx hours of community service to monitor with \$100 in active collections. We will do as the orders state, but no further collections activities will be addressed to the \$100.
- C. Because specially ordered COP will not be set up in AR, staff must collect the \$5 per month charge under FS 28.24(26) if the defendant makes partial payments.

**XVI. MOTIONS**

- A. While motions will go to the judges assigned to the CT, MM, and CF cases, staff must email Gypsy with details so she can file responses. The responses are kept at g/gypsy forms/collections/no court/responses, and the pro se order for the judges to sign is kept at g/gypsy forms/collections/no court.
- B. If a defendant submits a motion claiming disability, we will contact the defendant to ask for paperwork and will hold the motion for 5 days to wait for the defendant to send the paperwork. If we have not received the paperwork in 5 days, Gypsy will do a response that notes we asked and did not receive, and staff will send the motion/response/order up to the judge, noting the 5 day hold period based on waiting for paperwork.
- C. The motion should be docketed in both BM and in JIS. The docket code to be used in JIS is REOT, which will reopen the case and assign a judge. If there

are multiple county/circuit judges, assign the additional cases to the judge that was automatically assigned in the first case. However, county must go to county and circuit to circuit.

- D. The motion should be scanned in BM. When a case has multiple counts, the motion should be docketed to the count with the \$.

## XVII. INTERACTIONS WITH CUSTOMERS AT THE COUNTER AND ON THE PHONE

- A. If the defendant claims disability or says he receives SSI payments, staff must tell the defendant that he **must** submit any supporting documentation, specifically, something from his physician that states the nature and duration of the disability.
- B. Whether a defendant calls or come to the counter, staff must make notes in BM to log the interaction and what our staff told the customer.
- C. When a customer comes in to pay or negotiate lower payments, etc., staff must check BM notes regarding previous interactions with customers and must follow those notes. **Example:** *BM says the defendant was told to pay \$1000 for a DL clearance in his CF case, and \$150 in his MM case. Staff will not change these amounts and will tell the defendant what he was previously told. Failure to comply with the notes concerning what the defendant was told re amounts to pay and when may result in disciplinary action.*

## XVIII. SETTLEMENT OF JUDGMENTS, COURT COSTS AND FINES, ETC.

### A. **Legal References**

- 1. FS 27.562: All funds collected pursuant to FS 938.29 shall be remitted to the Department of Revenue for deposit into the Indigent Criminal Defense Trust Fund administered by the Justice Administrative Commission pursuant to s. 27.525. . . .
- 2. FS 938.29(3): The clerk of the circuit court within the county wherein the defendant-recipient was tried or received the services of a public defender, special assistant public defender, office of criminal conflict and civil regional counsel, or appointed private legal counsel, or received due process services after being found indigent for costs, shall enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debt or lien imposed under this section. . . .
- 3. FS 938.30(9): The clerk of the court shall enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debts or liens imposed and collected under this section in the same manner as prescribed in s. 938.29(3).

### B. **Process**

- 1. If a defendant wants to offer an amount on a PD lien judgment recorded in OR and there is interest on this judgment, we will run the payoff information through the end of the month. Then Shannon will contact Nancy Daniels by email to ask if she has any objection to settling to the amount offered on principal and/or interest. The Clerk has required this step because PD lien money – principal and interest – goes to the criminal indigent TF.
- 2. If a defendant wants to offer an amount on a civil judgment that has been recorded, and that civil judgment includes the PD app fee and has interest on it, we will run the payoff information through the end of the month on the \$50 PD app fee (which goes to the criminal indigent TF) by itself and then interest on the remaining judgment amount. Again, if the offered settlement

amount affects the \$50/interest on it, Shannon must contact Nancy Daniels re the offer.

**XIX. DISTRIBUTION OF COURT COSTS AND FINES PAYMENTS**

A. Distribution is mandated by statute. Thus, if a customer says, I want this \$100 payment to go to COP, we tell the customer that is not possible according to the law. The statute provides:

**FS 28.246(5)** When receiving partial payment of fees, service charges, court costs, and fines, clerks shall distribute funds according to the following order of priority:

(a) That portion of fees, service charges, court costs, and fines to be remitted to the state for deposit into the **General Revenue Fund**.

(b) That portion of fees, service charges, court costs, and fines which are required to be retained by the clerk of the court or deposited into the **Clerks of the Court Trust Fund** within the Justice Administrative Commission.

(c) That portion of fees, service charges, court costs, and fines payable to **state trust funds**, allocated on a pro rata basis among the various authorized funds if the total collection amount is insufficient to fully fund all such funds as provided by law.

(d) That portion of fees, service charges, court costs, and fines payable to **counties, municipalities, or other local entities**, allocated on a pro rata basis among the various authorized recipients if the total collection amount is insufficient to fully fund all such recipients as provided by law.

B. Examples of what falls under each tier are:

1. **Tier 1**, General Revenue: Civil filing fees (FS 28.241)
2. **Tier 2**, Clerk of Court: \$25 fee to join payment program (FS 28.24(26))
3. **Tier 3**, State Trust Funds: Fines, victim's comp, COP, PD lien, local govt, crime stoppers, crimes comp, additional court cost, LEO education city, LEO education county, teen court, county crime prevention, county additional court cost, etc.
4. **Tier 4**, County & City: Fines on city and county offenses like animal control, noise, and code enforcement

C. FS 27.52(1) states that, notwithstanding any other law, the \$50 PD app fee shall be paid first. This means it is paid even before Tier 1.

D. 10% of all fines are kept by the Clerk's Office per FS 28.2402 (city and county fines) and FS 28.37 (state fines). We do not keep another 10%, under FS 34.045(1)(a) (ordinance, etc.) for deposit into the clerk's fine and forfeiture fund established pursuant to FS 142.01, because we already retain a portion based on the 1<sup>st</sup> sentence.

E. On the occasion in which the court has ordered restitution to be paid prior to the collection of court costs and fines, calculate the total amount of restitution ordered divided by the amount to be paid each month (the court is usually specific about what should be paid each month) which will provide the number

of months it will take to pay it off. Set the payment plan to begin 30 days from the restitution pay off date.

LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL  
CENTRAL CASHIERING

Section No.:7-11	Subject: Community Service – Conversion of Costs and Fines	
Effective Date: 6/8/2011	Revision Date: 8/8/2011	Approved By: Shannon Cash-Russell

The conversion of court costs and fines to community service will only be done by court order, unless otherwise specified at sentencing. A motion and COPA form must be filed to gather financial information.

The conversion rate is generally \$10 per hour but is not guaranteed as the judge may order something different. For example, if the total amount due is \$1252.50, the general conversion would be to 125 hours.

**I. SETTING A CASE FOR COMMUNITY SERVICE:**

**A. For Cases With ALL or PARTIAL Court Costs, Fines, and Fees Converted to Community Service**

1. After adding all the court costs, fines, and fees to the docket (do not add the PPSF if ordered at sentencing), enter the docket code **CFCS** which automatically creates a 30 day tickler. This “Days Due” must be adjusted as needed to reflect the time specifications ordered by the court. If the court provides no time period w/in which to monitor, we will calculate the due date by a rate of 10 hours per week (or 40 per month) and create a tickler. Add an alert to the case using “Community Service” as the alert type.
2. Move all money into AR and but do not set the payment plan and delete any existing plan because any fees remaining may cause a late notice to issue after the due date. **Do not dismiss any fees at this time.** The fees will be dismissed when they have completed their hours.
3. On the AR Maintenance front screen, change the status to “Suspended” and the reason to “Community Service”. This will stop the late notice process pending completion of the hours.
4. Prepare the community service information and record sheet for the defendant which can be found at: <\\.\.\.\Gypsy Forms\Collections\NO COURT\Community Service\Community Service Info Sheet & Record form packet.doc>
5. Docket POCS (Proof of Community Service) when the final record of completion of hours is submitted to the Clerk after the hours have been verified. Once completed, all associated fees will be dismissed using the dismissal code – Dismissed – Converted Costs

## II. RECONVERTING COMMUNITY SERVICE TO COSTS AND FINES

1. Cases that have been converted to community service will be monitored by running the open tickler processing report. Cases that appear on this report will be checked for proof and due dates
2. If the due date has expired without proof having been filed, the clerk will prepare a proposed order to reconvert community service to costs and fines. This order is located at <..\..\..\Gypsy Forms\Collections\NO COURT\Community Service\Order Reverting Comm Svc hours into costs & fines.doc> . A single order may be used for multiple cases.
3. Prepare a memo to the judge that indicates failure to complete community service and docket that the memo and proposed order was sent to the judge on mm/dd/yy. This form is located at <..\..\..\Gypsy Forms\Collections\NO COURT\Judge transmittal memo form.doc> . A single memo can be used for multiple cases.
4. When the signed order is returned, please do the following:
  - a. Docket the order in each case
  - b. Add the PPSF for each case if not already there
  - c. Move all monies into AR for each case if they are not already there
  - d. Set new payment plan for each case
  - e. Mail a copy of the order and payment plan for each case to the defendant.
  - f. Ensure you close out the community service tickler and cancel the community service alert

LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL  
COURTS DEPARTMENT

Section No.:	Subject: Notice of Court Ordered Payments (COPA)	
Effective Date:	Revision Date:	Approved By:

I. COURT ORDERED PAYMENT APPLICATION (COPA)

- A. A COPA should be completed when the defendant comes into our office for a first visit, so that we have address and financial information on hand. Do not just docket this form: You must update the address, social security, etc. based on the information provided in the COPA, for each open case.
- B. The form asks for income, weekly, monthly, etc., and then asks for a total of monthly expenses. We can take weekly x 52 or monthly x 12, subtract the total expenses, and then divide that number by 12 for the minimum amount. If the amount is 0, we need to ask why there is no income. If the court orders the defendant to pay a certain amount (i.e. \$35 monthly starting 90 days after release) that overrides the amount determined by the information the defendant provided on the COPA form.
- C. In the event that late notices are accumulating due to lack of payment and the defendant makes contact with us stating he cannot afford to make the payments as ordered, we can go back and review the COPA and modify his plan based on the information provided.
- D. In the event the defendant states that his circumstances have changed since the original COPA was filed and he wants to lower his payment amount, a new form must be prepared and filed.
- E. If a defendant claims a significant change in circumstances, such as a recent job loss, a new COPA must be completed and the clerk may allow up to 3 months for the defendant to find a new job, but the defendant may still file a motion for community service, etc. if he wishes. However, if the defendant has job loss as a reoccurring problem OR comes back to state he is still unemployed, etc. after the 3 months and/or still cannot make payments, then he must file a motion for relief. If there is a documented disability, joblessness, homelessness, etc., then it's time for Shannon to prepare and docket the Uncollectibility form. If the defendant has a driver license suspension when we docket UNCO, the defendant will have to pay the past due amount prior to the UNCO to get a DL clearance.

II. MONTHLY PAYMENT CALCULATIONS

- A. We currently use the COPA for single determinations so we can set those at the \$25/m minimum but when we end up with people with multiple cases we basically ask what the most is they can pay per month and then divide it up.
- B. FS 28.246(4) states: "A monthly payment amount, calculated based upon all fees and all anticipated costs, is presumed to correspond to the person's ability to pay if the amount does not exceed 2 percent of the person's annual net income, as defined in s. 27.52(1), DIVIDED by 12." We need to be prepared to ask customers to provide sufficient information to determine this, as this would be the minimum amount that could be assumed "reasonable".
- C. Set all cases but one case way out on timeline, like year 2014, and then collect only on one. When it is completed, move one more case into active and permit it to be paid in full, etc.

Then you are not constantly adjusting all plans. Staff will set a monthly payment schedule for the case currently being paid and any subsequent cases can be set out for a single payment (total due) until it's time to set an actual month-to-month plan.



LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL

SPECIAL PROCESSES/CENTRAL CASHIERING DEPARTMENT

Policy # 7-4	Subject: <b>Court Ordered Payments - Financial Statement</b>	
Effective Date: Jan 7, 2010	Revision Date:	Approved By:

1. Defendants will be required to complete and file a financial statement to be eligible to make partial payments of court ordered court costs and fines. The form is located here: [..\Collections\Notice of court ordered payments 12-15-09 FINAL.doc](#)
2. Defendants will be provided a financial statement with the yellow Notice of Court Ordered Payments. The most current version of the notice is located here: [..\Collections\Collections Court\Notice of court ordered payments 12-15-09 FINAL.doc](#)
3. The Financial Statement will be docketed and scanned in CourtView using the **COPA** docket code. The information provided within the financial statement will be noted within the party information in CourtView. This is not a public image and any copies provided must have financial information redacted according to the [Public Records Redactions](#) and [Confidential Judicial Records](#) policies, if the statement is provided to a person that is not a party to the case.
4. The minimum monthly payment allowed, regardless of how many cases will be no less than \$25.00, to be distributed among all cases. Refer to the monthly income determination sheet [..\Collections\collections\\_monthlypayment\\_plans.xls](#) to establish what amount is to be paid per month based on the information derived from the financial statement.

IN THE CIRCUIT/COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA  
VS

CASE NO: \_\_\_\_\_  
CITATION \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT

**MOTION FOR COMMUNITY SERVICE**

I am requesting the performance of community service in lieu of paying costs and fines imposed on the above listed charge(s).

I am unemployed:            Yes            No  
I work part-time:            Yes            No   Hours per week: \_\_\_\_\_  
I have a limited income:    Yes            No   Monthly Gross: \_\_\_\_\_  
I am a:                        Full-time    Part-time student

Additional Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Cell Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Granted    Denied

You have requested that your costs and fines be converted to \_\_\_\_\_ community service in lieu of payment of \_\_\_\_\_. You will be required to show proof of \_\_\_\_\_ hours by the \_\_\_\_\_ each month until completed on or before \_\_\_\_\_.

Pursuant to Chapters 318.18(8a) (3a) and 938, Florida Statutes, proof of completion must be provided **on agency letterhead; an authorized agent of the agency must sign the form; and the agent's signature must be notarized.**

Failure to provide proof of service may result in your community service option being revoked and you will be required to make payment.

\_\_\_\_\_  
Judge or Hearing Officer Signature

\_\_\_\_\_  
Date



THE HONORABLE  
**GWEN MARSHALL**

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER

CLERK OF COURTS • COUNTY COMPTROLLER • AUDITOR • TREASURER • RECORDER

## COMMUNITY SERVICE INFORMATION

<AUTODATE>

Name: \_\_\_\_\_

Case #s: \_\_\_\_\_

The above individual has been ordered by the Court to complete \_\_\_\_\_ community service hours, at a rate of \_\_\_\_\_ hours per month, with a **non-profit agency** instead of paying court costs and fines.

Proof of completion of \_\_\_\_\_ **community service hours** must be filed with the Leon County Clerk of the Circuit Court and Comptroller's Office by the \_\_\_\_\_ of each month. **Your first due date will be** \_\_\_\_\_.

Failure to file proof of completion of community service hours with the Clerk's Office may result in additional late fees and driver license suspension. Attach this letter to the agency's completion form, or make sure the agency lists all of the above case numbers on your completion form.

**Community service hours must be performed at an established, non-profit agency**

**Community service hours must be reported to the Court.** Pursuant to Chapters 318.18(8a)(3a) and 938, Florida Statutes, proof of completion must be provided **on agency letterhead; an authorized agent of the agency must sign the form; and the agent's signature must be notarized.** This form must be returned to the address noted above. If you fail to complete your hours and submit proof of completion **by the \_\_\_\_\_ of each month as** noted above, the court may reconvert your hours into costs and fines and all provisions relating to payment will apply to you again.

For a list of community service providers, please visit [www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

**Leon County Clerk of Courts**  
**Finance Department**  
Operating Policies and Procedures Manual

Section: 5.1	Title/Topic: Cash Controls
Effective: 10/01/10	Revised : Approved By: David Reid

**PURPOSE:**

The purpose of this policy is to establish a better understanding of internal controls and present a set of policies, procedures, and preferred practices designed to safeguard the receipt of cash.

**POLICY STATEMENT:**

This policy establishes guidelines that will ensure that cash controls are adequate for cashing activities, cash receipts are real and creditworthy, properly and timely secured, transferred and deposited; and individual cash transaction amounts are accurately entered in the accounting records. The system established by these procedures will encourage adherence to prescribed managerial policies, promote operational efficiencies, protect assets from waste, fraud and theft, ensure accurate and reliable accounting data and help prevent the appearance of impropriety.

**RESPONSIBILITIES:**

The Clerk of Court will design policies and procedures to provide adequate safeguards for the collection of cash. Employees at each Clerk and Board cashing location will be responsible for collecting and receipting cash, recording the receipts into subsidiary ledgers, preparing daily reports and deposits, and securing deposits for pickup by a courier. The Clerk Finance Department will be responsible for establishing bank accounts, recording transactions in the Banner General Ledger, preparing bank reconciliations of the cash deposited in the bank and cash recorded in the General Ledger, transferring operating cash to each fund on a monthly basis, managing returned checks, and contracting for and overseeing banking and courier services.

**PROCEDURES:**

General Principles

1. Responsibilities should be clearly established in a given situation or for a given task. One person should be made responsible. When responsibility is shared and something goes wrong, it can be difficult to determine an exact cause.
2. Adequate records should be maintained. Good records enhance control by making specific employees responsible for the care and protection of assets. For example, there should be records evidencing any transfer of cash between employees taking place from point of receipt until deposit.
3. Separation of duties. The supervisor is responsible for establishing procedures that ensure that no one individual is responsible for collection, handling, depositing and accounting for cash received. Observing this principle will facilitate detection of errors or shortages.
4. Physical security and Data Transmission security. Receipts should be secured at all times and technology resources involved in processing collections (i.e. hardware and confidential information) are protected from loss, corruption, or compromise to confidentiality.
5. Reconciliation of accounts. Procedures should ensure that collections are deposited to authorized County bank accounts in an accurate and timely manner.
6. Personnel should be rotated. Whenever possible, employees should be rotated in their job assignments. This has a number of advantages. An employee is less apt to be careless or to intentionally commit a wrong when he knows his action will likely be brought to light when job assignments are changed. Also, an employee who has handled a number of assignments in his department is usually more capable at any one job because he understands how that job fits into the work of a department. Finally, a department's work does not cease when a key employee is ill or absent; other employees can perform these functions.
7. Employees should undergo training. An internal control system will not function properly unless the employees cooperate and perform their tasks competently and in the prescribed manner. When employees do not understand the need for certain procedures or feel the procedures cause them unnecessary work, they will often avoid the procedures

and, thus, destroy the effectiveness of the entire system. Consequently, an internal control system should be designed to cause the employees the least amount of work and inconvenience, and the reasons for its prescribed procedures should be fully explained.

8. Management should constantly review the control system. An internal control system, no matter how well designed, cannot be expected to function properly without periodic examination and review. An examination or audit may disclose that prescribed procedures are not being followed or that better control or better work at less cost will be gained with a change in the procedures. Employees should be charged with examining their own processes, pointing out any redundancies and suggesting improvements.

#### Preferred Practices

##### 1. Depository Accounts

- a. All depository accounts shall be established with the qualified public depository under contract with the Clerk of Court and sophisticated security controls such as dual control and multifactor authorization will be utilized.
- b. Upon approval by the Clerk Finance Director, the Treasury Manager will request that a new account be set up. The bank will send signature cards for the new account to the Finance Office Manager.
- c. All depository accounts shall be maintained in the name of the Leon County Board of County Commissioners or Leon County Clerk of the Courts. Under no circumstances shall accounts be set up in an individual's name or departmental name or be set up by anyone other than the Treasury Manager.
- e. The Treasury Manager will ensure that the bank fees charged and services provided are consistent with the written agreements.
- g. Depository accounts shall be used only for official County business. Outside vendors and other departments may be given query access to certain accounts in order to conduct their business such as collection of fees.
- h. Annually the Treasury Manager will confirm that bank accounts including CDs and checking are held by qualified public depositories (and confirm the balances) using form DFS J1295 (and attachment listing accounts and balances) and submit the completed the Public Depositor Annual Report to the Chief Financial Officer before November 30. (Section 280.17, Florida Statutes).

##### 2. Establish Change Funds:

- a. The requesting County officer shall furnish a letter to the Treasury Manager which sets forth the purpose, amount, and the justification for the establishment or increase in the amount of the fund.
- b. Upon approval, the Treasury Manager shall request a county warrant in the approved amount payable to
  - i. Leon County Clerk of Court C/O the responsible Clerk employee
  - ii. Leon County Board of County Commissioners C/O the responsible County employee
- c. The responsible payee will pick up the check from the Finance Reception staff and sign the check log documenting receipt of the check.

##### 3. Establish Petty Cash funds:

- a. Purchasing Cards are generally used in lieu of managing petty cash funds. The Treasury Manager may approve necessary petty cash funds for certain offices.

##### 4. Computer Software Receipt Systems

- a. Computer systems and locking cash drawers are used for the receipt and control of monies received by Departments with a large volume of cash receipt transactions
- b. The receipt system which will be most effective and economical for the needs of the department should be selected. Changes to a receipting system should be discussed with the Treasury Manager in order to facilitate the most efficient transfer of receipt data to the general ledger.
- c. A security administrator will set up access/update rights to the receipting systems and limit this access to only those employees who need the access in the normal course of business.

##### 5. Cash Registers

- a. Cash registers are used for the receipt and control of monies received in some locations. In situations where staffing is limited or equipment functions vary, compensating controls will be established.

## 6. Locations without Cashiering Systems

- a. An official County receipt shall be issued for the exact amount of all money received by any officer or employee of a Department. Only official County receipt books issued to departments by the Clerk of Court Finance Office Manager may be used, unless otherwise expressly approved. The standard official County receipt is pre-numbered and contains an original copy and carbon copy. The original copy is given to the customer and the carbon copy is retained by the issuing department.
- b. The Clerk of Court Finance Office Manager will purchase all official County receipt books, maintain a supply of these for distribution to departments and assist cashiers with accountability procedures.

## 7. Cashiering

- a. At the start of each business day, the employees performing the functions of the cashier will count and sign for any assigned change funds or obtain their locked cash drawer from the safe.
- b. After the cashier has collected the appropriate payments record the receipt in the computer system or manual cash receipt to credit the customer account.
- c. Do not permit interruptions while you are handling a transaction. Finish one transaction at a time. Never allow yourself to become so confused by a customer's demands that you make mistakes such as giving the wrong amount of change or failing to collect the payment.
- g. Never count currency directly into the cash drawer. Always place it on the counter (in a dish or bin) away from the customer's reach, make the necessary change, and complete the transaction. Keeping the money in sight until the transaction is completed will avoid controversies that might arise as to the amount given by the customer. Then, place the customer's payment in the proper compartments of the cash drawer.

## 8. Check Inspection Procedures

- a. It is the responsibility of the Division staff to check the Returned Check Database to determine if a check can be accepted for payment of fines, fees or services prior to receipting a payment.
- b. Information in the Returned Check Database is available to all Clerk and Board of Commissioners Divisions online at <http://cvweb.clerk.leon.fl.us/badcheck/>.
- c. Conditions for acceptance of a check as payment:
  - i. If a person or business has an unpaid Returned check, no further checks should be accepted until the return is marked paid.
  - ii. If a person or business has had three or more Returned checks, paid or unpaid, within one year of the current date, no further checks should be accepted for payment of any fine, fee or service.
  - iii. Per Florida Statute, any person or business who presents a check for payment of child support which is returned unpaid may no longer tender checks for payment of child support.
  - iv. Returned checks are automatically deposited in the remitter's bank a second time by the Bank.
  - v. Departmental Responsibility: If an individual notifies your department that a check will be returned, direct them to the Finance Department Revenue Office at 850-577-4020. Do not attempt to collect funds for a returned check
- d. Check inspection:
  - i. Has the check been altered? If altered, has it been initialed?
  - ii. Has the check been signed?
  - iii. Does the preprinted name match the signature?
  - iv. Is there a printed address indicating a local street address? P.O. boxes are not permitted.
  - v. Look for the phone number, Social Security Number, Driver's License
  - vi. Is the check post-dated (future date) or stale-dated (check date is over the void date on the check—if there is no void date on the check, a check over 180 days old is usually considered to be stale-dated)?
  - vii. Is the payee "Leon County Clerk of Court" or "Leon County Board of County Commissioners"?
  - viii. The number amount should be the exact amount due and agree with the written amount. Watch carefully for missing words in the written amount. The written amount is the amount the bank considers legal and valid

rather than the numerical amount.

ix. Look at the name and address, as well as the MICR (Magnetic Ink Character Recognition) coding.

x. Check the identification and signature—look at the photo and the face in front of you.

xi. Initial the check and indicate the type of sale or service.

e. Stamp the endorsement on the back of the check.

#### 10. End of day balancing procedures.

a. Each cashier or supervisor is to run a copy of the daily report and verify cash count total minus any change fund against the register or computer report of the revenue total. Cashiers and supervisors may jointly verify the amount of cash and the supervisor may prepare balancing reports.

b. In Departments that do not use daily reports, each cashier will count out the change fund and set this amount aside. Then count all the money (checks, currency, coins, credit cards, EFT, escrow account receivables) and compare the count to the total receipts for the day.

c. If there are differences between cash count minus change fund and revenue reported on the daily report or cashier's total of the receipts, search for any transactions, which caused the differences.

d. The supervisor should note any differences between cash count and daily report totals or cashier's total receipts on the daily report or Cashier's Summary and explain the reason for the difference.

e. Supervisor or Head Cashier Duties. Count out the Change or Bank Fund, if any, from each cash drawer and then proceed. Do not short the Division's change fund in order to balance the deposit, and do not retain any cash overages in the change fund. Each cashier's change fund should be locked in their cash drawer and placed in the safe overnight.

f. The Supervisor balances the receipts for all cashiers and prepares a daily deposit and courier manifest form. The deposit is locked into a bank bag and placed in the safe until the courier pickup.

g. The Supervisor shall review all voided receipts on a daily basis. For some Departments, notation of the reason for the void is entered into the computer subsidiary record. Where available a daily void report should be printed and filed after the Supervisor completes their review.

h. Send to Finance a copy of the daily balancing report or cash receipt to post to Banner and supporting documents.

i. Keep a copy of the deposit slip, the credit card slips, settlement ticket, the detail reports, a copy of the mail log, a copy of any manual summary report, a copy of the Over/Short memo, and any pre-numbered receipts on hand in your department. This information must be kept by day. You will be expected to produce this information for an audit by either our Internal Audit Division or the external auditors. Your report must match our report.

#### 11. Deposits

a. Receipts should be deposited daily, intact. Depositing intact means that the deposit must consist of the same checks and/or money orders and the same amount of currency and coins as indicated in the receipts for the deposit.

b. Less than daily deposits (not to exceed one week) may be warranted if receipts are small or special circumstances exist. Large amounts of cash shall not be allowed to accumulate. If cash is not deposited on a daily basis, it should be kept in a locked, secure place (a safe, drawer, or cabinet) with access restricted to as few employees as possible.

c. Deposits should be made by someone other than the person performing the functions of cashier or bookkeeper, or the person who issues receipts.

d. Categorize the total by currency, coin, checks, or wire transfer as listed on the form. The total of the individual receipts must equal the amount being deposited.

#### 12. Cash Received Through the Mail

a. Receiving, opening and distributing incoming mail are jobs that should be handled by, or be under the supervision of, a responsible employee other than the employee performing the functions of cashier or bookkeeper. If possible, mail should be opened in the presence of another person. An endorsement stamp must be used on all checks and money orders at the time they are received.

b. The person in charge should make a log of cash received, indicating the name of the remitter, the amount

received and other pertinent data. Preferably, the log should be made in duplicate on numbered forms, with both copies signed by the person opening the mail and by the employee performing the functions of the cashier or bookkeeper to whom the cash is turned over, acknowledging receipt of the total amount on the form. One copy of this log should go to the person who opened the mail and the other to the employee performing the functions of the cashier or bookkeeper.

- c. Alternate Mail Receiving Procedure. If the foregoing procedure is not feasible, the person opening the mail should total the currency, checks, and money orders received by using an adding machine. The amount on the tape should further be identified by inserting such information as the payer's initials, case number or other identification data next to each dollar amount. The amounts can subsequently be reconciled after all receipts are written by the employees performing the functions of cashier or bookkeeper.

13. Physical controls to safeguard and limit access to cash in collection and safe locations;

- a. Employees shall not commingle private monies with County funds. Therefore, County funds shall not be used to cash payroll checks or other personal checks. Employees shall not borrow money or issue personal IOU's in exchange for County funds of any kind. Furthermore, employee personal funds shall not be used to reimburse shortages in cash funds nor shall overages be retained to "make up" future shortages or for non-County purposes.
- b. In order to segregate responsibility for cash overages and shortages, each employee should be assigned a separate cash drawer with a key. The employees performing the functions of cashier shall keep the cash drawer locked when not in use and shall be responsible for the money in the cash drawer
- c. All cash should be deposited in a locked, secure depository (a safe, drawer, or cabinet) and access should be restricted to as few employees as possible.
- d. Offices and desks should be locked during non-working hours and keys should be restricted to the minimum possible number of employees. A written record of office keys should be maintained, and it should be the responsibility of a management employee to ensure that office keys are returned by terminated or transferred employees.
- e. When a written safe combination is maintained, it must be kept in a secure location. The combination to the safe should be changed annually or whenever an employee who has knowledge of the combination terminates employment or is transferred to another department.
- f. The Clerk has contracted for Courier services with Loomis. The Courier will sign for receipt of funds and transport locked bank bag deposits to the bank.

14. Segregation of incompatible duties among employees;

- a. An employee other than the employee performing the functions of cashier and bookkeeper or the person who issues receipts should prepare or make deposits to the bank.
- b. The duties of those employees performing the functions of cashier and bookkeeper should be independent, with neither person having access to the other's records.
- c. Independent reconciliations and verifications of records of initial receipt, to amounts transferred for deposit and to validated deposit tickets are performed by the Clerk Finance Department
- d. Bank accounts are reconciled not less than monthly by the Clerk Finance Department staff that does not perform the functions of cashier, bookkeeper or preparing bank deposits.
- e. No adjustments should be made to ledger accounts without independent review and approval

15. Cash Shortages/Overages

- a. In order to assign responsibility for any shortages, transfer of cash between employees from point of receipt until deposit must be documented in writing and each cashier should work out of their own locking cash drawer.
- b. Routine Errors in Cash Handling. Occasionally, errors will occur in making change and other cash transactions that result in cash shortages. Any employee experiencing an unresolved cash shortage must report the exact sum of any cash deficit to their supervisor at the close of each business day.
- c. Whenever warranted by the size of the shortage, the department head or supervisor should make a thorough attempt to determine the reason for the shortage. The review might include recounting the cash, reviewing all



transactions for the period including voids, and checking the amounts of all checks and money orders to ensure that the receipts were written for the correct amounts.

- d. The shortages and overages are reported on the cash receipt report and Finance records the net amount to the Banner general ledger account 54900.
- e. Shortages that are equal to or greater than \$50 are reported by staff to the Division Director and Division Director reports the shortage to the Clerk of Court.
- f. Any shortage or overage of \$100 or more must be reported and explained by email to the Director and Treasury Manager. A copy of the email or correspondence describing the research conducted to follow up on the shortage/overage is filed with the daily closeout report that is sent to Finance.
- g. The Supervisor shall maintain adequate records and notations to describe the source and nature of all overages/shortages tabulated for each cashier to use for counseling and evaluations.
- h. Shortages when Theft or Negligence Is Suspected. Any person suspecting theft or negligence shall report such irregularities to the division head. The division director shall contact the Internal Auditor discuss the circumstances of the suspected theft or negligence or when shortages by one cashier continue over a period of time.
- i. The Auditor shall establish the amount of the loss and the circumstances surrounding the shortage. The Auditor shall issue a report, with recommendations, based on the findings in the case. Losses including theft or burglary should be reported to the Internal Auditor and law enforcement. Note: Do not disturb cash areas if theft or burglary is suspected
- j. A copy of the report shall be sent to the Division Director and Finance Director.
- k. All shortages of a significant amount in terms of frequency and amount are subject to disciplinary action or counseling as deemed necessary by the Division Director in consultation with the Finance Director.

#### 16. Counterfeit procedures

- a. Cashiers use marker pen: good on all US currency printed 1960 and after. Uncap marker and make a small line on the bill. A light mark, usually amber in color, passes the test. If the mark turns black or dark brown, the bill may be counterfeit.
- b. If one of these bills doesn't meet the above criteria do not give the bill back to the person.
- c. Tell the individual using the suspected counterfeit bill that you need to check with your supervisor about something on their account.
- d. The Supervisor takes the questionable bill to a quiet and secure place and look for the identifying markers on the bill. Watermark face is the same as the one in the middle of the bill. Look for the security thread and other security devices. If available, run the banknote through the bill counter verification system.
- e. Call the Secret Service at TALLAHASSEE 850-942-9523 and ask them to check the serial number.
- f. Write your initials and date in the margin surrounding the bill and place in a clean, blank envelope. The less you touch the bill the better – fingerprints.
- g. Do not give the counterfeit bill back to the person attempting to make the payment.
- h. Give a receipt, as evidence, for the suspected counterfeit bill and write down the individual's name, address and any personal information. Explain the problem to the person and tell him/her that he/she will be contacted at a future date. Instruct the customer that he/she must pay the remainder of the fine, fee or cost with good currency. The suspected counterfeit bill does not count as payment. The supervisor shall give his/her name and phone number to the customer, so the customer can contact him/her if there are any questions.

17. Voiding Checks - the Accountant I is responsible for timely voiding and entering stop payments for disbursement checks returned to Finance.

[DT Section 5 Treasury Management\5.1 Cash Receipts](#)

LEON COUNTY CLERK OF COURT

**Special Processes Division**  
**OPERATING POLICY AND PROCEDURE MANUAL**

Policy # 5-9	<b>TOPIC: Hand-Receipts</b>	
EFFECTIVE DATE:	REVISION DATE:	APPROVED BY:
10/24/2012	11/02/2012	Shannon Cash-Russell

- I. Purpose:** To identify circumstances under which hand-written receipts may be used in lieu of electronic receipts from case maintenance applications.
1. Under normal operating conditions, all receipts will be issued from applicable case maintenance applications.
  2. In the event of power/server outage or other reasons that result in the unavailability of required applications, staff may issue hand-receipts from the receipt book after securing permission from supervisor, assistant supervisor, or lead cashier.
  3. Receipt books will be kept in the safe at all times and will be removed only by the supervisor, assistant supervisor or lead cashier as needed. The cashier taking possession of the hand-receipt book will sign and date the log book when it is checked out.
  4. Receipts will be used in numerical order and they shall not be skipped. The reason for the hand receipt shall be noted on the receipt.
  5. The green copy of each manual receipt shall remain in the receipt book as well as all 3 copies of any voided or unused receipts for accounting and auditing purposes. If voided, please note the reason for the void. The original receipt (white copy) shall be provided to the customer. The yellow copy shall be included in the daily closeout.
  6. Be sure to use the divider flap between the receipts to avoid a bleed-through to the next receipt. In the event that a receipt is skipped, it shall be voided, but not removed from the booklet.
  7. Hand receipted transactions will be processed in the presence of another cashier who will verify the payment was received. The cashier will record the following information on the receipt: Date of payment, amount of payment, tender type, items paid for and the case name and number. The issuing clerk will sign the

- receipt and the 2<sup>nd</sup> clerk will initial the receipt as verification that the transaction was witnessed by someone other than the issuing cashier and the customer.
8. The receipt book will be returned to the supervisor, assistant supervisor or lead cashier upon completion of the transaction, who will return the receipt book to the safe and note the time of the return.
  9. The hand-receipt will be receipted directly to the case immediately upon the reactivation of case maintenance applications, with a 2<sup>nd</sup> clerk witnessing the issuance of the electronic receipt from the application.
  10. If the hand-receipt was for a cash transaction, staff will enter the hand receipt number in the comment field of the electronic receipt transaction when processed.
  11. Once receipted in the case maintenance application, a copy of the electronic receipt will be given to the supervisor, assistant supervisor or lead cashier to attach to the record copy of the hand-receipt.
  12. The cash receipt book will be reviewed and verified each week by the supervisor, assistant supervisor, or lead cashier. Each receipt will be balanced to recorded revenues and the reviewer will sign to document completion of this verification.

## **II. Child Support Purge Receipts**

Pursuant to Court's Department Policy 7-10, [CSE Receipting, Writ Removal and Purge Receipt.doc](#), these receipts are provided to customers that have an outstanding Writ of Attachment for failure to pay child support. They shall also be kept in the safe until needed and will follow the above procedure.

LEON COUNTY CLERK OF COURT  
OPERATING POLICY AND PROCEDURE MANUAL

**SPECIAL PROCESSES DIVISION**

Policy # 7-12	TOPIC: <b>Inmate Release Report</b>	
EFFECTIVE DATE:	REVISION DATE:	APPROVED BY:
8/1/09	8/16/2011	Shannon Cash-Russell

**A. Purpose:** To identify Leon County defendants incarcerated in the Florida Department of Corrections (DOC) that have a pending release date within the DOC database. We will use this report to create payment plans based on the release date and generate a letter to defendants advising them of their financial obligation to the court.

**B. Process**

1. Access the DOC website at <http://www.dc.state.fl.us/>.
2. Scroll to the bottom of the home page, to the “State Prisons” heading, and click on “Inmate Release Search”.
3. Locate the “Release as of Date” heading.
4. Enter the date range you are searching. Search one month at a time.
5. Scroll down to the “County of Commitment” and select “Leon” County.
6. Click on “Submit Report”.
7. A list similar to the following will appear:

Name	DC Number	Race	Sex	Hair Color	Eye Color	Height	Weight	Release Date
<u>ALEXANDER, JAMES L</u>	N02945	BLACK	MALE	BLACK	BROWN	5'11"	220	08/15/2009
<u>ALFORD, MYRA A</u>	724191	WHITE	FEMALE	BROWN	HAZEL	5'05"	156	08/31/2009
<u>ALLEN, HERMAN L</u>	015268	BLACK	MALE	BLACK	BROWN	5'07"	174	08/13/2009
<u>ANDERSON, JAMES E</u>	N12591	BLACK	MALE	BLACK	BROWN	5'09"	205	08/12/2009
<u>BRADHAM, GREGORY</u>	759234	BLACK	MALE	BLACK	BROWN	5'10"	172	08/04/2009
<u>BRIGHTMON, JOVAN S</u>	U03945	BLACK	MALE	BLACK	BROWN	6'01"	192	08/05/2009

8. Click on each name.
9. A new screen will appear that will identify the address the defendant has given DOC as his residence upon release and the case that caused him to be sentenced to DOC.
10. Update the address provided in CourtView for each open case and JIS.
11. If the case has already been reduced to civil judgment or has been referred to Linebarger, do nothing further.
12. If there are additional open cases that have not been reduced to civil judgment/Linebarger, continue to the next steps.
13. Set up a payment plan to begin within 90 days of the defendant's release from DOC and mail a letter, located at <G:\Central Cashiering & Special Processes - Shannon\Special Processing\Collections\Letters\inmate release notification.doc>, to the defendant advising him of any outstanding costs and fines due for each case applicable.
14. Docket the code RDOC (DOC release date) and indicate the date of release from DOC.
15. Docket and scan the letter in CV for each case.
16. Do this for each person that appears in the report.
17. Notify the supervisor that this task has been accomplished and make note of the date range searched, so that when it is time for the next search, you use the next available date range.

**LEON COUNTY CLERK OF COURTS**  
**CENTRAL CASHIERING DIVISION**  
**POLICY AND PROCEDURE MANUAL**

Section No.: 5-5	Subject: <b>Receipting Juvenile Restitution Payments</b>	
Draft Date: 9-10-03	Revision Date: 12/19/08	Approved By: Shannon Cash Russell

1. There is a \$3.50 (CFR)service fee charged by the Clerk, for each restitution payment, per FS 28.24. This fee may only be applied per payment, not per case. If receipting for multiple case, collect the service fee on one case and docket CFROT on any additional cases. This docket code indicates that we received and received the fee on one case. Be sure to indicate the case number that the \$3.50 was applied to with the CFROT docket code.
2. Verify that a restitution order has been filed and verify the amount due. Check for multiple victims and multiple defendants.
3. If there is nothing in CV concerning restitution, get the court file to check notes or check with the Juvenile clerks (Jeanne Odom or Andrea Majors).
4. If the written order has not been filed, take the payment and issue a hand receipt. Place the payment in an envelope with the child's name and case number, and the date of receipt. Give the payment to the Collections supervisor for placement in the safe until the order has been entered. The supervisor will check CourtView to verify when the order has been docketed, and will bring the payment for receipting after the order has been entered. There will never be a time in which we refuse to take a payment.
5. Proceed with the following steps once the restitution order is docketed:
  - CV2000
  - User Name
  - Password
  - Case Management
  - Functions
  - Case Initiation
  - Type in case number
  - Tab
  - Click on Search

- Click on open
- Click on Docket
- Click on Add
- Type CFR
- Then Tab
- Verify that \$3.50 is in the amount owed space
- Verify that “Clerk fees for Restitution” is in the Description box
- Click in the Description Box
- Type in parenthesis the amount customer is paying, not including the \$3.50 Clerk’s Fee
- Click on participants; select victim box on top and victim name box on bottom
- Click on SAVE
- Click on Close, then Close again
- Click on Receipt Case
- Type in the name and address of the person making the payment
- Make sure that you have selected the appropriate defendant (if there are multiples) for which the money is being paid on behalf of, using the drop down arrow within the “Received from” box.
- Select payment type cash, check, money order, etc.....
- Click on REF box (for check number if paying by check, money order, etc....)
- Then type in check or money order number
- Click amount box then type total amount (this will include the \$3.50 also)
- Then save
- Two receipts will print
- Give one redacted (name blacked out) copy to customer paying restitution and give the other, **un**redacted copy to Civil/Criminal Administration.

LEON COUNTY CLERK OF COURT

**Special Processes Division  
OPERATING POLICY AND PROCEDURE MANUAL**

Policy # 5-1	<b>TOPIC: Miscellaneous Cashiering Procedures</b>	
EFFECTIVE DATE:	REVISION DATE:	APPROVED BY:
11/23/2008	1/23/2018	Shannon Cash-Russell

**Purpose:** To capture miscellaneous cashiering requirements in one procedure that applies to all cashiers.

1. Whenever anyone with access to the safe is transferred from a Special Processes/Central Cashiering position, or leaves the Clerk's employment, the combination to the safe and the combination to the punch lock on the door leading to the safe will be changed. However, the combination to the safe is also changed quarterly.

**Combination holders for Central Cashiering:**

- a. LaShanda Salters, Supervisor
- b. Shannon Cash-Russell, Director
- c. Lindsey Simpson, Lead Worker
- d. Jamey Maine, Assistant Supervisor

**Combination holders for Traffic Remote:**

- a. Kristy Mickler, NE Branch Manager
  - b. Alfreda Coleman, Lead Worker
  - c. Julie Crow, Lead Worker
  - d. Laura Lynn, Lead Worker
2. Separate locking cash drawers, with separate locking lids for cash tray inserts, will be maintained by each cashier. If any of the locks become broken or nonfunctioning, it is the responsibility of each cashier to notify the supervisor.
  3. All cash drawers must be locked by the cashier when she/he steps away from her/his desk for breaks, lunches, or any other absence.
  4. Cash trays, with the keys in them and the lid in place, shall be stored in the safe overnight after verification of the contents (\$200 cash), as well as the assigned child support change bag (\$100).
  5. Cash drawers shall remain open and unlocked at the close of business.
  6. Cashiers are not permitted to make change for customers (those not making payments) or employees.



7. Cash exchange/change from the change fund will only be provided at the request of the cashier.
8. The change fund should be counted daily AND each time change is provided.
9. All child support funds should be kept separate from other cash sources in a designated, locking cash bag. When not in actual use, the bag should be placed in a locked cabinet or drawer. It should never be left unattended in an open space.
10. All bills should be marked with the counterfeit detecting pen to verify valid bills. If the pen marking turns dark, the bill is suspect and could be counterfeit. Please use the ultraviolet light sensor as well.
11. Any cash found to be potentially counterfeit shall be reported immediately to the supervisor or lead worker. Anyone handling the bill shall wear gloves and we are to call the local Secret Service office at 850-942-9523 to provide the serial numbers from the bill. All forms and info are located at G:\Central Cashiering & Special Processes - LaShanda\Money Matters\Counterfeit
12. Counterfeit money is not to be returned to the customer and a handwritten receipt is to be issued for the amount taken.
13. All checks must be restrictively endorsed when received. Any deputy clerk that opens the mail must stamp the clerk endorsement on the back of the check at the time it is reviewed. Foreign checks are not accepted.
14. In the event that BM/CSE is down, a hand receipt may be issued to the customer. The receipt book must be checked out from the safe as needed using a log-book. A copy of the BM/CSE shall be immediately attached to the hand receipt once processed. These receipt books shall be kept in the safe when not in use and shall be audited by the supervisor.
15. Checks/MOs should not be held, but may require holding in the following situations:
  - a. Juvenile restitution (personal checks are not accepted) shall be held in the safe until the restitution order has been entered and docketed in Benchmark.
  - b. Briefly, when a payment cannot be matched to a person/case, and must be returned to the sender or held until the case/citation has been created in Benchmark.

- c. All unresolved checks are to be placed on the unresolved check log form [..\..\Money Matters\Unresolved Check Log\Unresolved Check Log form.xls](#)
  
- 16. Cashiers will be very familiar with all applicable division procedures and department policies pertaining to cashiering functions. Finance policies are noted in the departmental Table of Contents of policies, and the supervisor will insure that the cashiers are aware of the provisions of those policies that must be followed.
  
- 17. Any overages/shortages are to be reported to the supervisor with an explanation for the discrepancy. Shortages over \$50 are to be reported to the division directors, treasury manager and the Clerk. [Finance Receipting Policy.doc](#)
  
- 18. **Credit Cards:** Western Union/Speedpay will only accept Visa, MC and AMEX credit cards that are drawn on US funds.

LEON COUNTY CLERK OF COURTS  
POLICY AND PROCEDURE MANUAL

**CENTRAL CASHIERING/SPECIAL PROCESSES DIVISION**

Section No.: 7-11	Subject: <b>Receipting Process for Disqualifying Offenses</b>	
Effective Date: 6/14/2010	Revision Date: 12/5/2018	Approved By: LaShanda Salters

I. **Purpose:** To avoid the acceptance of checks that have a high probability of being returned for NSF or written on a closed account. This does not negate the current Finance policy of not accepting checks for persons that have an open NSF or have been cut off by Finance because they have written 3 or more bad checks.

II. **General Process**

- A. Checks will not be accepted from any person that has pending charges (in JIS) or has been sentenced under FS chapters 812 (Theft) or 832 (PWBC) within the last 5 years.
- B. Central Cashiering/Special Processing clerks will update identities in Benchmark with a disqualifying offense alert that identifies from whom we can not accept checks.
- C. A Special Processes clerk will:
  - 1. When creating costs and fines case for action codes under § 812 and § 832, the clerk will set a “disqualifying offense” alert that we will not accept checks for any cases if the customer has had charges in chapters 812 or 832.
  - 2. Add the Receipt Disqualification alert which will throw the docket code.
  - 3. Set the alert on all open cases if there are multiple IDs. However, you should notify your supervisor to consolidate multiple identities.

III. **Receipting**

- A. Cash, credit/debit or money orders may only be accepted for payment.
- B. If the payee is not the defendant, verify against the bad check database **and** check JIS for disqualifying offenses tied to the payee.

B. The customer will be informed that we cannot accept payment with a check based on the nature of the offense. *“I’m sorry, based upon your current/past offenses, we cannot accept your personal check.”*

- C. Checks received in the mail will be returned.
- D. Do not turn off the PWBC alert.

LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL  
CENTRAL CASHIERING DIVISION

Section No.: 5-4	Subject: <b>RECEIPTING DEPARTMENT OF CORRECTIONS PAYMENTS</b>	
Effective Date: 7/22/08	Revision Date: 10/20/2010	Approved By: Shannon Cash Russell

We regularly receipt payments made to the clerk from the Department of Corrections on behalf of a Leon County defendant that owes court costs and fines that may or may not have been reduced to civil judgment. These checks are often for small amounts that would not normally cover a regular payment plan.

To receipt these payments, you may have to adjust a dismissed cost and fine and you will have to add the Clerk’s partial payment set up fee (\$25) if it has not previously been assessed. We are allowed by statute (FS 28.246 ) to assess this fee because we are in fact, receipting partial payments. You will also leave the status of the case as “suspended” so that late notices are not generated. The order of receipting/adjusting shall be:

Payments should always be applied to the following assessments in this order:

1. Public Defender Application fee per Senate Bill 1790
2. Clerk’s Partial Payment Fee
3. Clerk Late/Writ Fees
4. PD Lien
5. Victim Compensation
6. Fines
7. Cost of Prosecution
8. Court Costs
9. Any additional Surcharge

It is very important that each receipt reflect the check number for which the payment was applied and that DOC is shown as the payee. Be sure that there is no “change” showing on the receipt. If this occurs it means that you didn’t adjust enough money to receipt and you should go back and adjust other fees to allow for payment. There may be several payments for one particular case on one receipt, you’ll just use the “add” option to enter another payment amount and check number.

In the event they have paid all of the assessments in full, they must still pay the interest that accrued over time, plus the clerk's papers written and recording fees in order to receive a satisfaction of judgment.

LEON COUNTY CLERK OF COURTS  
 OPERATING POLICY AND PROCEDURE MANUAL  
 CENTRAL CASHIERING DIVISION

Section No.: 7-12	Subject: <b>RECEIPTING PARTIAL PAYMENTS FROM LINEBARGER</b>	
Effective Date: 8/2/10	Revision Date:	Approved By: Shannon Cash Russell

Unpaid Civil judgments have been sent to Linebarger to pursue collection. We may receive payment in full that will require the preparation of a Satisfaction of Judgment and we will also receive partial payments. The principle amounts are to be applied first, followed by the interest and recording fee. Money from Linebarger shall only be applied to the amounts that had been reduced to civil judgment, it is not to go towards new fees added after the CJ was issued (VOP assessments).

- I. To receipt these payments, you may have to adjust a dismissed cost and fine.
  - a. Only receipt against fees that were “Converted to Civil Judgment”.
  - b. Do not receipt against “new” money added after the CJ for VOP fees. This means you may have to open up CJ money and remove from AR to be sure you aren’t receipting new money.
  - c. Only open up enough money to receipt against.
  - d. You will also leave the status of the case as “suspended” so that late notices are not generated. The order of receipting/adjusting should always be applied to the following assessments in this order:
    - 1. Public Defender Application fee per Senate Bill 1790
    - 2. Clerk Fees (PPSF, late and writ fees)
    - 3. Fines
    - 4. Court Costs
    - 5. Any additional Surcharge
    - 6. Interest
    - 7. \$10 recording fee
  
- II. It is very important that each receipt reflect that “Collection Agency” is the location and the tender type. Be sure that there is no “change” showing on the receipt. If this occurs it means that you didn’t adjust enough money to receipt and you should go back and adjust other fees to allow for payment.
  
- III. In the event they have paid all of the assessments in full, they must still pay the interest that accrued over time, plus the clerk’s recording fees in order to receive a satisfaction of judgment.

**IV. To close the case:**

1. Update the disposition to paid in full (PDIF)
2. Cancel the Collection alert(s) when prompted
3. Change the SCR code to RO

**V. Prepare Satisfaction of Judgment when paid in full**

1. CV FormsGen – SJCS
2. You'll be prompted to enter CJ amount, type of judgment (Court Costs & Fines), amount of interest and book and page number.
3. Prior to printing, remove the entire line that references the \$7 papers written fee.



LEON COUNTY CLERK OF COURTS  
OPERATING POLICY AND PROCEDURE MANUAL  
CENTRAL CASHIERING DIVISION

Section No.: 5-6	Subject: <b>RECEIPTING SHERIFF RECEIPTS AND OUT OF COUNTY CASH PURGE</b>	
Effective Date: 1/15/08	Revision Date:	Approved By: Shannon Cash Russell

Cash purges are posted at the Leon County Jail upon the arrest of a defendant with a Blue Writ. The sheriff will deposit the money into the clerk's account and will send a receipt to Central Cashiering/Special Processes.

**Sheriff Receipts**

We must receipt the case using "sheriff receipt" as the tender type. Enter dollar amount and the receipt number in the reference number space.

Attach a copy of the accompanying deposit slip to the end-of- day paperwork that is sent to Finance.

**Out of County Cash Purge**

A check payable to Leon County will be provided from the arresting county, along with a "cash bond" identifying the name and case number of the defendant.

1. Receipt check in AR maintenance
2. Tender type will be check but you must make note of the county it was received from, do not leave the defendant's name in the "received from" space.

## Collections 2019

Things to do for implementation:

Revise policy/procedure to reflect the new rules.

Instruct court clerks to ask for address verification in court and provide change of address form. We are also considering using Lexis-Nexis for address and phone searches.

Requirement: 10% down of the total amount assessed plus the \$25 partial payment set-up fee.

- Less than \$500: \$35/m
- \$501-\$999: \$50/m
- \$1000+: \$100/m

Refer customers to Adrian if they can't pay the 10% down (we will need 3 employees for this function) or have multiple cases. If paying on multiples, the largest payment is to go to the new case and smaller amounts on the older cases.

Ask Sene to develop a case list on the secure web that will pull all dollar amounts owed for each case tied to the defendant name/dob. This will include any PBM/PBT/PBF that have the fine and court costs codes tied to them. Utilize the pen-pad to obtain the defendant's signature and save virtual image to all cases and a copy will be provided to the customer. There will be a date and time stamp noting that this information was current as of the date/time it was created.

Cashiers are to follow the current plan and set cases at the new standard rate and make the 28<sup>th</sup> of each month the due date.

Continue to use the disposition report to create a lump sum plan (+\$25) for those that didn't appear after court. Develop a letter to send to those that didn't set up their own plan advising them that they either need to pay in full is due by the 28<sup>th</sup> of the following month or to come to our office to sign the payment agreement.

For cases paid in full: in addition to preparing the satisfaction of judgment, we will also send out a congratulatory letter from the clerk.

We will not modify plans more than 3 times.

If a case has gone to collections and there have been no payments made, we can recall it and work in house. However, if it goes back to collections again, we will not recall it for any other reason other than adding VOP fees or court order.

If a case is in collections or has been recalled, in order to get the DL reinstated, a payment must be made in guaranteed funds based on the amount due per case:

- Less than \$250: full payment
- \$251-\$500: \$200
- \$501-\$750: \$400
- \$751-\$1000: \$600
- \$1001+: \$800

Late notices will be sent out on the 6<sup>th</sup> of each month and Adrian will call those that are delinquent to obtain payment. She will update the case notes with the information obtained from the customer and will add (or Sene can add from his Secure Web report) a docket code that indicates she made contact.

Robo calls using **Voicent** are also being considered to call 5 days before the payment is due to remind them. We will use the Santa Rosa script, recorded by Clerk Marshall.

**Revisions made as of 2/12/19:**

Payment plans set up at the counter and via disposition report will be due on the 15<sup>th</sup> of each month. Payment plans that are under the in-house collection program will be due on the 28<sup>th</sup> of each month.

If customer defaults on a payment plan, a down payment is due as follows for a DL clearance letter:

1<sup>st</sup> default - \$250

2<sup>nd</sup> default - 1/2 of total amount is due

3<sup>rd</sup> default - payment in full is due

We would like to create the following docket codes in Benchmark for in-house collections and modifications of payments:

IHC- In-house collections

MOD1- Modification #1

MOD2- Modification #2

MOD3- Modification #3

LEON COUNTY CLERK OF COURTS  
OPERATING PROCEDURE MANUAL

**COURTS DEPARTMENT**

Procedure # 4-15	Subject: <b>SATISFACTION OF JUDGMENTS</b>	
Effective Date: 8/16/10	Revision Date: 11/10/15	Approved By: Gypsy Bailey

I. **Applicability:** All court divisions that satisfy judgments.

II. **Definitions**

- A. Civil judgment – a civil judgment can provide another way for the judgment holder (the individual owed the money) to collect. The judgment is entered in a court case and then recorded in the Official Records (OR), which creates a lien on any real estate owned by the judgment debtor in the county in which the judgment is filed.
- B. Judgment Debtor – a person against whom a judgment ordering payment of a debt has been entered and remains unsatisfied.
- C. Judgment Holder – the person who is owed the judgment debtor's debt as noted in a judgment.
- D. Satisfaction of Judgment – a document signed by a judgment debtor, stating that the full amount due on the judgment has been paid. The judgment debtor is entitled to demand that the judgment holder sign the satisfaction of judgment, file it with the clerk, and record the document in OR.

III. **General**

- A. Civil judgments, i.e., judgments or final orders in civil cases, are usually satisfied by parties and do not involve the clerk.
- B. On the criminal side, there are two types of judgments that require the clerk to prepare a satisfaction after payoff.
  - 1. A collections case, i.e., criminal case on which partial payments are being accepted, may have a civil judgment that is entered when the defendant is no longer able to pay court costs and fines. It "reduces" the amount due to a judgment from active collections; it does not operate to dismiss or waive costs and fines. This civil judgment is recorded in OR and acts as a lien against real property until paid in full.
  - 2. A criminal judgment and sentence (J&S) that is recorded in OR orders the payment of court costs and fines. The judgment acts as a lien against property until the costs and fines are paid in full.

#### IV. Process

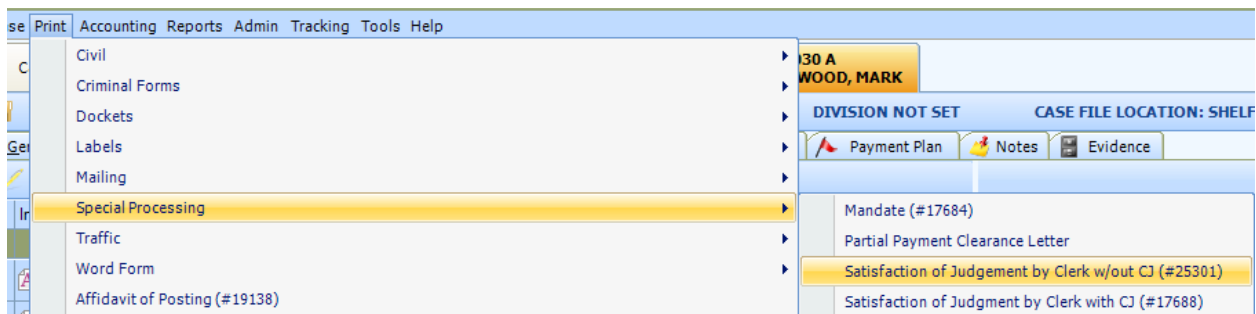
- A. Preparing a Satisfaction in a Civil Case – FS 55.141
  1. If the judgment debtor cannot find the judgment holder to satisfy the judgment, the judgment debtor can pay the money into the court registry.
  2. When the clerk receives the payoff request and if received by fax, respond to the requestor with the form [..\FORMS\Satisfaction of Judgment Forms\FAX Satisfaction Payoff Form.doc.docx](#) with the information. The payoff request MUST contain the payoff date so the correct payoff amount can be calculated. **Docket and Scan this information in the file.**
  3. The requestor needs to provide the case number and/or book/page numbers to insure the right judgment is being satisfied.
  4. To calculate interest, use the Interest Calculator Tool on ClerkWeb.
  5. All funds must be either Cashier's Checks, Money Orders, Bank Checks, or Cash. *Exceptions include: federal and governmental agencies, escrow accounts, and trust accounts.*
  6. The fees for preparing and recording the satisfaction, copies, court registry fees, will be paid by the defendant. The amounts are:
    - a. **CIRCUIT CIVIL**
      - i. **PW\_CA - \$7.00 – papers written**
      - ii. **RECORDING FEES: RECC: \$10.00**
      - iii. **COPIES: CO1\_CA – \$2.00**
      - iv. **POSTAGE: POST\_CA - \$6.80**
      - v. **CTREG/CLFE1\_CA**
    - b. **SMALL CLAIMS/COUNTY CIVIL:**
      - i. **PW\_SC - \$7.00 – papers written**
      - ii. **RECORDING FEES: RECS: \$10.00**
      - iii. **COPIES: CO1\_SC – \$2.00**
      - iv. **POSTAGE: POST\_SC - \$6.80**
      - v. **CTREG/CLFE1\_CA**
    - c. **FAMILY LAW**
      - i. **PW\_DR - \$7.00 – papers written**
      - ii. **RECORDING FEES: RECDR: \$10.00**
      - iii. **COPIES: CO1\_DR – \$2.00**
      - iv. **POSTAGE: POST\_DR - \$6.80**
      - v. **CTREG/CLFE1\_CA**
  7. Complete the satisfaction form found by selecting “Print” from the Global Toolbar, Word Form, Civil Judgment Satisfaction by Clerk, Form #26869. Insert information in the blanks, and click save at the top of the page. Once save is complete, the following message will pop up “DOCUMENT SAVED TO DOCKET. PLEASE CLOSE WORD APPLICATION.” Click okay, and exit word. Go the docket and E-record the Satisfaction. Print a copy of the Satisfaction for certification to go with the letter. File the original in the file.
  8. After the judgment is satisfied, and e-recorded, send the letter with a certified copy of the Satisfaction of Judgment by certified mail.

Complete the letter form found by selecting “Print” from the Global Toolbar, Word Form, letter sending satisfaction (form 26924). Insert information in the blanks, and click save at the top of the page. Once save is complete, the following message will pop up “DOCUMENT SAVED TO DOCKET. PLEASE CLOSE WORD APPLICATION.” Exit Word and print the letter for the file and for mailing.

9. In rare instances, when the judgment holder cannot be located and the judgment debtor states the debt has been paid but the judgment debtor cannot get a satisfaction, the judgment debtor can file a motion with the court. In some instances, the Court will direct the Clerk to prepare a Satisfaction and record it, **OR** state in the order that the judgment is satisfied. If the Clerk must prepare a Satisfaction and record it, the judgment debtor will pay the costs of such. If the Order states that the judgment is satisfied, the Clerk can record and charge the judgment debtor, unless waived by the Court.

**B. Preparing a Satisfaction on a Civil Judgment in a Court Costs and Fines Case**

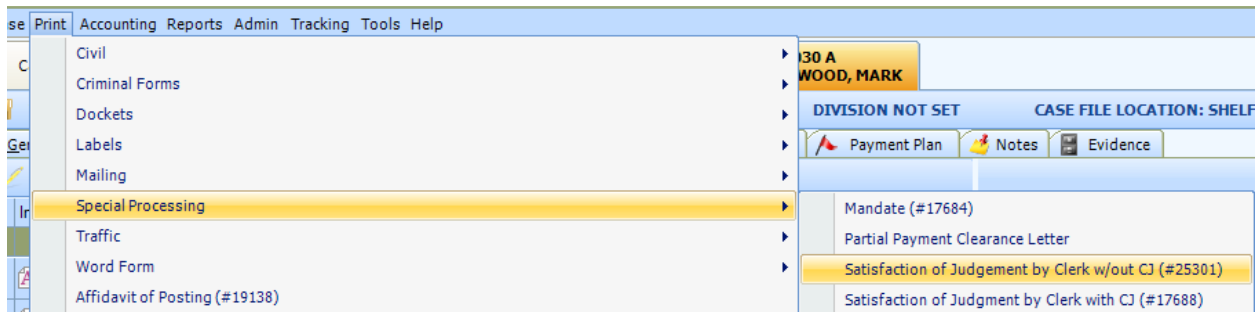
1. Upon payoff, which will include the \$7.00 papers written fee and the \$10.00 recording fee (RECF, RECM, RECT), a satisfaction will be prepared. For criminal collections/payment plans, satisfaction of judgments can be prepared at the case level in Benchmark by selecting “Print” from the Global Toolbar/Special Processing and choose satisfaction with CJ, depending on the type of judgment. Once prepared and finalized, the judgment will automatically e-record to the case.



- a. The face amount of the CJ.
- b. The type of judgment (court costs and fines).
- c. The amount of interest.
- d. The total amount due.
- e. The book and page number of the civil judgment.

C. Preparing a Satisfaction on a Criminal Judgment & Sentence for Court Costs and Fines – Without Civil Judgment

1. Upon payment in full or completion of a partial payment plan, you will prepare and record a satisfaction of judgment. Please note that the form will automatically pull the current date into the form, if you are preparing the satisfaction on a date other than the date paid you will have to change the date on the form prior to printing.
2. For criminal collections/payment plans, satisfaction of judgments can be prepared at the case level in Benchmark by selecting “Print” from the Global Toolbar/Special Processing and choose satisfaction w/out CJ. Once prepared and finalized, the judgment will automatically e-record to the case.



3. Historically, the only J&S that were recorded were for felony cases in which the defendant was adjudicated guilty, DUIs, and misdemeanor battery, theft and prostitution. As of 10/01/2008, all J&S are recorded in the Official Records. If a J&S was not recorded, a satisfaction does not need to be prepared.

	A	B	C	D	E	F
1	Training Plan	Date Learned	Trainee Initials	Trainer Initials	Policy #	Date Policy Provided
2	Collections Program Process - No Court					
3	Payment Due Notice (draft)					
4	Notice of Court Ordered Payments (Draft - Revised)					
5	Partial Payment Agreement (draft)					
6	Motion for Community Service (final)					
7	Community Service Information Sheet new (final)					
8	Clerk Thank You Letter					
9	Collection/Reminder Telephone Calls					
10	In-House Collection Process					
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17	Run e-filing reports					
18	Forward appeals to DCA					
19	Prepare Writ of Certiorari in lower court					
20	Prepare Notice of Appeals for lower court					
21	Preparing filings of Notice of Appeals in lower court					
22	Bookmarking Records					
23	Setting Evidentiary Hearings					
24	Processing 3.800 (b)(2) Orders					



G	
1	<a href="#">Policy Link</a>
2	<a href="#">G:\COURTS DEPARTMENT\Policies &amp; Procedures\POLICIES\DRAFT\Collections Process</a>
3	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\DRAFT - Payment Due Notice.dotx</a>
4	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\DRAFT - Revised Notice of COP.docx</a>
5	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\DRAFT- Partial Payment Agreement.docx</a>
6	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\FINAL - Motion for Community Service 2.docx</a>
7	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\FINAL Community Service Info Sheet new.docx</a>
8	<a href="#">G:\COURTS DEPARTMENT\Collections\2019 Collections\Clerk Thank You letter.docx</a>
9	<a href="#">On the Job Training</a>
10	<a href="#">TBD</a>
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16	<a href="#">Hands on experience</a>
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18	<a href="#">G:\Central Cashiering &amp; Special Processes - LaShanda\Special Processing\Appeals\Filing Records on Appeal Via eDCA 4-4-18.pdf</a>
19	<a href="#">\\Supportnet2\Common\$\COURTS DEPARTMENT\Policies &amp; Procedures\PROCEDURES\BENCHMARK Procedures\Case Creation - AP Case.doc</a>
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	A	B	C	D	E	F
25	Processing Post Conviction 3.800/3.850 (Pro Se) Orders					
26	Creating New Cases in JIS (Rebuilding old cases)					
27	Cases in Warrant Status					
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26	Hands on experience
27	Never close a case in warrant status
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# Voicent Cloud

An instant cloud call center with built-in CRM at your fingertips.

Voicent streamlines your inbound and outbound calls while helping you manage agents, manage customers, and manage business automatically. This all-in-one solution is easy to use and contains everything you need to grow your business.

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[WHAT'S IN THE CLOUD](#)

Login to your account



Not account holder?  
[Agent Login Here](#)

**LOGIN**

[Forgot Password?](#)

Don't have an account yet? [Create an account](#)

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# Flexible Account - Only Pay For What You Use

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Solution plan cost includes subscription fee + usage fees

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## Subscription Fee

Yearly  
**\$ 19**  
 per user per month  
 billed annually  
**GET STARTED**

Monthly  
**\$ 29**  
 per user per month  
 billed monthly  
**GET STARTED**

+

## Usage Fee

Calling Plan	Included Credit
4 ¢ Plan Pay as you go	0
3 ¢ Plan \$75	2,500
2 ¢ Plan \$130	6,500
1.5 ¢ Plan \$375	25,000

## Base Plan Includes:

- ✔ Built-in CRM
- ✔ Auto Dialer, Predictive Dialer, Progressive Dialer, Preview Dialer
- ✔ 2 outbound voice lines/channels
- ✔ Dedicated account manager
- Q See below for optional features

\* 1 credit equals to 1 minute of phone call or 1 text message. Please see Pricing FAQ for more details.

**PRICING CALCULATOR**

**START FREE TRIAL**

## Optional Features:

- 1 Inbound Call Center with Phone Number \$15 per number
- 1 2-Way Text Message Campaign Tool with Phone Number \$15 per number
- 1 Additional Outbound Voice Channel \$7 per channel
- 1 Additional Inbound Voice Channels \$7 per channel
- 1 Workflow Automation and Customer Journey Management \$99 per account
- 1 Caller ID \$2 per ID
- 1 Email Campaign Tool \$5 per user
- 1 Call Center Management \$10 per user

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# What's in Voicent Cloud?

Call center tools, built-in CRM, workflow automation. Everything you need to grow your business.



Auto Dialer



Predictive Dialer



Power Dialer



Preview Dialer



Outbound Call Center



Outbound IVR



Phone Surveys



Text/SMS Surveys



Built in CRM



Website tracking



Email marketing



Text/SMS marketing



ACD Routing



Inbound Call Center



Inbound IVR



Virtual Receptionists



Call Center Manager



Agent Monitoring



Whisper Coaching



Agent Dashboard



Workflow Automation



Marketing Automation



Sales Automation

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## FAQ

Everything you need to know to get started.

### What is included in the 30 Day free trial?

The free trial account has CRM, outbound dialers, and text and email tools. When you setup your account, you will receive 100 free voicent credit for making calls and sending text messages. If you need more than that, you can purchase additional calling minutes at pay-as-you-go rate.

### Is there a minimum number of agents I need to sign up?

Nope. Our plans are flexible enough to support a 1-person plan making a few calls a day, all the way up to 500 agents making millions of calls per month.

### How can I cancel my account?

It is easy. Login to your account, go to subscription plan, and follow the link labeled "cancel account". There is no need to call us.

### If I want to have my agents use Voicent Cloud, do I need to get more accounts?

No, you only need 1 main account. You can easily add agents to your plan through your billing portal. Then, create usernames and passwords for your agents in your account settings. Your agents will be able to log into their sub-accounts from anywhere in the world and use the enterprise-grade call center tools in Voicent Cloud.

### I don't want my agents to access certain data in my account.

That's easy! You can change the permissions for different roles, such as Agent (limited view), Manager (less limited view), and Admin (unrestricted access) in your settings.

### What's the difference between Voicent Cloud and Voicent On-premise software?

### How does Voicent Cloud billing work?

Billing starts at \$19 per seat per month for the base plan, which includes a complete Outbound Call Center solution and CRM. Depending on the credit package you use, calls are billed at \$0.015 / minute up to \$0.04 / minute at 30/6 increments.

### Why our billing method can double your calling minutes?

Most dialer campaigns are short duration calls, such as those reach answer machine and then quickly disconnected. With our 30/6 billing increments, these calls are charged for half a minute (initial 30 seconds) or half a credit. That's a incredible 50% savings over services that always charge phone calls round up to a minute.

### What is a credit

A Voicent credit equals to one minute of phone call or one text message. With 30/6 billing, a call with less than 30 seconds of connected time is billed for half minute or 0.5 credit. After 30 seconds, it is billed at 6 seconds increment. For text message, the length of text must be less than 160 characters (including punctuation and space). For a message longer than 160 characters, it will be break up into pieces, with 150 characters each. Each piece will then be sent separately and be charged 1 credit. (Most mobile company may assemble these pieces back into a single message, but they will charge for each individual piece as a separate message.)

### What counts as connected time for billing?

A call is connected when it is answered by a human or a machine. Call dialing time is not billed.

### Do minute/credit roll over? What if I use more than the included credit?

☐ With Voicent Cloud, you don't have to have your own phone service. Simply sign up, upload a contact list and start your



Connect. Engage. Succeed.

With Voicent On-premise software, you can use your own phone service (our software works with nearly all VoIP and SIP services), and we don't charge any per minute rates. On-premise is a one-time purchase.

**How many channels/ports do I get?**

The base plan comes with 2 outbound channels or ports per agent. A channel is basically a phone line, with 10 channels, for example, you can make 10 simultaneous calls. If you need more channels, simply add more (\$7 per channel) to your flex account.

**Can I set up my caller ID**

Yes, as long as you own that telephone number. You can add as many caller IDs (\$2 per ID per month) as you want.

Local presence (showing caller ID with local area code) feature is available for enterprise account.

**Are there any limit on the number of CRM records?**

Yes, you should try to keep the number of records below 50K per user. So for a 4 user account, the max records is 200K. To have more records, you will need to have custom plan or enterprise plan.

No, credit do not roll over. If you use up your calling credit, phone calls are billed at the same rate as your package rate.

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**How come your price is so low?**

We have been a profitable business for close to 20 years and we know how to make our software intuitive, easy to use, and user friendly. We are able to eliminate the need for long training calls, webinars, and 95% of all typical support questions. In turn, we keep a low overhead and are able to pass on the savings to you.

**I don't know exactly my call volume yet, how should I select a package?**

You can choose based on the minimum credit you will use for a month. For example, if you know you will definitely use more than 10,000 minutes, then choose the 2 cents package that comes with 6500 credit. After the included credit is used up, the minutes will be billed at the same rate as the package rate. Basically a credit package gives you a set calling rate. The larger the call volume, the lower the calling rate.

**Do you offer phone support?**

Yes. After you sign up for a trial or flex account, you will have a dedicated account manager to help you with any questions.

Actually, most of our customers find the service easy enough that phone support is not necessary. If you are new to the service, we have help videos online, in-product walkthroughs, and knowledge-base articles. You can also open a support ticket anytime. For emergency issue, you can file an urgent ticket 24/7 that will normally be answered within minutes.

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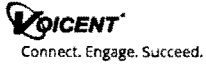


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2565 Marine Way, Mountain View, California 94043, USA



**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**Sent:** Saturday, August 10, 2019 12:44 PM EDT  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**CC:** Sruthi Palaniappan <spalaniappan@college.harvard.edu>; Clayton Morell <cjm17g@my.fsu.edu>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** A 4 -- seemingly many alternate realities

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Clerk Marshall,

Thank you for responding so quickly, and insofar as your willingness to discuss these matters briefly with Ms. Palaniappan as she travels about the Sunshine State in quest of A 4 insights. There are seemingly many alternate realities surrounding these issues, many well-intentioned at face value and offered by credible sources nonetheless a number difficult to reconcile with the underlying facts. Your perspectives lend certain otherwise elusive ground truth.

Also, I exchanged texts with Clayton Morell yesterday after you replied. He's squarely amid his most recent round of edits but my sense is you'll be receiving a pre-final version from him soon seeking any feedback you might be inclined to provide before he completes his video essay project.

Thanks again, and to Kenneth Kent for visiting with the interdisciplinary class this summer with you, and sharing his insights as well as his ongoing accessibility.

I hope that you think of *cool* ways to enjoy this hot N FL weekend!

All the best,

Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@fsu.edu](mailto:mschlakman@fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
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cell# (850) 766-2146

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**From:** Gwen Marshall [mailto:GMarshall@leoncountyfl.gov]  
**Sent:** Friday, August 09, 2019 2:53 PM  
**To:** Mark Schlakman  
**Cc:** Sruthi Palaniappan; Clayton Morell; Ken Kent  
**Subject:** RE: News from the State Attorney's Office (11th Judicial Circuit) and, more re: A 4!

Hello Mark,

Thank you for the update on statewide efforts to implement Amendment 4. You are correct, court costs, fines and fees are not automatically converted into a civil judgement. The petitioner has to file a motion requesting that their court costs be converted to a civil judgment. I am open to speak with Ms. Palaniappan on the issue.

In addition, I look forward to seeing Mr. Morell's final product. Thank you both for allowing me to be a part of your projects.

Please feel free to contact me or Kenneth Kent, Civil Courts Director if you have any additional questions at 850-606-4005.

Have a great weekend!

Regards,  
Clerk Marshall

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)

[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Tuesday, May 28, 2019 4:31 PM EDT  
**Subject:** Advisory - 19-034 - Bills Effective Upon Becoming a Law  
**Attachment(s):** "19bull034.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Bills Effective Upon Becoming a Law**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Staff	<b>Category:</b>	Clerk and Comptroller Administration; Courts; IT; Records; Recording; VAB
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information and share with appropriate staff.
<b>Executive Summary:</b>	The following provides a summary of those bills that are effective upon becoming a law that may have some effect on the office operations of, or be of other interest to, Court Clerks and Comptrollers. These bills passed the 2019 Regular Session of the Florida Legislature and some have passed into law at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. In addition, this information will be compiled in the association's annual Legislation of Interest document.		
<b>Clerk outreach:</b>	No outreach needed at this time.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*  
 Phone (850) 921-0808  
 ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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# FCCC ADVISORY

## BILLS EFFECTIVE UPON BECOMING A LAW

**NO. 19-034**

<b>Date:</b>	May 28, 2019	<b>Contact:</b>	Sara Sanders
<b>Category:</b>	Clerk and Comptroller Administration, Courts, IT, Records, Recording, VAB	<b>Telephone:</b>	(850) 921-0808
<b>Page:</b>	1 of 14	<b>E-mail:</b>	<a href="mailto:ssanders@flclerks.com">ssanders@flclerks.com</a>

This is a list of bills that are effective upon becoming a law that may have some effect on the office operations of, or be of other interest to, Clerks of Court and Comptrollers.

These bills passed the 2019 Session of the Florida Legislature and some have passed into law at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. Additionally, monitor the Bill History page for each bill (linked) to watch its progress as it moves toward the Governor's Office. Once there, the Governor has 15 days to act—sign or veto—else the bill will pass into law without his action.

Please note that these bill summaries will also be compiled in the association's annual Legislation of Interest document. Additional information related to the 2019 legislative session may be found on the [Legislative Information page](#).

### **Board Side**

#### **[HB 861 Local Government Financial Reporting](#)**

Effective Date: Upon becoming a law

Approved: May 23, 2019

Chapter Law: [2019-56](#)

[Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill amends ss. 129.03 and 166.241, F.S., to require county and municipal budget officers to electronically submit certain information to the state's Office of Economic and Demographic Research (EDR) by October 15, 2019, and annually thereafter, in a format and form created by EDR.

The bill also requires counties and municipalities to keep tentative budgets posted on official websites for at least 45 days, and final budgets to remain on official websites for at least two years.

**Clerk Point:**

This bill amends s. 129.03, F.S., to require a county budget officer to electronically submit the following information regarding the final budget and the county's economic status to the state's Office of Economic and Demographic Research (EDR) by October 15, 2019, and each October 15 thereafter:

- Government spending per resident, including, at a minimum, the spending per resident for the previous five fiscal years.
- Government debt per resident, including, at a minimum, the debt per resident for the previous five fiscal years.
- Median income within the county.
- Average county employee salary.
- Percent of budget spent on salaries and benefits for county employees.
- Number of special taxing districts, wholly or partially, within the county.

By July 15, 2019, EDR shall establish the format and forms for use by counties for the purpose of submitting this information.

**Budget / Finance**

**CS/HB 7123 Taxation *(Also of interest to Board Side, Recording, VAB, and Traffic)***

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved: May 15, 2019

Chapter Law: [2019-42](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This comprehensive bill provides for a number of tax reductions and modifications. Items of specific interest to Clerks and Comptrollers are provided below. Note that while the bill is effective upon becoming a law (May 15, 2019), some of the provisions are effective July 1, 2019, or January 1, 2020; these are indicated below.

**Clerk Point:**

**Section 1.** Amends s. 28.241(6), F.S., to change the distribution of the \$100 paid by an attorney appearing pro hac vice. Currently, the Clerk collects the \$100, with \$50 deposited into the General Revenue Fund and \$50 deposited into the State Courts Revenue Trust Fund.

Effective January 1, 2020, the entire \$100 will be remitted to the Department of Revenue (DOR) for deposit into the State Courts Revenue Trust Fund.

Note that the distribution for an attorney appearing pro hac vice in County Court, pursuant to s. 34.041(8), F.S., remains unchanged; the full \$100 will continue to be remitted for deposit into the General Revenue Fund.

**Section 2.** Creates s. 193.4517, F.S., to provide that tangible personal property owned and operated by a farm, farm operation, or agriculture processing facility located in certain counties that was unable to be used for at least 60 days due to Hurricane Michael is deemed to have a market value no greater than its value for salvage.

The section sets an August 1, 2019, deadline for an applicant to file an application with the property appraiser for assessment. If the property appraiser denies an application, the applicant may file a petition with the value adjustment board to request that the tangible personal property be assessed pursuant to this section. Such petition must be filed on or before the 25<sup>th</sup> day after the mailing by the property appraiser during the 2019 calendar year of the notice required under Florida Statutes.

This section applies retroactively to January 1, 2019, and applies to the 2019 tax roll only.

**Section 3.** Amends s. 195.096, F.S., to authorize additional flexibility for DOR's statutorily required review of each county's assessment rolls in those counties where a natural disaster occurred resulting in a declared state of emergency. If DOR determines that the natural disaster created difficulties in its statistical and analytical reviews, DOR shall take all practicable steps to maximize the representativeness and reliability of these reviews and may use the best information available to estimate the levels of assessment.

This change first applies to the 2019 assessment roll and operates retroactively to January 1, 2019.

**Section 4.** Last year's CS/HB 7087 Taxation, [Chapter No. 2018-118, Laws of Florida](#), amended s. 201.02, F.S., to provide an exemption from documentary stamp taxes for a deed or other instrument that transfers or conveys homestead property or any interest in homestead property between spouses, if the only consideration for the transfer or conveyance is the amount of a mortgage or other lien encumbering the homestead property at the time of the transfer or conveyance and if the deed or other instrument is recorded within 1 year after the date of the marriage.

Effective July 1, 2019, this bill removes the one-year limitation on the exemption from documentary stamp taxes for transfers or conveyances of homestead property between spouses.

**Section 7.** Last year's CS/HB 7087 Taxation, [Chapter No. 2018-118, Laws of Florida](#), created s. 218.131, F.S., to require the Legislature to appropriate moneys in fiscal year 2019-2020 to offset the reductions in ad valorem tax revenue experienced by Monroe County and by fiscally constrained counties that occurred as a direct result of the implementation of s. 197.318, F.S., which provided a tax abatement for residential improvements damaged or destroyed by Hurricanes Hermine, Matthew, or Irma.

On or before November 15, 2019, each affected taxing jurisdiction must apply to DOR and provide supporting documentation to receive the appropriation. Failure to apply for the distribution will result in a reversion of the monies to the fund from which the appropriation was made.

This bill extends the time for the distribution of appropriated monies to June 2020, rather than January 2020.

**Section 8.** Currently, if a person receives a citation for a noncriminal traffic infraction and makes an election to attend a basic driver improvement course, the individual receives a 9 percent reduction of the civil penalty, with an additional 9 percent of the civil penalty deposited in the State Courts Revenue Trust Fund.

Effective January 1, 2020, this bill amends s. 318.14(9), F.S., to provide an 18 percent reduction of the civil penalty for a noncriminal traffic infraction for persons who elect to attend driver improvement school. This change returns this subsection of statute to pre-2009 language.

**Section 9.** Effective January 1, 2020, amends s. 318.15(1)(b), F.S., to provide that if a person elects to attend driver improvement school and has paid the reduced civil penalty, pursuant to s. 318.14(9), F.S., and subsequently fails to attend driver improvement school, the person must pay the Clerk the amount of the 18-percent reduction they received and the \$18 processing fee.

Note that, in those cases where a person chose to attend driver improvement school between January 1, 2019, and December 31, 2019, only a 9-percent reduction and the \$18 processing fee will be paid.

**Section 12.** Amends s. 741.01(3), F.S., to change the distribution of the additional \$25 fee for issuance of a marriage license that Clerks collect. Currently, the Clerk remits \$12.50 to DOR for deposit into the General Revenue Fund and \$12.50 for deposit in the State Courts Revenue Trust Fund.

Effective January 1, 2020, the entire \$25.00 will be remitted to DOR for deposit into the State Courts Revenue Trust Fund.



## **Court Side – Civil**

### **[CS/CS/HB 91 Judicial Process](#) *(Also of interest to Real Property/Recording)***

Effective Date: Upon becoming a law

Approved:

Chapter Law:

[Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill makes a number of changes to Ch. 48, F.S., related to a notice of lis pendens and judicial service of process.

As detailed in the legislative staff analysis, the bill amends s. 48.23, F.S., to provide that a valid recorded notice of lis pendens remains in effect through the recording of an instrument transferring title pursuant to a judicial sale. The bill allows a party to intervene in a foreclosure proceeding if the party moves to intervene within 30 days after the recording of the notice of lis pendens and the court later grants the motion. The bill stipulates that these changes are intended to clarify existing law and apply to actions pending on the effective date of this act (upon the Governor's signature).

Of interest, the bill also:

- amends s. 48.021, F.S., to authorize special and certified process servers to serve any nonenforceable civil process;
- amends ss. 48.031 and 48.062, F.S., to authorize substituted service on a spouse in any Florida county and on the registered agent, member, or manager of an LLC at a virtual office, executive office, or mini suite, if certain conditions are met; the bill also requires anyone serving process to include his or her identification number, if applicable;
- amends s. 48.194, F.S., to allow out-of-state service by any person authorized to serve process in that state and deletes the requirement that a person serving out-of-state process file an affidavit setting forth the time, manner, and place of service; and
- amends s. 48.21, F.S., to require return-of-service forms to list all pleadings and documents served and provides that process servers may sign return-of-service forms electronically.

#### **Clerk Point:**

The bill is provided for your information as it relates to notices of lis pendens and service of process.

## **Court Side – Criminal**

### **CS/CS/HB 5 Ballot Measures (Also of interest to Ethics/Elections)**

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill amends s. 212.055, F.S., to require that any local referendum to adopt or amend a local discretionary sales surtax that is held on or after January 1, 2020, take place during a general election, rather than at the discretion of a local governing body. The bill also requires local petition sponsors, counties or school districts to provide copies of final resolutions or ordinances to the Office of Program Policy Analysis and Government Accountability (OPPAGA) at least 180 days before the referendum so that OPPAGA can contract for a performance audit. Local petition sponsors are also required to file initiative petitions and valid signatures with the local supervisor of election, who shall verify signatures and retain signature forms. The failure to comply with the requirements of the bill would render any local referendum held to adopt or amend a local discretionary sales surtax void.

This bill also changes the citizen initiative process for amending Florida's Constitution and prescribes new duties and responsibilities for initiative applicants and for the Department of State and local supervisors of elections related to this ballot process.

The bill requires signed petitions to be delivered to the supervisor of elections within a certain timeframe and provides fines for failure to do so. The Attorney General is authorized to institute a civil action for a violation or to prevent a violation.

Of specific interest, the bill creates criminal penalties for collecting signatures or initiative petitions for compensation without first registering as a petition circulator with the Secretary of State and for paying a petition circulator based on the number of petitions gathered.

The bill also requires that if the state's Financial Impact Estimating Conference (FIEC) determines that an amendment will have a negative or indeterminate impact on the state or local economy, a statement must be placed on the ballot in bold font indicating such effect.

These changes will apply to all initiative amendments proposed for the 2020 ballot and each ballot thereafter, but do not affect the validity of any petition form gathered before the effective date of the bill.

**Clerk Point:**

This bill makes changes to certain local referendum processes and to the citizen initiative process for amending Florida's Constitution.

Of specific interest, the bill provides the following criminal penalties:

- Creates a first degree misdemeanor in new s. 104.186, F.S., for a person who compensates a petition circulator based on the number of petition forms gathered.
- Creates a second degree misdemeanor in new s. 104.187, F.S., for a person who collects signatures or initiative petitions for compensation without first registering as a petition circulator with the Secretary of State. Note that this section is effective 30 days after the effective date of the bill.

**CS/SB 1656 Criminal Statutes**

Effective Date: Upon becoming a law

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill implements the changes to the Savings Clause in the Florida Constitution made by Amendment 11, which passed during the November 2018 General Election with 62 percent approval.

As noted in the legislative staff analysis, prior to this amendment, the Savings Clause prohibited retroactive application of statutes or amendments that made a substantive change to criminal law. With the passage of Amendment 11 and this bill, the Legislature may now retroactively apply a change to a criminal statute that decreases a criminal penalty.

Specifically, this bill creates s. 775.022, F.S., to provide:

- that the common law doctrine of abatement does not apply to a reenactment or an amendment of a criminal statute;
- that an act reenacting or amending a criminal statute is not an implied repeal;
- a definition of "criminal statutes" to mean a statute, whether substantive or procedural, dealing in any way with a crime or its punishment, defining a crime or a defense to a crime, or providing for the punishment of a crime;
- that a reenactment or an amendment operates prospectively unless expressly provided by the Legislature;
- that a defendant in a pending case must receive the benefit of a penalty or punishment reduced by the Legislature; and
- that the retroactive effect of a defense to a new or amended statute is not limited to pending cases.

**Clerk Point:**

This bill is provided primarily for your information as it relates to potential future retroactive changes to criminal statutes by the Legislature.

**[CS/CS/SB 7030 Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission](#)**

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved: May 8, 2019

Chapter Law: [2019-22](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill seeks to implement recommendations of the Marjory Stoneman Douglas High School Public Safety Commission, which was created by last year's CS/SB 7026, [Chapter No. 2018-3, Laws of Florida](#), in response to the Marjory Stoneman Douglas High School shooting in February 2018.

Among the changes made by CS/SB 7026 (2018) was the authorization for local sheriffs to appoint trained individuals to serve as school guardians under the Coach Aaron Feis Guardian Program, if a sheriff chooses to establish such program.

Of specific interest, this bill expands the applicability of the criminal penalties related to false personation (persons who falsely pretend to be law enforcement officers, firefighters, etc.) to include school guardians and certain licensed security officers.

**Clerk Point:**

Section 2 of the bill expands the applicability of the criminal penalties under s. 843.08, F.S., related to false personation of certain individuals, to also include false personation of a school guardian as described in s. 30.15(1)(k), F.S., and a security officer licensed under chapter 493, F.S. The term "watchman" is deleted from this statute by the bill.

*Note that these changes are effective October 1, 2019.*

**[CS/HB 7107 Controlled Substances](#)**

Effective Date: Upon becoming a law

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends the Florida Comprehensive Drug Abuse Prevention and Control Act in Chapter 893, F.S., to classify Epidiolex, a prescription cannabidiol, as a Schedule V controlled substance,

mirroring federal law and codifying an October 2018 Florida Attorney General emergency rule. As noted in the legislative staff analysis, this classification reflects Epidiolex's recent approval for medical use in patients two years of age and older.

**Clerk Point:**

This bill classifies a certain drug product containing cannabidiol as a Schedule V controlled substance in Florida's Comprehensive Drug Abuse Prevention and Control Act and is provided for your general information.

**Ethics and Elections**

**[CS/HB 7021 Financial Disclosure](#)**

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 112.31446, F.S., to require the Florida Commission on Ethics to procure and test an electronic filing system for financial disclosure that shall be accessible and searchable for the public. The purpose of this system is to modernize the financial disclosure filing process in Florida by mandating the electronic filing of Form 6 (by January 1, 2022) and Form 1 (by January 1, 2023) by elected constitutional officers, other public officers, and certain public employees. However, the electronic filing requirement is not applicable to candidates running for an office subject to these filing requirements.

In preparation for the transition to the electronic filing system, each unit of government shall provide an e-mail address for any of its officers, members, or employees who are required to file either Form 6 or Form 1 to the commission by February 1 of each year. The commission will then provide each filer with a secure log-in to the electronic filing system. Any change to an e-mail address must be immediately reported to the commission by the filer.

The bill also contemplates the electronic filing system being inoperable, or a filer residing in an area included in a declared state of emergency with no way to file electronically. In such case, the chair of the Commission must extend the filing deadline.

**Clerk Point:**

By January 1, 2022, this bill requires the Florida Commission on Ethics to procure and test an electronic filing system for use by filers required to file a full and public disclosure of financial interests (Form 6) and filers required to file a statement of financial interests (Form 1).

As an elected constitutional officer, Clerks are required by the Florida Constitution to file Form 6. This bill makes the following changes of interest to Form 6 filers:

- Beginning January 1, 2022, Form 6 filers are required to file their forms electronically; paper forms will not be provided after this date. Upon request of the filer, the commission is required to provide verification of receipt of the filed disclosure.
- Each separate source and amount of income that exceeds \$1,000 must be identified.
- Beginning January 1, 2022, Form 6 filers may no longer submit a copy of their most recent income tax return for the purpose of reporting income.
- Beginning January 1, 2022, Form 6 filers are prohibited from providing in any filing:
  - a social security number;
  - a bank, mortgage, or brokerage account number;
  - a debit, charge, or credit card number;
  - a personal identification number; or
  - a taxpayer identification number.
- The bill states that this information may be made available as part of the commission's official records unless the filer requests redaction.
- While the commission is not liable for the release of such information if the filer has not requested redaction, the commission is required to redact any information that is legally protected from disclosure upon written request of the filer. In making such request, the filer must specify the information that was inadvertently included and its specific location within the disclosure.

Related changes of interest to Form 1 filers are provided in Section 4 of the bill, the majority of which are effective beginning January 1, 2023.

#### [CS/HB 7023 Pub. Rec./Financial Disclosure](#)

Effective Date: On the same date that HB 7021 or similar legislation takes effect

Approved: May 15, 2019

Chapter Law: [2019-40](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Linked to CS/HB 7021 above, this bill provides a public records exemption for all secure login credentials held by the Florida Commission on Ethics for the purpose of allowing access to the electronic filing system for financial disclosure forms. This system is to be made available for use beginning January 1, 2022, for Form 6 filers, and beginning January 1, 2023, for Form 1 filers.

Information entered into the system is no longer exempt once a disclosure of financial interest or a statement of financial interests is submitted to the commission or, in the case of a candidate, filed with a qualifying officer.

**Clerk Point:**

As an elected constitutional officer required to file a full and public disclosure of financial interests with the Florida Commission on Ethics, this bill is provided for your information as it relates to the availability of certain data filed through the commission's electronic filing system for financial disclosure forms that is established by CS/HB 7021.

**Family****[CS/SB 124 Dependent Children](#)**

Effective Date: Upon becoming a law

Approved: April 26, 2019

Chapter Law: [2019-10](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends s. 744.1097, F.S., to provide that if an incapacitated person is a child or young adult under the jurisdiction of a dependency court, the venue in the proceedings for the appointment of a guardian shall be in the county where the child or young adult resides or in the county having jurisdiction of the dependency case.

The bill also amends sections of Ch. 985, F.S., to provide that if a child is under the jurisdiction of a dependency court, the court may receive and consider any information provided by the Guardian Ad Litem Program (GAL) and the child's attorney ad litem, if appointed, before making a final disposition or at quarterly or monthly commitment progress reports.

In addition, under current law, the Department of Juvenile Justice (DJJ) is required to notify the committing court and any attorney of record for a child when DJJ intends to transfer a committed child to a different program. This bill requires that, if a child is under the jurisdiction of a dependency court, DJJ must also provide notice to the dependency court, the Department of Children and Families, the GAL and a child's attorney ad litem, if appointed.

The bill goes on to authorize the GAL to be included as a representative on the community reentry teams that are used by DJJ as part of a child's transition-to-adulthood case plan.

**Clerk Point:**

This bill is provided for your information as it relates to the venue for guardianship appointment proceedings for an incapacitated child or young adult under the jurisdiction of a dependency court.

## **Public Records**

### **[SB 186 Public Records / Victims of Mass Violence](#) *(Also of interest to Court Side - Criminal)***

Effective Date: Upon becoming a law

Approved: May 23, 2019

Chapter Law: [2019-46](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Current law provides a public records exemption in s. 406.136, F.S., for a photograph or video or audio recording that depicts or records the killing of a law enforcement officer who was acting in accordance with his or her official duties.

This bill transfers and renumbers the exemption to s. 119.071(2)(p), F.S., and expands its applicability to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence. The term “killing of a victim of mass violence” is defined to mean events that depict either a victim being killed or the body of a victim killed in an incident in which three or more persons, not including the perpetrator, are killed by an intentional act of violence.

The bill also renumbers and expands the applicability of the current criminal penalties that prohibit a custodian of such information from willfully and knowingly violating the exemption requirements or violating an issued court order. However, the bill stipulates that nothing precludes a surviving spouse, parent, or adult child of the victim from sharing or publicly releasing any such photograph or video or audio recording.

The bill makes conforming changes throughout to include reference to the killing of a victim of mass violence; provides for repeal of the exemption, unless reviewed and saved through reenactment; and includes a statement of public necessity as required by the Florida Constitution.

The bill specifies that the exemption is retroactive from its effective date, but is not intended to overturn, abrogate, or alter any existing court order that restricts or limits access to any such photograph, video, or audio recording.

#### **Clerk Point:**

This bill expands the applicability of the current public records exemption for a photograph or video or audio recording that depicts or records the killing of a law enforcement officer who was acting in accordance with his or her official duties to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence, as defined by the bill.



The bill also transfers, renumbers, and expands the applicability of the current criminal penalties in s. 406.136, F.S, to s. 119.071(2)(p), F.S., as follows:

- s. 119.071(2)(p)6.a., F.S.: provides a third degree felony penalty for any custodian of a photograph or video or audio recording that depicts or records the killing of a law enforcement officer who was acting in accordance with his or her official duties or the killing of a victim of mass violence who willfully and knowingly violates the provisions of this paragraph. [Renumbered from s. 406.136(6)(a), F.S.]
- s. 119.071(2)(p)6.a., F.S.: provides a third degree felony penalty for any person who willfully and knowingly violates a court order issued pursuant to the provisions of this paragraph. [Renumbered from s. 406.136(6)(b), F.S.]

## **Miscellaneous**

### **[CS/CS/SB 1024 Blockchain Technology](#)**

Effective Date: Upon becoming a law

Approved: May 23, 2019

Chapter Law: [2019-52](#)

[Final Legislative Staff Bill Analysis](#)

### **Summary:**

This bill establishes the Florida Blockchain Task Force within the Department of Financial Services to study the ways in which state, county, and municipal governments can benefit from a transition to a blockchain-based system for recordkeeping, data security, financial transactions, and service delivery. As noted in the legislative staff analysis, blockchain is an open, distributed ledger technology that permanently records transactions between two parties without needing third-party authentication, creating efficiencies with the potential to reduce the costs of transactions.

The bill prescribes a 13-member task force, including four members of the public or private sector with knowledge and experience in blockchain technology appointed by the Governor, and three members from the public or private sector with the same knowledge and experience appointed by the Chief Financial Officer.

The task force is charged with developing and submitting recommendations to the Governor and the Legislature on the potential for the implementation of blockchain-based systems that promote government efficiencies, better services for citizens, economic development, and safer cyber-secure interaction between government and the public.

The task force shall be appointed within 90 days after the effective date of this bill and hold its first meeting; the task force shall submit its report to the Governor, the Senate President, and

the Speaker of the House within 180 days after its initial meeting. The task force terminates upon submission of its report and presentation of findings.

**Clerk Point:**

This bill establishes the Florida Blockchain Task Force, a 13-member group, including Governor and Chief Financial Officer appointees from both the private and public sector, that will study and report on the potential for the expansion of the blockchain industry in Florida.

As leaders in government technology, this bill is provided for your information.

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Monday, June 17, 2019 5:00 PM EDT  
**Subject:** Advisory - 19-046 - FCCC Response to ACLU & Related Data Inquiries  
**Attachment(s):** "19bull046.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **FCCC Response to ACLU & Related Data Inquiries**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Communications
<b>Priority:</b>	High	<b>Action required:</b>	Please read the attached advisory and complete the <a href="#">one-question survey</a> .
<b>Executive Summary:</b>	Due to the frequency and complexity of requests for statewide data recently received by Florida Clerks and FCCC, including requests from entities such as the American Civil Liberties Union (ACLU), FCCC has determined a report generated from CCIS can be provided on behalf of Clerks. Counties have an option to review their county data, or to opt out of the report and respond separately to the requestor. For questions, please contact <a href="#">Savannah Sullivan</a> , (850) 577-4658.		
<b>Clerk outreach:</b>	Language is provided to assist with responding to the ACLU request.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

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# FCCC ADVISORY

## **FCCC Response to ACLU & Related Data Inquiries**

**No. 19-046**

**Date:** June 17, 2019

**Contact:** Savannah Sullivan

**Category:** Communications

**Telephone:** (850) 577-4658

**Page:** 1 of 2

**E-mail:** [ssullivan@flclerks.com](mailto:ssullivan@flclerks.com)

Due to the frequency and complexity of requests for statewide data recently received by Florida Clerks and FCCC, including several requests for data related to Amendment 4 from entities such as the American Civil Liberties Union (ACLU), FCCC staff has been seeking the most efficient data delivery system. FCCC staff has met with the Honorable Tim Smith, Chair, Strategic Technology Committee, the Honorable Linda Doggett, Vice Chair, Strategic Technology Committee and former Chair of the CCIS Committee, and counsel for guidance on this issue in order to best assist your office with meeting the requests of the various entities. At their direction, and consistent with current CCIS policies, FCCC can run a report on the requested case types, such as felony, from CCIS with basic demographic data so that the requestors can contact your local offices to gain access to additional information and/or the images of any records, if needed.

**FCCC will provide this report to the requestor** on behalf of Florida's Clerks *with the following caveat:*

The information provided in our response to your request is not the official court record since our association does not maintain official court records. The official court record in any case is found at the Clerk of Court's office in each county, with records maintained in varying formats based on the age of the records. There exists no statewide electronic database of decades of the official court records and the individual documents they contain.

Florida Court Clerks & Comptrollers only maintains statewide data that can best be described as an "index" to those locally held records. Our response is based on what we actually have. We recommend that requests for access to actual historical court records (documents) be made to each Clerk of the Court.

The information contained in this report goes back to the year 2000, and we do not provide a guarantee that the information is entirely complete. Older data can be more problematic than more current data as individual Clerks have updated systems and data bases over the years and this statewide data comes from those individual systems and databases. Our database is updated nightly, though individual Clerks of the Court may

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have varying timetables for inputting their data. This information can be used as an index, to provide a high level summary, and may be used as a starting point for further investigation.

If your office is allowing FCCC to respond on its behalf, the following statement may be useful in following up with the ACLU:

Dear \_\_REQUESTOR\_\_,

Thank you for your inquiry. Our office has been working with Florida Court Clerks & Comptrollers (FCCC) to fulfill this request. FCCC will provide data to you on our behalf. If you need direct access to court records, they are available through \_\_WEBSITE\_\_ or in person at our office, located at \_\_ADDRESS\_\_.

Sincerely,  
\_\_SIGNATURE\_\_

**Please let us know if you would like to review the data** before it is provided to the requestor, **or if you would like to opt out of the data report**, by completing the following [one-question survey](#).

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Tuesday, June 25, 2019 9:36 AM EDT  
**Subject:** Advisory - 19-048 - Bills Effective July 1, 2019  
**Attachment(s):** "19bull048.docx.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Bills Effective July 1, 2019.**

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Staff	<b>Category:</b>	Clerk and Comptroller Administration; Courts; IT; Records; Recording
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information and share with appropriate staff.
<b>Executive Summary:</b>	The following provides a summary of those bills that are effective July 1, 2019, that may have some effect on the office operations of, or be of other interest to, Court Clerks and Comptrollers. These bills passed the 2019 Regular Session of the Florida Legislature and most have passed into law at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. In addition, this information will be compiled in the association's annual Legislation of Interest document.		
<b>Clerk outreach:</b>	No outreach needed at this time.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

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# FCCC ADVISORY

**BILLS EFFECTIVE JULY 1, 2019**

**NO. 19-048**

**Date:** June 25, 2019

**Contact:** Sara Sanders

**Category:** Clerk and Comptroller  
Administration, Courts, IT,  
Records, Recording

**Telephone:** (850) 921-0808

**Page:** 1 of 39

**E-mail:** [ssanders@flclerks.com](mailto:ssanders@flclerks.com)

This is a list of bills that are effective July 1, 2019, that may have some effect on the office operations of, or be of other interest to, Clerks of Court and Comptrollers.

These bills passed the 2019 Session of the Florida Legislature and most have been signed into law by Governor Ron DeSantis at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. Additionally, monitor the Bill History page for each bill (linked) to watch its progress as it moves toward the Governor's Office. Once there, the Governor has 15 days to act—sign or veto—else the bill will pass into law without his action.

Please note that these bill summaries will also be compiled in the association's annual Legislation of Interest document. Additional information related to the 2019 legislative session may be found on the [Legislative Information page](#).

## **Board Side**

### **[CS/HB 207 Impact Fees](#)**

Effective Date: July 1, 2019

Approved: June 18, 2019

Chapter Law: [2019-106](#)

[Final Legislative Staff Bill Analysis](#)

### **Summary:**

Section 163.31801, F.S., related to local impact fees, requires that an audit of a local governmental entity's financial statements, performed by a certified public accountant pursuant to s. 218.39, F.S., and submitted to the Auditor General, include an affidavit signed by the local governmental entity's chief financial officer attesting to compliance with this section.

This bill revises the minimum requirements for the adoption of local impact fees to also:

- prohibit a local government from requiring payment of an impact fee before the issuance of a building permit for the property that is subject to the fee;

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- require an impact fee be reasonably connected to, or have a rational nexus with, the need for additional capital facilities, the expenditure of the revenues generated, and the benefits accruing to new residential or commercial construction;
- require a local government to specifically earmark revenues generated by the impact fee to acquire, construct, or improve capital facilities to benefit new users; and
- prohibit a local government from using revenues generated by the impact fee to pay existing debt or pay for previously approved projects, unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction.

The bill specifies that this section does not apply to water and sewer connection fees.

**Clerk Point:**

This bill revises the minimum requirements for the adoption of local impact fees and is provided for your information, as it relates to annual financial audit reports pursuant to s. 218.39, F.S.

**[CS/CS/SB 620 Military-Friendly Initiatives](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends statutes related to military base buffering and education for military personnel and their families, conservation easements, and creates a Blue Angels specialty license plate in Florida.

**Clerk Point:**

Of specific interest, Section 2 of the bill amends s. 197.572, F.S., to provide that conservation easements created for preventing encroachment to military base installations survive tax sales and tax deeds of such lands.

**[CS/SB 7014 Government Accountability](#) *(Also of interest to Budget/Finance and Court Side – Criminal)***

Effective Date: July 1, 2019

Approved: April 29, 2019

Chapter Law: [2019-15](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this is a comprehensive government accountability bill, containing a number of recommendations from the state's Auditor General to provide increased transparency and to ensure that good government auditing and accountability practices are maintained by state and local government entities



Of interest, the bill defines the terms “abuse,” “fraud,” and “waste” in s. 11.45, F.S., and goes on to amend multiple sections of law to require each state agency, the judicial branch, the Justice Administrative Commission, state attorneys, public defenders, criminal conflict and civil regional counsel, the Guardian Ad Litem program, local governmental entities, charter schools and school districts, Florida College System institutions and state universities to establish and maintain internal controls to prevent and detect fraud, waste, and abuse.

The bill further amends s. 11.45, F.S., to include in the current definition of “local governmental agency” tourist development councils and county tourism promotion agencies. As such, these local tourist development councils and promotion agencies will now be included in the scope of the Auditor General’s authority for audits and other engagements, pursuant to subsection (3).

The bill amends s. 129.03, F.S., to require that the tentative county budget remain on a county’s official website for at least 45 days following the public hearing to consider such budget, and that the final adopted budget remain on the website for at least two years. (Note that this language was also codified by [HB 861 Local Government Financial Reporting](#), which went into effect on May 23, 2019. See [Advisory Bulletin 19-34](#) for additional information.) Similarly, the bill amends s. 129.06, F.S., to require that an amended county budget remain on a county’s official website for at least two years.

The bill goes on to amend s. 218.32, F.S., to allow the Florida Department of Financial Services (DFS) to request additional information from a local governmental entity in preparation of the annual verified report. The requested information must be provided to DFS within 45 days. If the local governmental entity does not comply, DFS shall notify the Legislative Auditing Committee (LAC), which may take action.

The bill also provides that the Governor or Education Commissioner, or their designees, may notify the LAC of a specified entity’s failure to comply with certain auditing and financial reporting requirements. Current statute only specifies that the Auditor General, DFS, or the Division of Bond Finance of the State Board of Administration may make such notification. (See s. 11.40(2), F.S.)

**Clerk Point:**

Of specific interest to Clerks and Comptrollers, the bill:

- expands the applicability of the current first degree misdemeanor penalty in s. 11.47(3), F.S., to also include any person who willfully fails or refuses to provide access to an employee, officer, or agency of an entity subject to audit by the Auditor General or the Office of Program Policy Analysis and Government Accountability (OPPAGA);
- amends s. 28.35(2), F.S., to require the Florida Clerks of Court Operations Corporation (CCOC) to report quarterly to the Legislature on any Clerk who has not met workload performance standards and provide a copy of any corrective action plans. CCOC would have no more than 45 days after the end of the preceding quarter to submit this information.

- amends s. 218.391(2), F.S., to:
  - require that each county—charter or noncharter—establish an auditor selection committee and allows each of the elected county officers who are required to serve on the selection committee to appoint a designee [see (2)(a)];
  - exclude from the membership of an auditor selection committee an employee, chief executive officer, or chief financial officer of a county, municipality, special district, district school board, charter school, or charter technical career center; however, these individuals may serve in an advisory capacity [see (2)(c)]; and
  - add new subsection (9) to require an entity to again perform the auditor selection process to select an auditor to conduct audits for subsequent fiscal years, if an entity fails to select an auditor in accordance with statutory requirements.

## **Budget / Finance**

### **[CS/CS/HB 337 Courts](#) (Also of interest to Court Side – Civil)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-58](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill represents an important first step in moving toward a long-term solution to modernize Clerks' budget process, and helps to ensure that Clerks can continue to provide quality public services throughout Florida.

Specifically, the bill includes two key policy components that will provide much needed revenue stability:

- allows Clerks to carry forward unexpended revenues and provides budget authority on a recurring basis; and
- allows Clerks to carry forward cumulative excess and provides budget authority, with some limits.

With the policy changes authorized by this bill, there is an estimated net positive fiscal impact of approximately \$15.8 million for the upcoming budget year. This does not include any potential increase from revenue growth in the Revenue Estimating Conference (REC) estimates for the Clerks of the Court Trust Fund. While the revenues available will still be short of Clerks' projected budget needs, these changes help close the gap significantly.

The bill also codifies into Florida Statutes the [Chapter 2008-111, Laws of Florida](#), distributions to the General Revenue Fund (GR), in conformity with current practice, and raises the jurisdictional threshold of the county courts for civil actions from \$15,000 to \$30,000, beginning January 1, 2020, and to \$50,000, beginning January 1, 2023.

**Clerk Point:****Clerk Funding (sections 2 – 4 and 32)**

**Section 2.** The bill amends s. 28.35, F.S., to require the Florida Clerks of Court Operations Corporation (CCOC) to ensure that Clerks' total combined budgets do not exceed the state's REC estimated revenues from fees, service charges, costs, and fines for court-related functions; plus the total unspent budgeted funds for court-related functions carried forward from the previous fiscal year; plus the balance of funds remaining in the Clerks of the Court Trust Fund after the required transfer to GR. With this change, Clerks' court-related budgets will no longer be solely based on REC revenue estimates.

The bill also specifies that, for the purposes of this section, "unspent budgeted funds for court-related functions" means undispersed funds included in the Clerks' court-related budgets.

**Section 3.** Section 28.36, F.S., is amended to conform to the changes made by the bill to s. 28.35, F.S.

**Section 4.** The bill amends s. 28.37, F.S., to require that, no later than January 25 of each year, Clerks, in consultation with CCOC, remit to the Department of Revenue (DOR) for deposit into GR the cumulative excess of all fines, fees, service charges, and costs, including transfers from the Clerks of the Court Trust Fund, that exceed the amount needed to meet authorized budget amounts.

The bill provides that, no later than February 1, 2020, DOR shall transfer from the Clerks of the Court Trust Fund to GR the cumulative excess of all fines, fees, service charges, and costs in excess of \$10 million.

Then, no later than February 1, 2021 and February 1, 2022, DOR shall transfer from the Clerks of the Court Trust Fund to GR not less than 50 percent of the cumulative excess of all fines, fees, service charges, and costs, provided that the remaining balance in the Clerks of the Court Trust Fund may not be more than \$20 million.

No later than February 1, 2023, and each February 1 thereafter, DOR shall transfer from the Clerks of the Court Trust Fund to GR the cumulative excess of all fines, fees, service charges, and costs.

**Section 32.** The bill provides that before the 2022 legislative session, the Legislature shall review and consider the results of the analysis submitted by the Office of Program Policy Analysis and Government Accountability (OPPAGA), pursuant to section 6, line 2754, [SB 2500 Appropriations](#) (see summary below), regarding the review of Clerks' processes, for the purpose of considering an extension or reenactment of the provisions in this bill related to Clerk funding.

**Codification of Chapter 2008-111 (sections 5 - 8, 10, 12 - 22, and 24 - 30)**

This bill amends numerous sections of law related to certain fines, fees, and charges to codify into Florida Statutes the [Chapter 2008-111, Laws of Florida](#), increased distributions to GR, in conformity

with current practice. These changes are effective upon becoming a law (May 24, 2019) and apply retroactively to July 1, 2008.

**Section 30.** This section specifically provides that the changes made by the bill to ss. 27.52, 28.24, 28.2401, 28.241, 34.041, 45.035, 55.505, 61.14, 316.193, 318.14, 318.15, 318.18, 322.245, 327.35, 327.73, 379.401, 713.24, 721.83, 744.365, 744.3678, 766.104, and 938.05, F.S., are remedial and clarifying in nature.

*Court Filing Jurisdiction (sections 1, 9 - 11, and 31)*

**Section 1.** The bill amends s. 26.012, F.S., to provide that circuit courts shall have jurisdiction of appeals from county courts, except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This new language is repealed on January 1, 2023.

**Section 9.** Effective January 1, 2020, the bill amends s. 34.01, F.S., to raise the county court jurisdictional threshold for civil actions from \$15,000 to \$30,000, except for those actions within the exclusive jurisdiction of the circuit court. Then, effective January 1, 2023, the county court jurisdictional threshold is raised from \$30,000 to \$50,000, except for actions within the exclusive jurisdiction of the circuit court.

The bill also requires the Office of the State Courts Administrator (OSCA), by February 1, 2021, to report to the Governor, President of the Senate, and Speaker of the House of Representatives making recommendations on the adjustment of county court jurisdiction. The report must consider the claim value of filings in county and circuit court, case events, timeliness in processing cases, and any fiscal impact to the state as a result of the adjusted jurisdictional limits. Of specific interest, the bill requires Clerks to provide claim value data and necessary case event data to OSCA for use in the development of the report.

The bill further requires the report to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit courts and district courts of appeal, including the use of appellate panels by circuit courts.

**Section 10.** The bill amends s. 34.041, F.S., to provide that the initial filing fees and subsequent counterclaim fees for non-foreclosure cases in which the matter of controversy is over \$15,000 are assessed and distributed in the same manner as current law, regardless of whether they are filed in the county or circuit court. Note that this change is effective upon becoming a law (May 24, 2019).

**Section 11.** The bill amends s. 44.108, F.S., to prevent the \$60 mediation fee from being charged to additional participants when cases above the \$15,000 threshold move from circuit to county court.

*Miscellaneous (section 23)*

**Section 23.** The bill specifies that the attorney fees provision of [CS/CS/HB 7065 Insurance Assignment Agreements](#) is effective upon becoming a law (May 23, 2019).

**SB 2500 Appropriations (Also of interest to Information Technology)**

Effective Date: July 1, 2019, except as otherwise provided

Approved: June 21, 2019

Chapter Law: 2019-115

**Summary:**

This bill, the General Appropriations Act (GAA), sets the state appropriation levels for all agencies that are funded by the state budget for an annual period beginning July 1, 2019, and ending June 30, 2020, totaling approximately \$90.9 billion. Note that Governor Ron DeSantis vetoed about \$131 million from the budget that was passed by the Legislature on May 4, 2019.

**Clerk Point:**

**See Section 4, line 770, page 140:** The bill appropriates \$11.7 million in Specific Appropriation 770 for reimbursement of expenditures related to circuit and county juries required by statute.

**See Section 4, line 1305, page 202:** The bill authorizes the Florida Department of Law Enforcement (FDLE) to distribute up to \$500,000 to reporting entities, including Clerks of Court, that have “legitimate financial hardships” to assist in complying with the criminal justice data collection and reporting requirements, first established by CS/CS/SB 1392, [Chapter 2018-127, Laws of Florida](#).

The bill requires FDLE to develop the criteria and process for awarding the compliance assistance funds and requires FDLE to report monthly to the Governor and the Legislature regarding the use of the funds, beginning August 1, 2019.

**See Section 6, line 2403, page 326:** The bill restates the requirement for the Department of Financial Services (DFS) to audit all court-related expenditures of the Clerks of Court, pursuant to ss. 28.241 and 28.35, F.S. This bill requires that, quarterly, DFS shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor’s Office of Policy and Budget.

DFS must submit such report on July 26, 2019, for the period beginning April 1, 2019, through June 30, 2019, and quarterly thereafter.

**See Section 6, line 2754, pages 360-361:** The bill directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to contract with an independent, third-party consulting firm to assist with a review of Clerks’ processes including:

- collection and compilation of empirical evidence based on observation of a random sample of Clerks’ offices employees;
- comparison of Clerks’ office work patterns to propose efficiency and productivity standards; and
- assessment and comparison of organizational arrangements and deployment of personnel resources among all Clerks’ offices.

Sample groups must include a broad number of large and small counties from all areas of the state. The analysis shall be submitted to the chairs of the Senate and House appropriations committees by November 15, 2019.

**See Section 7, line 3222A, page 407:** The bill appropriates \$370,000 for use by the Office of the State Courts Administrator (OSCA), in coordination with the Florida Clerks of Court Operations Corporation (CCOC) and Clerks of Court, for the operation, maintenance, and enhancement of an information technology platform that electronically transmits alert reminders and information to individuals involved in the state courts system. Such platform shall integrate with existing state, county, or other court- or justice-related information systems, as necessary. Any data collected is the property of the State of Florida or designated agency.

The bill also requires OSCA to provide a project status report, including to-date progress for each milestone and deliverable, as well as key metrics such as failures to appear, in order to assess the performance of the project. OSCA must submit this report to the chairs of the Senate and House appropriations committees and the Executive Office of the Governor's Office of Policy and Budget on July 15, 2020, for the prior fiscal year, and biannually thereafter.

**[SB 2502 Implementing the 2019-2020 General Appropriations Act](#) *(Also of interest to Board Side and Court Side)***

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 21, 2019

Chapter Law: 2019-116

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill provides the statutory authority necessary to implement and execute the General Appropriations Act (GAA) for state FY 2019-2020. The statutory changes are effective for only one year and either expire on July 1, 2020, or revert to the language as it existed before the changes made by the bill.

**Clerk Point:**

**See Section 55, pages 65-66:** This section, which expires July 1, 2020, requires the Department of Juvenile Justice (DJJ) to ensure that counties fulfill the financial responsibilities required in s. 985.6865, F.S., related to juvenile detention, and requires DJJ to report any deficiencies to the Department of Revenue (DOR). If DJJ determines that a county has not met its obligations, DOR is directed to deduct the amount owed to DJJ from the shared revenue funds provided to a county under s. 218.23, F.S., which shall be deposited in DJJ's Shared County/State Juvenile Detention Trust Fund.

This section also includes procedures to provide assurance to holders of bonds issued by counties before July 1, 2019, for which shared revenue fund distributions are pledged.

**See Sections 56 and 57, pages 66-71:** Section 56 amends s. 27.40, F.S., to require that the appointment of the office of criminal conflict and civil regional counsel be made only after the public defender has certified to the court in writing that s/he is unable to provide representation due to a conflict. The section also requires the public defender to report the specific basis of all conflicts of interest certified to the court on a quarterly basis to the Justice Administrative Commission (JAC).

Similarly, private counsel may only be appointed after the office of criminal conflict and civil regional counsel has certified to the court in writing that a conflict of interest exists. This information must also be reported quarterly to the JAC.

In addition, this section makes certain requirements of JAC related to billing and compensation for court-appointed counsel.

Section 57 provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2019.

**See Sections 58 and 59, pages 71-77:** Section 27.5304, F.S., sets the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony, and life felony cases. Section 58 reinstates the current statutory compensation for state FY 2019-2020.

This section further amends s. 27.5304, F.S., to provide that objections by or on behalf of JAC to records, documents, or claims for payment by an attorney seeking compensation shall be presumed correct by the court unless the court makes a written determination that competent and substantial evidence exists to justify overcoming the presumption. In addition, motions to exceed the flat fee are required to be served on JAC at least 20 business days before the hearing date—rather than 5 business days—and JAC may appear at such hearing either in person or telephonically.

Section 59 provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2019.

**See Section 60, page 77:** This section, which expires July 1, 2020, provides the implementation language for the \$11.7 million appropriation for reimbursement of jury-related expenditures (see the summary for SB 2500 above) for state FY 2019-2020 (July 1, 2019 – June 30, 2020).

This section also provides that Clerks are responsible for any jury costs—compensation to jurors; meals or lodging provided to jurors; jury-related personnel costs—that exceed the funding provided in the GAA.

**See Sections 61-63, pages 77-78:** Last year's GAA implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), changed the distribution of certain monies under ss. 318.18(19)(c) and 817.568(12)(b), F.S., from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund, effective July 1, 2018.

Section 63 carries forward these changes from last year's bill and provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2018.

**See Section 64, pages 78-80:** Carried forward from last year's GAA implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), this section allows a Supreme Court justice who permanently resides outside of Leon County to be eligible for the designation of a district court of appeal courthouse, county courthouse, or other appropriate facility in his or her district of residence to be designated as his or her official headquarters. This official headquarters may serve only as the justice's private chambers. In addition, the Chief Justice is required to coordinate with each affected justice and other state and local officials, as necessary, for implementation.

This section also provides subsistence payments and reimbursement for transportation expenses related to travel between a justice's official headquarters and the Supreme Court's headquarters in Tallahassee, to the extent that appropriated funds are available.

This section, which expires July 1, 2020, would not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.

Note that this language is also codified into Florida Statutes as new s. 25.025, F.S., by [HB 5011 Courts](#), which is also effective July 1, 2019. (See bill summary in the "Miscellaneous" section below for additional information.)

### **[SB 7016 State-Administered Retirement Systems](#)**

Effective Date: July 1, 2019

Approved: April 15, 2019

Chapter Law: [2019-8](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Florida Retirement System (FRS) employers are responsible for contributing a set percentage of the member's monthly compensation to the Division of Retirement. The annual valuation for the coming year includes a set of employer contributions for Regular Cost and a supplemental set of employer contributions for the Unfunded Actuarial Liability (UAL). This bill establishes the employer contribution rates for FRS for state FY 2019-2020 in ss. 121.71(4) and (5), F.S. (See highlighted portion in chart below.)

Note that the [Florida Department of Management Services Division of Retirement](#) provides information directly to all FRS Agency Heads and Retirement Coordinators following each legislative session. The amendments made by this bill should be read in conjunction with the materials that are provided to your office by the Division of Retirement related to changes to FRS.



**Clerk Point:**

Membership Class	Normal Cost Contribution Rates		Unfunded Actuarial Liability (UAL) Contribution Rates	
	Current	Effective July 1, 2019	Current	Effective July 1, 2019
Regular Class	3.04%	3.19%	3.50%	3.56%
Elected County Officers	8.50%	8.73%	38.48%	38.37%
Senior Management	4.45%	4.60%	17.89%	19.09%
DROP	4.41%	4.68%	7.96%	8.24%

**Court Side – Civil**

**[CS/CS/CS/HB 829 Attorney Fees and Costs](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 57.112, F.S., to require a court to assess and award reasonable attorney fees and costs and damages to the prevailing party if a civil action is filed against a local government to challenge the adoption or enforcement a local ordinance on the grounds that it is expressly preempted by the State Constitution or state law.

Attorney fees and costs may not be awarded if the local governing body receives written notice that a publicly noticed or adopted ordinance is expressly preempted by the state, and the proposed or adopted ordinance is withdrawn within 30 days of the notice.

For the purposes of this section, “attorney fees and costs” is defined as the reasonable and necessary attorney fees and costs incurred for all preparations, motions, hearings, trials, and appeals in a proceeding.

The bill specifies that this section does not apply to local ordinances adopted pursuant to Part II of Chapter 163, F.S., related to growth policy; county and municipal planning; land development regulation; or ss. 553.73, the Florida Building Code, or 633.202, F.S., the Florida Fire Prevention Code, and only applies to cases commenced on or after July 1, 2019.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/CS/CS/HB 1393 Department of Financial Services](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill addresses various issues relating to the power and duties of the Florida Department of Financial Services (DFS).

Of interest, and as described in the legislative bill analysis, Section 34 of this bill amends s. 717.124, F.S., related to unclaimed property claims, to allow DFS to develop an automatic disbursement process for accounts valued at \$2,000 or less, after verifying the identity, availability, and address of an apparent owner.

In addition, DFS may develop a verification and automatic disbursement process for accounts owned by a state agency, a county government, a public school district, a municipality, or a special taxing district or authority in the state of Florida regardless of the amount of the disbursement.

In each of the above-described processes, DFS must include with the payment a notification and explanation of the dollar amount, the source, and the property type of each account included in the disbursement.

The bill also allows DFS to develop a process by which a claimant's representative or a buyer of unclaimed property could electronically submit an electronic image of a completed claim and claims-related documents to DFS, including a limited power of attorney or purchase agreement that has been manually signed and dated by the claimant or seller. Each claim must include a statement by the claimant's representative or buyer affirming that all documents are true copies of the original, and that the original documents are in the possession and secure control of the claimant's representative or buyer and are available for DFS inspection.

Section 40 of the bill also establishes the Florida Blockchain Task Force within DFS to study the ways in which state, county, and municipal governments can benefit from a transition to a blockchain-based system for recordkeeping, data security, financial transactions, and service delivery. Note that this language was also codified into Florida Statutes by [CS/CS/SB 1024 Blockchain Technology](#), which became effective on May 23, 2019. (See [Advisory Bulletin 19-34](#) for additional information.)

**Clerk Point:**

Of specific interest to Clerks and Comptrollers, this bill amends s. 717.124, F.S., related to unclaimed property claims, to allow DFS to develop an automatic disbursement and verification process for accounts valued at \$2,000 or less for apparent owners, and for accounts owned by state agencies or local government entities, regardless of the amount of the disbursement.

**CS/CS/SB 1418 Mental Health**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)**Summary:**

As noted in the legislative staff analysis, in 2017, the Legislature created a task force within the Florida Department of Children and Families (DCF) to address the rise in the number of involuntary examinations of minors under the Baker Act. The task force made six recommendations in its published, "Task Force Report on Involuntary Examination of Minors," three of which were implemented by the Legislature as part of last year's CS/SB 7026, [Chapter 2018-3, Laws of Florida](#), in response to the Marjory Stoneman Douglas High School shooting.

This bill addresses two other recommendations of the task force:

- amends s. 394.463, F.S., related to involuntary examinations, to increase the number of days that a receiving facility has to submit certain information to DCF (ex parte orders; law enforcement officer reports; physician certificates) from the next working day to five working days, and to request that the facility include information on whether the individual was admitted, released, or a petition was filed with the court. DCF is also required to analyze the received data and provide recommendations to the Governor and Legislature every other year for encouraging alternatives to and eliminating inappropriate initiations of involuntary examinations of children.
- requires the Department of Education, in consultation with other stakeholders, to add suicide screening as part of the requirements for a school to be considered a "Suicide Prevention Certified School."

The bill also implements a recommendation of the Marjory Stoneman Douglas Public Safety Commission to require service providers to disclose information from a patient's clinical record to law enforcement, under certain circumstances, relating to specific threats to cause serious bodily injury or death to an identified person. Such disclosures may not be the basis of any legal action or criminal or civil liability against the service provider.

**Clerk Point:**

This bill is provided for your information as it relates to changes to Florida's mental health laws.

### [CS/SB 7006 Uniform Interstate Depositions and Discovery Act](#)

Effective Date: July 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-13](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill amends s. 92.251, F.S., to enact the Uniform Interstate Depositions and Discovery Act (UIDDA) in Florida; this act has already been adopted by 44 states and Washington, D.C., and is designed to streamline the process for interstate discovery requests.

The UIDDA applies to proceedings pending on, or commenced on or after, July 1, 2019, and specifically does not apply to criminal proceedings. (See Section 8 of the bill.)

#### **Clerk Point:**

Of specific interest to Clerks, the UIDDA:

- Requires a party to submit a foreign subpoena—defined as a subpoena issued under authority of a court of record in a state other than Florida—to the Clerk in the county in which discovery is sought.
- Requires the Clerk to promptly issue a subpoena for service upon the person to which the foreign subpoena is directed. The subpoena must incorporate the terms used in the foreign subpoena and contain the names, addresses, and telephone numbers of all counsel of record and pro se parties in the proceeding to which the subpoena relates.
- Provides that a subpoena issued under this section must be served in compliance with Florida Rules of Civil Procedure.
- Allows parties to move for protective orders or to enforce, quash, or modify the subpoena issued by the Clerk. Such application to the court must comply with Florida Statutes and rules and must be submitted to the court in the county in which discovery is to be conducted.

### [CS/CS/HB 7065 Insurance Assignment Agreements](#)

Effective Date: July 1, 2019

Approved: May 23, 2019

Chapter Law: [2019-57](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill revises the practice known as “assignment of insurance policy benefits” or AOB.

As detailed in the legislative staff analysis, the bill creates s. 627.7152, F.S., related to assignment agreements, to:

- define certain terms for the purposes of this section;
- provide requirements for the execution, validity, effect, and repeal of an assignment agreement;

- cap the amount an assignee can receive under an assignment agreement for a residential property insurance claim executed in “urgent or emergency circumstances,” as defined by the bill, at in excess of the greater of \$3,000 or 1 percent of the Coverage A limit under such policy;
- transfer certain pre-lawsuit duties under the insurance contract to the assignee;
- set the formula that will determine which party, if any, receives attorney fees should litigation related to an assignment agreement result in a judgment:
  - if the difference between the judgment obtained by the assignee and the pre-suit settlement offer is less than 25 percent of the disputed amount, the insurer is entitled to reasonable attorney fees;
  - if at least 25 percent, but less than 50 percent of the disputed amount, then no party is entitled to attorney fees;
  - if at least 50 percent of the disputed amount, then the assignee is entitled to reasonable attorney fees; and
- allow the court to award attorney fees to a respondent in a voluntarily dismissed action in certain circumstances.

The bill also creates s. 627.7153, F.S., to allow insurance companies to make policies available that restrict an assignment agreement, in whole or in part, under certain circumstances.

Finally, the bill specifies that the changes made apply to assignment agreements entered into on or after July 1, 2019.

**Clerk Point:**

This bill is provided for your general information as it relates to AOB litigation.

**Court Side – Criminal**

**[CS/CS/CS/SB 168 Federal Immigration Enforcement](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 14, 2019

Chapter Law: [2019-102](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates Chapter 908, F.S., to require state and local governments, defined as any county, municipality, or other political subdivision of this state, and law enforcement agencies to cooperate with and support federal immigration enforcement.

As noted in the legislative staff analysis, the bill:

- prohibits any state or local government entity from adopting or having a “sanctuary policy” in effect that impedes law enforcement from communicating or cooperating with federal

immigration enforcement, and requires any sanctuary policy in effect to be repealed within 90 days of the bill's effective date;

- requires county correctional facilities to enter into an agreement with a federal immigration agency for reimbursement of costs associated with temporarily housing inmates under a detainer request; and
- authorizes the Attorney General or a state attorney to file suit for declaratory or injunctive relief against a noncompliant local governmental entity or local law enforcement agency.

Of interest, in new s. 908.104, F.S., the bill requires a judge, in an applicable criminal case when a defendant is the subject of an immigration detainer and is sentenced to confinement, to order the secure correctional facility to reduce the sentence of the defendant by not more than 12 days, in order to facilitate the seamless transfer of the defendant to federal custody. If a judge does not know that the defendant is subject to an immigration detainer or otherwise subject to a transfer into federal custody at the time of sentencing, the judge must issue such order to the correctional facility as soon as such information becomes available via notification from law enforcement. Note, too, that the judge is required to have such information recorded in the court record, regardless of whether the notice from law enforcement is received before or after a judgment in a case. (See new s. 908.105, F.S.)

The bill does not require state or local government entities or law enforcement to provide federal immigration enforcement with information related to a victim or witness to a criminal offense if such person cooperated in the crime's investigation or prosecution. This cooperation must be documented and retained for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.

Finally, the bill provides in new s. 908.107, F.S., that any executive or administrative state, county, or municipal officer who violates his or her duties under the bill may be subject to action by the Governor, as provided in the state constitution.

**Clerk Point:**

This bill creates Chapter 908, F.S., and prohibits any state or local government entity from adopting or having a "sanctuary policy" in effect that may limit law enforcement cooperation with federal immigration enforcement efforts. This bill is provided for your information.

**[CS/CS/CS/HB 301 Insurance](#) (Also of interest to Court Side – Civil and Office Operations/Employment)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 18, 2019

Chapter Law: [2019-108](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill makes a number of insurance-related changes. Of interest, and as detailed in the legislative staff analysis, the bill:

- amends s. 440.381(2), F.S., to correct a conflict related to provided criminal penalties, and clarifies that workers' compensation insurance applicants and their agents are not required to have certain sworn statements notarized.
- creates s. 624.1005, F.S., to provide for the recovery of defense costs from other insurers when more than one liability insurer has a duty to defend an insured and requires the court to allocate such costs. *This applies to civil claims initiated on or after January 1, 2020*, and does not apply to motor vehicle or medical professional liability insurance.
- amends s. 624.155, F.S., to prohibit an insured from filing a civil remedy notice within 60 days after an appraisal is invoked, and removes a provision authorizing the Florida Department of Financial Services (DFS) to return a civil remedy notice to the insured for lack of specificity.

**Clerk Point:**

Current law provides a second degree felony penalty in s. 440.381(2), F.S., for submitting an application for coverage that contains false, misleading, or incomplete information meant to avoid or reduce the amount of premiums for workers' compensation coverage. This subsection also requires that the application contain a statement that providing such false information is a felony, but references a *third degree felony* rather than the provided second degree felony.

This bill corrects this conflict and updates subsection (2) to provide a third degree felony for submitting an application for coverage that contains false, misleading, or incomplete information. The bill also makes necessary conforming changes to the Criminal Punishment Code to reflect this change.

The bill further amends this subsection to clarify that the sworn statements of an employer, attesting to the accuracy of the information submitted in an application, and an agent, attesting that the employer was provided an explanation of the classification codes used for premium calculations, are not required to be notarized.

**[CS/CS/HB 369 Substance Abuse Services](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this bill addresses the Florida Department of Children and Families' duties and responsibilities relating to the regulation of substance abuse treatment services.

Of interest, the bill amends and expands the applicability of the existing criminal penalty in s. 397.4075, F.S.

**Clerk Point:**

Current law provides a first degree misdemeanor penalty in s. 397.4075, F.S., for unlawful activities relating to substance abuse treatment personnel.

Section 5 of this bill increases this penalty to a third degree felony and expands its applicability to also include anyone who willfully, knowingly, or intentionally makes false statements, misrepresents, impersonates, fails to disclose, or otherwise fraudulently discloses inaccurate information on a licensure application when such fact is material to determine one's qualifications to be personnel of a service provider.

**[CS/CS/HB 595 Alcohol or Drug Overdose Prosecutions](#)**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-81](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 562.112, F.S., to provide criminal immunity from arrest, charge, prosecution, or other penalization for a person who provides alcohol to an underage individual, or for an underage individual who possesses or consumes alcohol, and seeks medical assistance for an alcohol or drug-related overdose. To receive immunity, the person must remain at the scene until emergency medical services (EMS) personnel arrive and must cooperate with EMS personnel and law enforcement officers at the scene.

The bill also amends the "911 Good Samaritan Act," under s. 893.21, F.S., to extend immunity for use or possession of drug paraphernalia; violation of pretrial release, probation, or parole, if the evidence for such violation was obtained as a result of the person's seeking medical assistance; and a person seeking aid for an alcohol overdose. However, immunity is limited for possession of a controlled substance if said possession includes more than 10 grams of certain substances like heroin or fentanyl.

As noted in the legislative staff analysis, this bill incentivizes seeking medical assistance for alcohol or drug overdose by a person who may not otherwise seek aid due to fear of criminal implication.

**Clerk Point:**

This bill amends the "911 Good Samaritan Act," which provides immunity under certain circumstances, and is provided for your information.



**[CS/HB 611 Motor Vehicle Racing](#)**

Effective Date: July 1, 2019

Approved: June 25, 2019

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends ss. 316.191 and 901.15, F.S., to authorize a law enforcement officer to arrest a person without a warrant upon probable cause that the person committed a criminal racing violation.

As noted in the legislative staff analysis, this bill removes the current requirement that an officer either witness the racing violation and immediately arrest or secure an arrest warrant.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/CS/CS/HB 851 Human Trafficking](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this bill requires the creation and implementation of human trafficking awareness training and policies for certain employees of massage establishments and public lodging establishments, and requires training in identifying and investigating human trafficking for certified law enforcement officers.

The bill also creates a direct-support organization within the Department of Legal Affairs, established to provide assistance, funding, and support to the Statewide Council on Human Trafficking and to assist in the fulfillment of the council's purpose.

Of specific interest, effective January 1, 2021, the bill creates s. 943.0433, F.S., to require the Florida Department of Law Enforcement (FDLE) to create and administer the "Soliciting for Prostitution Public Database." Upon notification by the Clerk of a conviction of s. 796.07(2)(f), F.S., FDLE must add such convicted person's criminal history record to the database and include his or her full legal name, last known address, color photograph, and the offense for which he or she was convicted. FDLE shall automatically remove a person's criminal history record from the database if, after five years from the person's conviction, such person has not again violated s. 796.07(2)(f), F.S., and has not committed any other offense within that time that would constitute a sexual offense or an offense that would require registration as a sexual offender. FDLE is prohibited from removing the criminal history record from the database if a person violates s. 796.07(2)(f), F.S., a second or subsequent time.

FDLE shall create policies and procedures that allow a person whose conviction has been overturned, or who has received an expunction for of a qualifying criminal history record, to petition FDLE for the removal of their criminal history record from the database.

The bill also requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to study the effectiveness of the database and submit such report to the Governor and Legislature by January 1, 2023.

Finally, the bill amends s. 450.045, F.S., to create a criminal penalty for knowing failure to verify and maintain specified documentation of an adult theater employee or contractor.

**Clerk Point:**

Effective January 1, 2021, this bill requires FDLE to create the “Soliciting for Prostitution Public Database,” and requires Clerks to forward the criminal history record of a person who is found guilty or who enters a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, of s. 796.07(2)(f), F.S., related to soliciting, inducing, enticing, or procuring another to commit prostitution, lewdness, or assignation, for inclusion in the database. The bill stipulates that Clerks forward such information to FDLE pursuant to s. 943.052(2), F.S., the existing method by which Clerks submit criminal dispositions.

The bill also creates a new first degree misdemeanor penalty in s. 450.045(3)(d), F.S., for knowing failure to verify and maintain specified documentation of an adult theater employee or contractor.

**CS/CS/SB 1020 State Hemp Program**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates the state hemp program within the Florida Department of Agriculture and Consumer Services (DACS) to regulate the cultivation of hemp and requires DACS to seek federal approval of the state hemp plan.

Of interest, the bill amends the definition of “cannabis” in s. 893.02, F.S., to exclude hemp and industrial hemp, as defined by the bill, from the criminal prohibition against possessing cannabis.

**Clerk Point:**

This bill amends the definition of “cannabis” under the Florida Comprehensive Drug Abuse Prevention and Control Act to exclude hemp and industrial hemp from the criminal prohibition against possessing cannabis. As such, this bill is provided primarily for your information.

**[SB 1136 Cyberharassment](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-53](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill amends s. 784.049, to redefine the term “sexually cyberharrass” to include disseminating a sexually explicit image of a person through electronic means that is contrary to the depicted person’s reasonable expectation that the image would remain private. The bill adds that evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove the depicted person’s reasonable expectation of privacy for that image.

The bill also amends the definition of “personal identification information” for the purposes of this section to mean any information that identifies an individual including, but not limited to, any name, postal or e-mail address, telephone number, social security number, date of birth, or any unique physical representation.

**Clerk Point:**

Section 784.049, F.S., criminalizes the willful and malicious sexual cyberharassment of another person. Specifically, paragraph (3)(a) provides a first degree misdemeanor for a first violation and paragraph (3)(b) provides a third degree felony for a person who has one prior conviction for sexual cyberharassment and who commits a second or subsequent violation.

This bill amends the definition of “sexually cyberharrass” to include disseminating a sexually explicit image of a person through electronic means that is contrary to the depicted person’s reasonable expectation that the image would remain private, thereby expanding the applicability of the prescribed criminal penalties.

**[HB 5401 Department of Environmental Protection](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill addresses various issues relating to the power and duties of the Florida Department of Environmental Protection (DEP).

Specifically, the bill transfers the primary powers and duties of the Florida Fish and Wildlife Conservation Commission (FWC) relating to the investigation and enforcement of certain environmental crimes to the newly created Division of Law Enforcement within DEP. FWC retains law enforcement authority over the patrol of state-owned lands managed by DEP.

Due to this change, the bill amends a number of statutes related to law enforcement to reference DEP's new Division of Law Enforcement, including expanding the applicability of certain criminal penalties related to offenses against law enforcement.

The bill also amends to Florida Contraband Forfeiture Act, under s. 932.7055, F.S., to add that if the seizing agency is DEP, DEP shall deposit the accrued proceeds into the various trust funds that are specified by the statute under which the violation occurs.

**Clerk Point:**

This bill creates a Division of Law Enforcement within DEP, which will have the primary powers and duties relating to the investigation and enforcement of certain environmental crimes in the state.

As such, a number of statutes related to law enforcement and law enforcement officers are amended to reference the DEP Division of Law Enforcement: for example, the bill amends s. 316.640, F.S., to vest the authority in the division's officers to enforce Florida's traffic laws.

Of specific interest, the bill expands the applicability of the following criminal penalties related to offenses against law enforcement:

- Section 14 expands the applicability of the criminal penalties under s. 843.08, F.S., related to false personation of certain individuals, to also include false personation of a DEP officer.
- Section 15 expands the applicability of the first degree misdemeanor penalty under s. 843.085(5), F.S., to also include unlawful use of badges or other indicia of a DEP officer.

**CS/SB 7012 Vaping**

Effective Date: July 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-14](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Article X, Section 20 of the Florida Constitution prohibits smoking in an indoor workplace. Amendment 9, which passed during the November 2018 General Election with 68 percent approval, expands this prohibition to also include vaping in enclosed indoor workplaces. This bill amends the Florida Clean Indoor Act in Part II of Chapter 386, F.S., to codify and implement the provisions of Amendment 9 into Florida law.

The bill defines vaping-related terms for the purposes of the act and amends various sections of law to include prohibitions against vaping alongside those that already prohibit tobacco smoking.

Of interest, the bill expands the applicability of existing civil penalties and noncriminal infractions to also include violations related to vaping.

**Clerk Point:**

This bill implements the provisions of Amendment 9, which prohibits vaping in enclosed indoor workplaces. Of specific interest to Clerks, the bill expands the applicability of existing penalties that address certain smoking-related violations to also include vaping:

- Section 9 reenacts the existing non-criminal infraction in s. 386.208, F.S., punishable by a fine of not more than \$100 for a first violation and not more than \$500 for each subsequent violation, for violations related to smoking or vaping in an enclosed indoor workplace (See s. 386.204, F.S.).
- Section 12 amends s. 386.212, F.S., which prohibits anyone under the age of 18 from smoking in, on, or within 1,000 feet of school property, to also prohibit vaping. Such violations are subject to a civil infraction punishable by a maximum civil penalty not to exceed \$25, or 50 hours of community service, or successful completion of a school-approved anti-tobacco or anti-vaping program, where available.

**[CS/HB 7057 Corrections](#)**

Effective Date: July 1, 2019

Approved: June 18, 2019

Chapter Law: [2019-113](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

The Unmanned Aircraft Systems Act, established in s. 330.41, F.S., provides authority to the state to regulate the operation of unmanned aircraft systems—or drones—and to protect critical infrastructure facilities, which are defined by the act.

This bill amends the definition of “critical infrastructure facilities” to include state or private correctional facilities and detention centers and county detention facilities.

The bill also decreases the minimum age requirement in s. 943.13, F.S., for a full-time, part-time, or auxiliary correctional officer to 18 years of age.

**Clerk Point:**

The Unmanned Aircraft Systems Act criminalizes knowing and willful operation of a drone over, near, or in contact with a critical infrastructure facility, as defined by the by the act. Specifically, s. 330.41(4)(b), F.S., provides a second degree misdemeanor for a first violation and a first degree misdemeanor for a second or subsequent violation.

This bill amends the definition of “critical infrastructure facilities” to include certain state, private, or county correctional and detention facilities, thereby expanding the applicability of the prescribed criminal penalties.

**[CS/SB 7066 Election Administration](#) *(Also of interest to Ethics/Elections)***

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This comprehensive bill makes changes to the Florida Election Code and addresses certain duties and responsibilities of the Secretary of State and local supervisors of elections. The bill also implements the provisions of Amendment 4 related to voting restoration, which passed during the November 2018 General Election with 64 percent approval, and establishes a statewide workgroup to review specific voter registration verification processes.

**Clerk Point:****Implementation of Amendment 4 (sections 21 – 33)**

Amendment 4 amended the Florida Constitution to provide that, “any disqualification arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation,” and excludes a “person convicted of murder or a felony sexual offense” from restoration of voting rights until such person’s civil rights are restored through the executive clemency process.

Section 25 of the bill creates s. 98.0751, F.S., to specifically address the implementation of Amendment 4 and voting rights restoration, defining terms and disqualifying offenses and prescribing certain duties and responsibilities of the Department of State (DOS) and local supervisors of elections.

For the purposes of this section:

- “Murder” is defined as a conviction of first or second degree murder, or a similar offense committed in another jurisdiction.
- “Felony sexual offense” is defined as any felony offense that would require registration as a sexual offender or any of the other enumerated offenses in s. 98.0751(2)(b), F.S., or a similar offense committed in another jurisdiction.
- “Completion of all terms of sentence” is defined as any portion of a sentence that is contained in the “four corners of the sentencing document,” including full payment of court-ordered restitution and fines and fees that are part of the sentence, regardless of whether these have been converted to a civil lien. This does not include any fines, fees, or costs that accrue after the date of the sentence.

The bill specifies that financial obligations are deemed completed in the following manner or in any combination thereof:

- actual payment of an obligation in full;
- upon a payee’s approval of termination of any financial obligation owed; a payee includes, but is not limited to, a victim or the court;

- completion of all community service hours, if the court converts a financial obligation to community service.

The bill also provides that a required term is deemed completed if the court modifies the original sentencing order to no longer require completion of such term.

The bill requires DOS to make an initial determination of a voter registrant's eligibility, pursuant to Amendment 4 and this section, and then forward such information to the local supervisor of elections. DOS must compare information from, but not limited to, a Clerk of Court, the Board of Executive Clemency, the Department of Corrections (DOC), the Florida Department of Law Enforcement (FDLE), or a United States Attorney's Office. The local supervisor of elections shall then verify and make a final determination of eligibility. The local supervisor of elections may request additional assistance from DOS in making the final determination, if necessary.

Sections 27 and 29 – 32 of the bill require DOC, county detention facility administrators, and the Florida Commission on Offender Review to notify inmates, prisoners, and offenders of all outstanding terms of sentence, as defined in s. 98.0751, F.S., at the time of release or termination of a term of supervision.

The bill also establishes the "Restoration of Voting Rights Work Group," within DOS, for the purpose of conducting a comprehensive review of DOS's process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4. The eight-member workgroup—which includes two Clerks appointed by the Governor—shall be established by August 1, 2019, and must submit a report of its findings, conclusions, and recommendations to the President of the Senate and the Speaker of the House by November 1, 2019. The report is to include recommendations for consolidating data necessary to verify the eligibility of individuals for restoration of voting rights under Amendment 4, and for a process for informing such individuals about the custodians of information needed to verify eligibility. Following the report's submission, the workgroup is dissolved.

Finally, the bill requires an amendment to the uniform statewide voter registration application, prescribed in s. 97.052, F.S., to require an applicant who has been convicted of a felony to indicate whether their civil rights were restored through executive clemency or whether their voting rights were restored pursuant to Amendment 4. A person may not be charged or convicted for submitting false voter registration information for affirming that they have not been convicted of felony or, if convicted, have had their voting rights restored if such violation is alleged to have occurred on or after January 8, 2019, but before July 1, 2019.

#### Election System Administration (sections 1 – 20, 34 – 39)

Related to the Florida Election Code, the bill makes the following changes, as detailed in the legislative staff analysis:

- amends s. 100.061, F.S., to move the primary election from 10 weeks to 11 weeks before the general election. As such, the 2020 Primary Election would be held on August 18, 2020.

- expands the no-solicitation zone at polling places and early voting sites from 100 feet to 150 feet;
- amends s. 101.015, F.S., to require DOS to adopt rules regarding minimum security standards that address chain of custody of ballots, transport of ballots, and ballot security;
- revises deadlines relating to vote-by-mail (VBM) ballots and allows a voter to drop of VBM ballots at secure drop boxes in specified locations;
- requires all voting be via paper “marksense” ballot or via voter interface device that meets certain state and federal requirements;
- allows a supervisor of elections to forego newspaper publication of a sample ballot if the supervisor e-mails or mails every registered voter a sample ballot at least seven days before an election; and
- amends s. 104.051, F.S., to prohibit a supervisor of elections from receiving a special qualification salary for 24 months after being found to have willfully violated the Florida Election Code.

#### [CS/HB 7081 State Court System Administration](#)

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-98](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill addresses certain issues related to the administration of the state court system in Florida.

Specifically, the bill amends ss. 25.386 and 44.106, F.S., to require applicants for certification as a foreign language court interpreter or mediator to undergo a fingerprint-based state and national criminal background check. As noted in the legislative bill analysis, the Office of the State Courts Administrator (OSCA) does not currently have the statutory authorization to conduct such background checks; this bill provides such authorization.

The bill also amends s. 61.125, F.S., related to parenting coordinators, who are impartial third parties appointed or agreed to by the court or parties whose role is to assist in successfully creating or implementing a parenting plan. Specifically, the bill allows otherwise confidential communications made to a parenting coordinator to be used as testimony in a misconduct or malpractice proceeding against the parenting coordinator.

In addition, the bill amends s. 121.052, F.S., to address the provisions of Amendment 6, passed during the November 2018 General Election, which raised the age for judicial retirement from 70 to 75.

#### **Clerk Point:**

Of specific interest to Clerks, this bill permits—but does not require—the electronic recording of criminal judgments in felony, petit theft, and prostitution cases. As provided in the bill, an electronic



record must contain a judge's electronic signature and be recorded by the Clerk; for an electronic judgement of guilty, the fingerprints of the defendant must be electronically captured.

As stated in the legislative bill analysis, with these changes, the state courts system is eligible for federal grant money to pay for the hardware and infrastructure needed to collect and store digital fingerprints.

## **Family**

### **[CS/HB 1209 Caregivers for Children in Out-of-Home Care](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill creates s. 39.4087, F.S., to establish goals and responsibilities for the Florida Department of Children and Families (DCF) relating to foster parents, kinship caregivers, and nonrelative caregivers for dependent children. Among the responsibilities is for DCF to inform a caregiver as soon as possible of any decision made by a court or child-caring agency relating to a child who is placed with the caregiver, and to give at least seven days' notice to a caregiver, to the extent possible, of any meeting or court hearing related to a child in the caregiver's care. This notice shall include, but is not limited to, the name of the judge or hearing officer, the docket number, and the purpose and location of the hearing or meeting.

The bill also provides for dispute resolution between DCF and a caregiver if the caregiver believes that a violation of this section has occurred.

#### **Clerk Point:**

This bill makes changes to Chapter 39, F.S., and is provided for your information.

### **[HB 5303 Child Support Enforcement](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Federal law requires states to impose a \$25 annual fee on parents who utilize the services of a child support program, receive at least \$500 of support through such program, and have never received temporary cash assistance.

The Federal Bipartisan Budget Act of 2018 increased the annual fee from \$25 to \$35 and the minimum amount of support that is required to be collected and disbursed before the fee is payable from \$500 to \$550.

The bill simply amends s. 409.2567(1), F.S., to conform to the new federal child support requirements.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/HB 7099 Child Welfare](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill revises numerous sections of Chapter 39, F.S., and—as noted in the legislative bill analysis—brings Florida law into full compliance with federal requirements for earning additional federal Title IV-E revenue.

Of interest, the bill:

- amends s. 39.4015, F.S., to delete a duplicative definition of “fictive kin” [see s. 39.01(29), F.S., for remaining definition];
- amends ss. 39.402(8)(h) and 39.701, F.S., to require the court order for placement of a child in shelter care to contain written findings that the Florida Department of Children and Families (DCF) has placement and care responsibility for any child who is not placed in the care of a parent at the conclusion of a shelter hearing;
- amends s. 39.407, F.S., to authorize psychiatric nurses to advise the court and DCF on any continued need for psychotropic medications and other services, and to require the court to conduct an initial hearing to review the child’s residential treatment plan within 60-days (rather than 3 months) after the child’s admission to the residential treatment program;
- amends s. 39.701, F.S., to address dependency process standards when a court is determining whether it is safe to return a child from out-of-home placement to align with standards at other points in the process; and
- amends the eligibility for the Guardianship Assistance Program (GAP).

**Clerk Point:**

This bill makes changes to Chapter 39, F.S., and is provided for your information.

## **Public Records**

### **[CS/CS/CS/SB 248 Public Records/Civilian Personnel Employed by a Law Enforcement Agency](#)**

Effective Date: July 1, 2019

Approved: April 29, 2019

Chapter Law: [2019-12](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Section 119.071(4), F.S., provides general exemptions from inspection or copying of public records for certain personal identifying and location information for a number of agency personnel, as well as information relating to their spouses and children.

This bill amends s. 119.071(4)(d), F.S., to:

- define “home address” for the purposes of this paragraph as the dwelling location at which an individual resides, including the physical address, mailing address, and street address, parcel identification number and plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal a home address; and
- expand the current exemption for active or former civilian law enforcement personnel and their spouses and children to also include any active or former civilian personnel employed by a law enforcement agency and their spouses and children.

The bill creates a process in s. 119.071(4)(d)4., F.S., by which an officer, employee, justice, judge, or other person qualifying for an exemption pursuant to this section may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party that is authorized to receive the information. Upon receipt of the written request, the custodial agency shall release the specified information to the party designated to receive such information.

The bill also reenacts and removes the scheduled repeal of a number of existing public records exemptions in paragraph (4)(d). As a reminder, the Open Government Sunset Review (OGSR) requires the Legislature to review each public records exemption five years after enactment. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

Finally, the bill provides a public necessity statement, as required by the Florida Constitution.

#### **Clerk Point:**

Due to the definition of “home address” and the expansion of what information will now qualify as subject to redaction, Clerks, as the custodian of record for Official Records, may experience an increase in the number of individuals seeking to take advantage of the new exemption and new process for requesting release of certain exempt information to designated parties.

**[CS/HB 281 Pub. Rec./Voters and Voter Registration](#)**

Effective Date: July 1, 2019

Approved: May 23, 2019

Chapter Law: [2019-55](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 97.0585, F.S., provides a public records exemption for information regarding voters and voter registration held by an agency.

This bill expands the current exemption to also include information related to a voter registration applicant's or voter's prior felony conviction and whether such person has had their voting rights restored by the state's Board of Executive Clemency or pursuant to section 4, Article VI of the Florida Constitution.

The bill also includes in the current exemption all information concerning preregistered voter registration applicants who are 16 or 17 years of age to the current exemption. As noted in the legislative staff analysis, once preregistered voters turn 18, their information will become available like any other voter or voter registrant.

The bill provides that these new public records exemptions are subject to the Open Government Sunset Review (OGSR) Act and shall stand repealed on October 2, 2024, unless reenacted by the Legislature, and includes a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill expands the current public records exemption related to voter and voter registration information, and is provided for your information.

**[CS/CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-49](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 39.202, F.S., provides a public records exemption for the name of a person who makes a report to the Florida Department of Children and Families' (DCF) central abuse hotline for suspected or known child abuse, abandonment, or neglect. This bill expands this exemption to include any other identifying information with respect to a central abuse hotline reporter, rather than just the reporter's name.

The bill also updates a cross-reference to reflect changes made by legislation during the 2017 session.

As it relates to the public records exemption, the bill provides a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill amends Chapter 39, F.S., and is provided primarily for your information.

**[CS/HB 591 Pub. Rec./Public Utility Held Customer Information and Data](#)**

Effective Date: July 1, 2019

Approved: May 15, 2019

Chapter Law: [2019-38](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 119.0713(5)(a), F.S., provides a public records exemption for certain information held by a utility owned or operated by a unit of local government.

This bill expands this exemption to also include customer meter-derived data and billing information in increments of less than one billing cycle that is held by such utilities.

In addition, the bill extends the scheduled repeal of this public records exemption under the Open Government Sunset Review (OGSR) Act from October 2, 2021, to October 2, 2024, and provides a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill makes a change to Chapter 119, F.S., and is provided for your information.

**[CS/CS/SB 838 Public Records / Mental Health Treatment and Services](#) *(Also of interest to Court Side - Civil)***

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-51](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 394.464, F.S., to make all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court under the Baker Act confidential and exempt. The bill stipulates that the Clerk may not publish personal identifying information on a court docket or in a publicly accessible file. However, this section does not prevent the Clerk from submitting information to the Florida Department of Law Enforcement (FDLE) for entry into the MECOM system, as required by s. 790.065, F.S. This exemption is retroactive and prospective from July 1, 2019.

The bill provides that pleadings and other documents made confidential and exempt under this section may be disclosed by the Clerk, upon request, to certain entities, including:

- the petitioner and the petitioner's attorney;
- the respondent, the respondent's attorney, and the respondent's guardian or guardian advocate, if applicable;
- in the case of a minor respondent, the respondent's parent, guardian, legal custodian, or guardian advocate;
- the respondent's treating health care practitioner and health care surrogate or proxy;
- the Department of Children and Families (DCF), without charge;
- the Department of Corrections (DOC), without charge, if the respondent is committed or is to be returned to the custody of DOC from DCF;
- a person or entity authorized to view records upon a court order for good cause.

A person or entity that receives information pursuant to this section must maintain the information as confidential and exempt.

The bill also provides a statement of public necessity, as required by the Florida Constitution.

**Clerk Point:**

This bill makes all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court under the Baker Act confidential and exempt, and prohibits the Clerk from publishing personal identifying information on a court docket or in a publicly accessible file. This exemption is retroactive and prospective from July 1, 2019.

The bill stipulates that pleadings and other documents made confidential and exempt under this section may be disclosed by the Clerk, upon request, to specified entities, and requires anyone in receipt of such information to maintain it as confidential and exempt.

The bill does not prevent the Clerk from submitting information to FDLE for entry into the MECOM system.

**[CS/HB 845 Pub. Rec. / Petition for Certain Protective Injunctions](#) *(Also of interest to Court Side - Civil)***

Effective Date: July 1, 2019

Approved: May 15, 2019

Chapter Law: [2019-39](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill adds new subparagraph (1)(k)3. to s. 119.0714, F.S., to provide that identifying information contained in petitions for certain protective injunctions is confidential and exempt until the respondent has been personally served.

The bill also provides a statement of public necessity, as required by the Florida Constitution.

**Clerk Point:**

This bill amends Chapter 119, F.S., to create a temporary public records exemption for any information that can be used to identify a petitioner or respondent information contained in a petition for an injunction against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking, and any affidavits, notice of hearing, and temporary injunction filed with the court, until the respondent has been personally served with a copy of the petition for injunction, affidavits, notice of hearing, and temporary injunction.

**SB 6 Florida Statutes**

Effective Date: July 3, 2019

Approved: April 3, 2019

Chapter Law: [2019-4](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Most years, the Florida Legislature passes technical, non-substantive "general reviser's bills" for the purpose of removing inconsistencies, redundancies, and unnecessary repetitions in Florida law and for otherwise improving clarity and facilitating correct and proper interpretation of the statutes.

In addition, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

Sections 8 and 9 of this bill amend ss. 741.30 and 784.046, F.S., to repeal two public records exemptions that were not reenacted by the Legislature during the 2018 legislative session.

**Clerk Point:**

In 2012, the Florida Legislature created public records exemptions in ss. 741.30 and 784.046, F.S., relating to an automated process that FCCC would develop, subject to available funding, by which a petitioner could request notification of a respondent being served with a protective injunction against domestic violence, repeat violence, dating violence, or sexual violence. Specifically, the public records exemptions would have protected from disclosure the contact information of a petitioner that was listed on the request to receive an automated notice for five years.

During the 2017 session, the Legislature passed HB 7087, [Chapter 2017-65, Laws of Florida](#), which extended the repeal date for these public record exemptions, pursuant to the OGSR, by one year. Then, during the 2018 legislative session, [SB 7004](#) was filed for the purpose of reenacting and removing their scheduled repeal; however, that bill died in House messages. Thus, both exemptions were repealed effective October 2, 2018. The 2019 Reviser's bill simply removes the now obsolete (repealed) language from the official Florida Statutes.

While the underlying language allowing FCCC to develop such automated process, subject to available funding, remains, this bill repeals the associated public records exemptions that were not reenacted last session.

## **Real Property/Recording**

### **CS/HB 7123 Taxation**

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved: May 15, 2019

Chapter Law: [2019-42](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This comprehensive bill provides for a number of tax reductions and modifications. Note that while the bill is effective upon becoming a law (May 15, 2019), some of the provisions are effective July 1, 2019, which are indicated below. For a full summary of changes made by this bill, please refer to [Advisory Bulletin 19-034](#).

#### **Clerk Point:**

**Section 4.** Last year's CS/HB 7087 Taxation, [Chapter 2018-118, Laws of Florida](#), amended s. 201.02, F.S., to provide an exemption from documentary stamp taxes for a deed or other instrument that transfers or conveys homestead property or any interest in homestead property between spouses, if the only consideration for the transfer or conveyance is the amount of a mortgage or other lien encumbering the homestead property at the time of the transfer or conveyance and if the deed or other instrument is recorded within 1 year after the date of the marriage.

Effective July 1, 2019, this bill removes the one-year limitation on the exemption from documentary stamp taxes for transfers or conveyances of homestead property between spouses.

### **HB 975 Aircraft Liens**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-88](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Section 329.51, F.S., provides that any lien claimed on an aircraft under ss. 329.41 or 713.58, F.S., is enforceable when the lienor records a verified lien notice with the Clerk in the county where the aircraft was located at the time the labor, services, fuel, or material was last furnished. The lien notice must be recorded within 90 days after the time the labor, services, fuel, or material was last furnished, and must include certain information specified in this section.



This bill amends s. 329.51, F.S., to provide that the lienor is not required to possess the aircraft in order to perfect such lien. A similar amendment is made to s. 329.41, F.S., related to a lien for fuel furnished to an aircraft.

**Clerk Point:**

This bill makes changes to Florida law related to aircraft liens and is provided primarily for your information as the county recorder.

**Traffic/Motor Vehicles**

**[CS/HB 107 Wireless Communications While Driving](#)**

Effective Date: July 1, 2019

Approved: May 17, 2019

Chapter Law: [2019-44](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

The Florida Ban on Texting While Driving Law, under s. 316.305, F.S., prohibits a person from texting, emailing, and instant messaging while driving. Current law authorizes law enforcement officers to stop vehicles and issue citations as a secondary offense to persons who are texting while driving. Effective July 1, 2019, this bill amends s. 316.305(2)(d), F.S., to make texting while driving a primary offense.

The bill also requires an officer who stops a person for texting while driving to inform the person of their right to decline a search of their wireless communications device, and prohibits the officer from accessing the device without a warrant.

In addition, when an officer issues a citation, the officer must record the race and ethnicity of the violator. All law enforcement agencies must maintain this information and report it to the Florida Department of Highway Safety and Motor Vehicles (DHSMV), which shall report it on a statewide basis annually, beginning February 1, 2020, to the Governor and the Legislature.

Effective October 1, 2019, the bill creates s. 316.306, F.S., to prohibit the use of a handheld wireless communications device, as defined by the bill and with enumerated exceptions, while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. Law enforcement officers may issue verbal or written warnings for such violations from October 1 to December 31, 2019, and may begin issuing citations on January 1, 2020.

When stopping a person for a violation, an officer must inform the person of their right to decline a search of their wireless communications device, and may not access the device without a warrant. In addition, the officer must indicate the type of wireless communications device in the comment section of the uniform traffic citation and must record the race and ethnicity of the violator. Similar to the change in s. 316.305, F.S., all law enforcement agencies must maintain the information related

to violators' race and ethnicity and report it to DHSMV, which shall then report it annually on a statewide basis to the Governor and the Legislature.

DHSMV is also authorized to implement a statewide campaign to raise awareness of, and encourage compliance with, the changes made by this bill.

**Clerk Point:**

Section 1 of this bill amends s. 316.305, F.S., to make texting while driving a primary offense. The bill does not affect the distribution of the revenues collected for violations of this section.

Effective October 1, 2019, Section 2 of the bill creates s. 316.306, F.S., to prohibit the use of a handheld wireless communications device while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. Law enforcement officers may issue verbal or written warnings through December 31, 2019, and may begin issuing citations beginning January 1, 2020.

For a first offense, a person may elect to participate in a DHSMV-approved wireless communications device driving safety program. Upon completion of such program, the penalty and associated costs may be waived by the Clerk and the 3 driver license points shall be waived.

The bill authorizes the Clerk to dismiss a case and assess court costs for a first-time violation, if the person shows proof of purchase of equipment that enables their personal wireless communications device to be used in a hands-free manner.

All revenues collected for the specific violations under new s. 316.306, F.S., shall be deposited into the Emergency Medical Services Trust Fund.

**[CS/HB 311 Autonomous Vehicles](#)**

Effective Date: July 1, 2019

Approved: June 13, 2019

Chapter Law: [2019-101](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

While self-driving vehicles are still largely in the testing stage, this bill makes it legal for autonomous vehicles to operate in Florida.

This bill amends s. 316.003, F.S., to define autonomous vehicles as any car with hardware and software that make it capable of operating without a driver. The bill does require any remote human operator of such vehicles to be physically present and licensed to operate a motor vehicle in the U.S. The bill also amends s. 319.145, F.S., to prescribe additional requirements for autonomous vehicles registered in Florida.

The bill amends numerous sections of Chapter 316, F.S., to exempt autonomous vehicle operators from certain laws in the event of an accident, as long as the car or its operator promptly contacts a law enforcement agency to report the crash.

The bill amends s. 316.85, F.S., to express legislative intent to provide for uniformity of laws governing autonomous vehicles throughout the state. As such, the bill prohibits local governments from imposing a tax, fee, or other requirements on autonomous vehicles, and clarifies that this does not exempt such vehicles from a tax or fee applied to non-autonomous vehicles.

The bill creates s. 627.749, F.S., to update insurance requirements for autonomous vehicles, including requiring owners of such vehicles to have a minimum of \$1 million in insurance coverage, regardless of whether the vehicles are for personal or commercial use.

**Clerk Point:**

This bill allows autonomous vehicles to operate in Florida and is provided for your information.

**Wildlife/Boating**

**[CS/CS/HB 1121 Support Organizations](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 7, 2019

Chapter Law: [2019-93](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends numerous sections of law to remove the scheduled repeal of certain statutory authorizations for citizen support organizations and direct-support organizations established under various state agencies.

**Clerk Point:**

Of interest, this bill creates s. 379.2231, F.S., to codify in statute a court's ability to order a person who is convicted of a violation of Chapter 379, F.S., or of a rule or order of the Florida Fish and Wildlife Conservation Commission (FWC), to pay an assessment directly to the Wildlife Alert Reward Association, Inc. This additional assessment is in addition to any other penalty provided by law.

**[CS/CS/CS/SB 1666 Vessels](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-54](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill makes a number of changes to Chapter 327, F.S., related to vessel safety and the duties of the Florida Fish and Wildlife Conservation Commission (FWC):

- amends s. 327.395, F.S., to establish criteria for obtaining a commission-approved or developed temporary boating safety certificate, which is valid for 90 days after the date of issuance, and provides that boating safety education identification cards and temporary boating safety certificates may be issued in a digital, electronic, or paper format;
- amends s. 327.4109, F.S., to require FWC to conduct a study of the impacts of long-term stored vessels, as defined by the bill, and submit its findings to the Governor and Legislature;
- amends s. 327.60, F.S., to authorize counties designated as rural areas of opportunity to create no-discharge zones under certain conditions; and
- amends s. 327.72(1)(r), F.S., to expand the current noncriminal infraction relating to violations of marine sanitation to also include violations relating to no-discharge zones.

The bill also amends s. 328.72, F.S., to redistribute certain amounts from vessel registration fees to the state to fund a grant program for derelict vessel removal under s. 376.15, F.S.

Finally, the bill amends s. 823.11 F.S., to prohibit a person from residing or dwelling on a vessel that has been charged by an FWC or law enforcement officer as derelict.

**Clerk Point:**

Of specific interest, this bill amends s. 327.72(1)(r), F.S., to expand the current noncriminal infraction relating to violations of marine sanitation to also include violations relating to no-discharge zones, which are punishable by a \$250 civil penalty.

**Miscellaneous****[HB 5011 Courts](#)**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-95](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

Last year's General Appropriations Act (GAA) implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), provided language allowing a Supreme Court justice who permanently resides outside of Leon County to be eligible for the designation of a district court of appeal courthouse, county

courthouse, or other appropriate facility in his or her district of residence to be designated as his or her official headquarters. This official headquarters would serve only as the justice's private chambers.

The language also required the Chief Justice to coordinate with each affected justice and other state and local officials, as necessary for implementation, and provided subsistence payments and reimbursement for transportation expenses related to travel between a justice's official headquarters and the Supreme Court's headquarters in Tallahassee, to the extent that appropriated funds are available.

Because statutory changes made in the annual GAA implementing bill are effective for only one year, and either expire on the last day of the related state fiscal year or revert to the language as it existed before the changes were made by the bill, this language has been carried forward in this year's GAA implementing bill, SB 2502 (see summary above for additional information).

However, this bill, HB 5011, also permanently codifies the above-described language into Florida Statutes as new s. 25.025, F.S., Headquarters.

In addition, this bill amends ss. 26.031 and 34.022, F.S., to create four new judgeships in Florida.

**Clerk Point:**

This bill creates s. 25.025, F.S., to allow a Florida Supreme Court Justice to maintain a headquarters outside of Leon County and receive subsistence and reimbursement for travel expenses to the extent that funding is available. This codifies language that was first provided in last year's General Appropriations Act (GAA) implementing bill.

The bill also establishes two new circuit court judges—one in the Ninth Judicial Circuit (Orange and Osceola) and one in the Twelfth Judicial Circuit (DeSoto, Manatee, and Sarasota)—and two new county court judges—one each in Citrus and Flagler counties.

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Monday, July 01, 2019 9:29 AM EDT  
**Subject:** Advisory - 19-052 - DOC Communication Related to Voting Restoration  
**Attachment(s):** "19bull052.pdf"

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**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **DOC Communication Related to Voting Restoration**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Clerk Staff	<b>Category:</b>	Clerk Administration, Courts, Clerk IT, CCIS, E-Filing
<b>Priority:</b>	High	<b>Action required:</b>	Please review the information regarding the Department of Corrections communication regarding voting restoration.
<b>Executive Summary:</b>	This Advisory is to notify you that the Department of Corrections will be mailing/e-filing financial obligation summaries directly into the case file.		
<b>Clerk outreach:</b>	None needed.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

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# FCCC ADVISORY

**DOC Communication related to Voting Restoration**

**No. 19-052**

**Date:** July 1, 2019

**Contact:** Service Desk

**Category:** Clerk Administration, Courts,  
Clerk IT, CCIS, E-Filing

**Telephone:** (850) 414-2210

**Page:** 1 of 2

**E-mail:** [support@flclerks.com](mailto:support@flclerks.com)

Governor Ron DeSantis signed [CS/SB 7066 Election Administration](#) on Friday, June 28, 2019. Of specific interest, this comprehensive bill, which takes effect today, July 1, 2019, implements the provisions of Amendment 4, related to voting restoration, which passed during the November 2018 General Election. (For a full summary, please see [Advisory Bulletin 19-48](#).)

One of the changes made by the bill is the requirement that the Florida Department of Corrections notify inmates and offenders of all outstanding terms of sentence, as defined in s. 98.0751, F.S., upon completion of incarceration and/or a term of supervision.

As a result of this requirement, the Department of Corrections has asked that the following information be provided to all Clerks detailing its processes for providing financial obligation summary information to your offices beginning July 1, 2019.

“As the Florida Department of Corrections (“FDC”) prepares to comply with its responsibilities associated with implementing Section 4, Article VI of the State Constitution, and §§940.061 and 944.705, Florida Statutes, we believed it was important to keep other agencies and offices, particularly your office, informed on the procedures and actions FDC will be taking. The processes outlined below will commence on July 1, 2019.

Pursuant to §940.061, FDC will inform inmates and offenders regarding voting rights restoration. As is the current practice, FDC will continue to provide inmates and offenders with information concerning executive clemency and civil rights restoration. Pursuant to §944.705, FDC will notify inmates and offenders of all outstanding terms of sentence upon completion of FDC incarceration and/or supervision. For inmates releasing expiration of sentence, without supervision, FDC will provide a copy of the court ordered financial obligations

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(restitution, fines, fees, and/or costs) as reflected in the official court file in CCIS, as well as a copy of the FDC's record of payment(s) while incarcerated. For offenders, whose supervision has been satisfied or terminated, FDC will provide the offender with any court ordered terms and conditions that were not satisfied, as well as a copy of FDC's record of payment(s) while on supervision.

Upon providing these documents to the offender or inmate, FDC will send a copy to your office. These documents are a complete and exhaustive reflection of FDC records and should alleviate additional inquiries. FDC respects your role and responsibility as the official record custodian for the Courts. For inmates released prior to July 1, 2019, please rely upon the official court file when determining an inmate or offender's remaining financial obligations.

The Department will be working with the [Florida Courts E-Filing] Authority to begin filing the financial obligation summary directly into the inmate/offender court/case file. In the meantime, the Department will be sending the financial obligation summary, via postal mail, directly to the clerk."

Should you have any questions, please contact Carolyn Weber ([cweber@flclerks.com](mailto:cweber@flclerks.com)) or Gia Howell ([ghowell@flclerks.com](mailto:ghowell@flclerks.com)) with FCCC.



**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Tuesday, July 16, 2019 2:45 PM EDT  
**Subject:** Advisory - 19-057- Amendment 4/Restoration of Voting Rights QRT Data Review Request  
**Attachment(s):** "19bull057.docx.pdf", "19bull057\_Attach\_1\_DOC- Recent Releases by County.xlsx"

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**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding the **Amendment 4/Restoration of Voting Rights QRT Data Review Request**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information regarding the Amendment 4/Restoration of Voting Rights request to compare information found in the local CMS.
<b>Clerk outreach:</b>	No external outreach needed.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

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ANewman@FLClerks.com

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	A	B	C	D	E	F	G
1	<b>Recently Released Inmates</b>						
2							
3	<b>DC Number</b>	<b>INMATE LAST NAME</b>	<b>INMATE FIRST NAME</b>	<b>CASE NUMBER</b>	<b>UNIFORM CASE NUMBER</b>	<b>Release Date</b>	<b>COUNTY WHERE CONVICTED</b>
4	088184	GRAHAM	LARRY	1602638		06/28/2019	ALACHUA
5	143455	HEATH	NATHANIEL	1402872		06/27/2019	ALACHUA
6	086707	BRAND	LARRY	1300344		06/26/2019	ALACHUA
7	G27289	REED	CURTIS	1602803		06/26/2019	ALACHUA
8	U40373	GRIFFIN	LEWIS	1702163		06/24/2019	ALACHUA
9	074557	RASHAD	RAHEEM	1436		06/23/2019	ALACHUA
10	G04078	WILLIAMS	JEFFERY	1701053		06/23/2019	ALACHUA
11	T68992	EALUM-MORGAN	SHERRY	1801348		06/23/2019	ALACHUA
12	A00050	TORRES	CAMERON	1603572		06/22/2019	ALACHUA
13	G19035	ALESSI	JENNIFER	1700347		06/22/2019	ALACHUA
14	Q01748	KOEHLER	RONALD	1800137		06/27/2019	BAKER
15	158239	LAURAMORE	ALLEN	1700166		06/26/2019	BAKER
16	G28257	RATLIFF	DUSTIN	1800126		06/21/2019	BAKER
17	G26101	LOVEDAY	ROY	1500516		06/12/2019	BAKER
18	N01983	DIAMOND	BENJIMAN	1700261	022017CF000261AXXXXX	06/10/2019	BAKER
19	J25415	PERALTA	MOSES	1300396		06/09/2019	BAKER
20	G27294	DANNER	IDRISSA	1700047		06/07/2019	BAKER
21	G28172	GRAHAM	LEE	1800019		06/02/2019	BAKER
22	G26203	THOMAS	DEANGELO	1600025		06/01/2019	BAKER
23	U07165	JEFFERSON	WAYNE	1600216		06/01/2019	BAKER
24	Q22320	MORRIS	TIFFANY	1604058		06/30/2019	BAY
25	P43706	FLORES	PAULA	1700564		06/29/2019	BAY
26	Q15083	WELCH	JEREMY	1503753		06/29/2019	BAY
27	Q23663	BLAND	BENJAMIN	901094		06/29/2019	BAY
28	Q12853	CAUSBY	JOSHUA	1704318		06/27/2019	BAY
29	Q32453	HARRIS	JOEY	1603695		06/27/2019	BAY
30	Q15840	NELSON	GERALD	1603960		06/25/2019	BAY
31	Q31171	PARDUE	CAROLYN	1503945		06/25/2019	BAY
32	Q14603	KIBODEAUX	JASON	1703627		06/22/2019	BAY
33	Q29917	SLOWEY	ANTHONY	1403663		06/22/2019	BAY
34	G07556	MACK	ALEXIA	1700567		06/29/2019	BRADFORD
35	V23685	GANDY	RICHARD	1700620		06/24/2019	BRADFORD
36	G14041	GRANT	MATHEW	600078		06/17/2019	BRADFORD
37	G13030	GOODMAN	JEFFREY	1700179		06/15/2019	BRADFORD
38	J10943	MANNING	RANDALL	1600016		06/08/2019	BRADFORD
39	G15275	SEATON	ANGELA	1800084		05/31/2019	BRADFORD
40	G26280	NORMAN	JONATHAN	1700070		05/27/2019	BRADFORD
41	J07000	MEALMAN	TERRIE	1500127		05/24/2019	BRADFORD
42	G03441	NEWHAM	WILLIAM	1600355		05/19/2019	BRADFORD
43	133965	FISCHER	SHAWN	1400284		05/16/2019	BRADFORD
44	962893	BROWN	ZABIER	1749553		06/30/2019	BREVARD
45	C01065	DORSEY	SHERMAN	1121378		06/30/2019	BREVARD
46	D14705	CODY	DANIEL	837386	052008CF037386AXXXXX	06/30/2019	BREVARD
47	E14766	BROWN	ADAM	1127156		06/30/2019	BREVARD
48	E57538	MARTE	SYLVIA	1642302		06/30/2019	BREVARD
49	E39453	MAGUIRE	JOHN	1633321		06/29/2019	BREVARD
50	L23885	MONBRANCHE	OCTAVES	1630906		06/29/2019	BREVARD
51	E10501	ANDERSON	BRIAN	1741405		06/28/2019	BREVARD
52	E43499	SGOBBO	MARLENE	1824595		06/28/2019	BREVARD
53	C00574	HARLAN	DARRELL	329866	052003CF029866AXXXXX	06/27/2019	BREVARD
54	373244	BAZEMORE	MICHAEL	902281		06/30/2019	BROWARD
55	438475	SINCKLER	ANTONIO	9305490		06/30/2019	BROWARD
56	670065	MCFADDEN	JIMMY	1310196		06/30/2019	BROWARD
57	D19177	BERNARD	STEPHEN	1316793		06/30/2019	BROWARD
58	I48010	MOISE	EMMANUEL	1502621		06/30/2019	BROWARD
59	L81373	PADMORE	JUSTIN	1216648		06/30/2019	BROWARD

	A	B	C	D	E	F	G
60	189607	LEWIS	TEDRICK	1405945		06/29/2019	BROWARD
61	778899	LEVINE	JAMES	1706133		06/29/2019	BROWARD
62	L67897	COOPER	SEBRING	1115739		06/29/2019	BROWARD
63	064654	BYNES	JOHN	1304099		06/28/2019	BROWARD
64	797496	SUMMERLIN	KEITH	1700042		06/28/2019	CALHOUN
65	960908	WOMBLE	JIMMY	1700138		06/14/2019	CALHOUN
66	V01736	AIKENS	ROBERT	1800073	072018CF000073AXXXXX	06/14/2019	CALHOUN
67	580271	FAULK	WALTER	1700156		06/04/2019	CALHOUN
68	N02438	TUCKER	DONNY	1700259		05/29/2019	CALHOUN
69	Q08148	MOORE	THEODIOUS	1700286		05/19/2019	CALHOUN
70	Q11631	POWELL	GARY	1200075		05/01/2019	CALHOUN
71	Q29041	DANIELS	ERIC	1700162		04/28/2019	CALHOUN
72	130428	POITIER	SHACARRIO	1000081		04/27/2019	CALHOUN
73	Q30855	HAYS	SARAH	1800115		04/24/2019	CALHOUN
74	C07775	WATTS	AARON	1600340		06/29/2019	CHARLOTTE
75	Y30465	HRYNIEWICH	DANIEL	500085		06/27/2019	CHARLOTTE
76	Y37894	KNAPKE	DANIEL	800295		06/26/2019	CHARLOTTE
77	Y34292	O DONOHUE	TIMOTHY	501075		06/24/2019	CHARLOTTE
78	S23863	HICKS	BROOKE	1000462		06/18/2019	CHARLOTTE
79	S26993	MELNITCHOUK	ALEXANDER	1401412		06/17/2019	CHARLOTTE
80	Y45220	LABOR	ROGER	1701775		06/11/2019	CHARLOTTE
81	T88349	KENDRICK	AUSTIN	1500311		06/08/2019	CHARLOTTE
82	Y07494	KAMETLER	CHRISTOPHER	1800033		06/07/2019	CHARLOTTE
83	535541	WHALEY	RANDY	1702076		06/06/2019	CHARLOTTE
84	566242	FISHER	CHRISTOPHER	700073		06/29/2019	CITRUS
85	U52851	CELLA	ROBERTA	1400535		06/29/2019	CITRUS
86	C08695	BURDETTE	ROBERT	1701022		06/25/2019	CITRUS
87	U43037	JENSEN	CORY	1600627		06/24/2019	CITRUS
88	U55926	LIEPKE	TRACY	1600580		06/24/2019	CITRUS
89	T37056	BOGGS	BRYAN	1100294		06/23/2019	CITRUS
90	U06904	AMBROSELLI	STACEY	1300161		06/20/2019	CITRUS
91	U58867	SIMMONS	JOSHUA	1700485		06/20/2019	CITRUS
92	U59951	MONTES	CARMELLO	1701225		06/18/2019	CITRUS
93	159006	ELLIS	ZACKERY	1800614		06/16/2019	CITRUS
94	J39648	COATES	CLAY	1700537		06/30/2019	CLAY
95	133296	KEARSE	DEJON	1300155		06/27/2019	CLAY
96	158842	BENTLEY	COURTNEY	1800336		06/23/2019	CLAY
97	J56868	BRUHL	ROBERT	1501146		06/23/2019	CLAY
98	J45392	ELLIOTT	JOSHUA	1701564		06/21/2019	CLAY
99	G07904	JOHNSON	RODERICK	1401121	102014CF001121AXXXM	06/17/2019	CLAY
100	J40351	BLAIR	BRIAN	1700746		06/13/2019	CLAY
101	130100	TROUTMAN	WILLIE	1701290		06/11/2019	CLAY
102	J60224	HAMMONS	JULIE	1601438		06/11/2019	CLAY
103	J59512	TAYLOR	THOMAS	1601580		06/10/2019	CLAY
104	Y19593	WEBER	BRENT	1602083		06/30/2019	COLLIER
105	620151	LEONARD	ALFRED	1801063		06/29/2019	COLLIER
106	Y15996	TANNER	BRIAN	1600295		06/28/2019	COLLIER
107	458160	CIANFERO	ANTHONY	800039		06/26/2019	COLLIER
108	Y12639	YOUNG	MICHAEL	1701631		06/26/2019	COLLIER
109	Y59999	MOYA	DAVID	1600002		06/26/2019	COLLIER
110	Y37688	NEWKIRK	TY	1701623		06/25/2019	COLLIER
111	Y15059	CRANDALL	DAVID	1001032		06/24/2019	COLLIER
112	049319	DAVIS	HENRY	1602108		06/23/2019	COLLIER
113	B16182	AVALOS	ORLANDO	1402220		06/23/2019	COLLIER
114	I11971	SHIPP	STACY	1500278		06/29/2019	COLUMBIA
115	I15456	WILLIS	RALPH	1500901		06/29/2019	COLUMBIA
116	095988	GRIFFIN	ALPHONSA	700521		06/28/2019	COLUMBIA
117	G11063	RAIN	JESSIE	1200599		06/28/2019	COLUMBIA
118	I04086	MOORE	CRISTY	1600747		06/27/2019	COLUMBIA
119	P28400	CLEMENTS	JOHN	1700084		06/27/2019	COLUMBIA
120	I15131	PARK	JESSICA	1500656		06/26/2019	COLUMBIA

	A	B	C	D	E	F	G
121	286197	METTS	JOSEPH	1600452		06/23/2019	COLUMBIA
122	I11019	ARNOLD	TABITHA	1700621		06/22/2019	COLUMBIA
123	V00572	RUNYAN	CHARLES	219		06/21/2019	COLUMBIA
124	M57946	HERNANDEZ	SANTO	302244		06/30/2019	MIAMI-DADE
125	M62379	CANCEL	GABBY	1223099		06/30/2019	MIAMI-DADE
126	402460	LORENZO	REGINA	905841		06/29/2019	MIAMI-DADE
127	B03677	LAUGHLIN	DEMERICK	503968		06/29/2019	MIAMI-DADE
128	B14440	VILLACRES	ROMAN	1220005		06/28/2019	MIAMI-DADE
129	436833	AKINS	RONALD	1619244		06/27/2019	MIAMI-DADE
130	B13203	FOX	JOSEPH	1036661		06/26/2019	MIAMI-DADE
131	B13866	MANNING	DARRYL	1123170		06/26/2019	MIAMI-DADE
132	M86635	TORRES	ROBIN	1304977		06/26/2019	MIAMI-DADE
133	I46286	RODRIGUEZ	VICENTE	1505096		06/25/2019	MIAMI-DADE
134	U13629	GRAHAM	KENYAUN	1100584		06/27/2019	DESOTO
135	S09604	HILLMAN	OMAR	1700487		06/25/2019	DESOTO
136	S18158	LOZANO	ERIC	1500116		06/16/2019	DESOTO
137	894213	ORTLOFF	JAMES	1700407		06/15/2019	DESOTO
138	Y45268	DAUGHTREY	DAMON	1400094		06/12/2019	DESOTO
139	S14577	LAW	CHRISTOPHER	1500082		06/11/2019	DESOTO
140	S39066	CAMPBELL	DUSTIN	1500080		06/11/2019	DESOTO
141	T44832	HASTINGS	LANCE	1500205		06/07/2019	DESOTO
142	S42010	ANTHONY	WARREN	1700274		06/03/2019	DESOTO
143	S43108	GARCIA	ESTEBAN	1700130		06/01/2019	DESOTO
144	149269	GUARENO	JOSHUA	1700124		06/13/2019	DIXIE
145	I16600	AY	AMBER	1700331		06/01/2019	DIXIE
146	I09628	RICCHIUTI	BOBBY	1700040		05/26/2019	DIXIE
147	I08144	VALENTINE	KEVIN	1500190		05/20/2019	DIXIE
148	I16372	COLBERT	KURSTIN	1700146		05/07/2019	DIXIE
149	I14431	CORBIN	SAMANTHA	1600189		05/02/2019	DIXIE
150	I16137	REESE	WILLIAM	1600198		04/24/2019	DIXIE
151	I00535	BURNETT	NORMAN	1600201		04/23/2019	DIXIE
152	N50240	CORBITT	AARON	1800181		04/23/2019	DIXIE
153	G08536	RODGERS	CARESSA	1700180		04/18/2019	DIXIE
154	127222	WILLIAMS	MARCUS	1403180		06/30/2019	DUVAL
155	777245	BRADLEY	THOMAS	1709471		06/30/2019	DUVAL
156	949840	STROWBRIDGE	ANTHONY	1601135		06/30/2019	DUVAL
157	J50521	ROBINSON	KEITH	1710649		06/30/2019	DUVAL
158	291681	JOHNSON	STANLEY	1014406		06/29/2019	DUVAL
159	298371	DALENESS	JAMIE	1802756		06/29/2019	DUVAL
160	825437	PINCKNEY	BRYAN	9403433		06/29/2019	DUVAL
161	J16952	DICKERSON	DEWEY	1702718		06/29/2019	DUVAL
162	J28784	LILLY	EMORY	1709429		06/29/2019	DUVAL
163	I33272	HOLMES	MARCEL	1409038		06/28/2019	DUVAL
164	P03564	JEMISON	CURTISS	900704		06/30/2019	ESCAMBIA
165	P13721	PATTERSON	ANDRE	1606413		06/30/2019	ESCAMBIA
166	P46287	LITTLEMOON	MYCHAL	1700069		06/29/2019	ESCAMBIA
167	201892	GULLEY	MICHAEL	1603070		06/28/2019	ESCAMBIA
168	S50227	PACE	CHRISTOPHER	1804362		06/28/2019	ESCAMBIA
169	P34357	BALDWIN	DARIUS	1804715		06/27/2019	ESCAMBIA
170	P28666	GARRETT	WILLIAM	1605270		06/26/2019	ESCAMBIA
171	P41261	STACEY	DEREK	800440		06/26/2019	ESCAMBIA
172	P52257	BROWN	MARQUIES	1204966		06/25/2019	ESCAMBIA
173	A50940	HOWARD	DELL	1105234		06/24/2019	ESCAMBIA
174	V53594	TOUHEY	EVAN	1700683		06/26/2019	FLAGLER
175	D20326	ROBINSON	MYLES	1800790		06/17/2019	FLAGLER
176	V11438	TOUHEY	BRYAN	1600629		06/04/2019	FLAGLER
177	V15492	MCCOY	WILBERT	1400995		06/02/2019	FLAGLER
178	169819	ROMANO	ANTHONY	500219		06/01/2019	FLAGLER
179	V53948	DOLENCE	STEPHEN	1701022		05/31/2019	FLAGLER
180	C11221	CHENOWITH	DAVID	1600107		05/11/2019	FLAGLER
181	V40244	STEELE	JOHN	1301081		05/10/2019	FLAGLER

	A	B	C	D	E	F	G
182	V43939	QUARTERMAN	FRANK	1500621		05/06/2019	FLAGLER
183	778127	SIMMONS	JAMES	1400227		05/01/2019	FLAGLER
184	984523	FICHERA	TILDEN	500056		06/24/2019	FRANKLIN
185	N01233	MARTIN	BOBBY	1700062		06/02/2019	FRANKLIN
186	B20069	LASHLEY	NICHOLAS	1700082		05/28/2019	FRANKLIN
187	N19827	BURCH	JESSICA	1700048		05/10/2019	FRANKLIN
188	N27062	THOMPSON	ROBERT	1200219		04/12/2019	FRANKLIN
189	Q15002	PRINCE	EDWARD	1300179		04/12/2019	FRANKLIN
190	Q12996	COGBURN	JOSEPH	1400106		04/06/2019	FRANKLIN
191	N18470	DIXON	DANIEL	600159		03/28/2019	FRANKLIN
192	Q11096	DAVIS	TYSON	1500133		03/26/2019	FRANKLIN
193	N28804	THOMPSON	JESSE	1400226		03/06/2019	FRANKLIN
194	N32699	ROBINSON	DIVINENTEZ	1600460		06/27/2019	GADSDEN
195	797989	MCMILLAN	JEROME	1700215		06/23/2019	GADSDEN
196	583620	WIMES	KIRBY	1600211		06/13/2019	GADSDEN
197	N11249	WINBUSH	TINA	900587		06/01/2019	GADSDEN
198	N31208	DAVIS	JER DARRIUS	1600241		05/27/2019	GADSDEN
199	N14509	PRUITT	SHELTON	1600337		05/24/2019	GADSDEN
200	N14409	FRYE	CHRISTIAN	1100048		05/23/2019	GADSDEN
201	A50114	JOHNSON	FERNANDEZ	1400403		05/22/2019	GADSDEN
202	N07470	JOHNSON	BELTON	800489		05/22/2019	GADSDEN
203	D58106	SUBER	WILLIAM	1800174		05/16/2019	GADSDEN
204	E49359	LEFFLER	RYAN	1800084		06/30/2019	GILCHRIST
205	G19617	BENSON	MATTHEW	1800027		06/11/2019	GILCHRIST
206	U14927	SANTIAGO	JEFFREY	1800012		06/10/2019	GILCHRIST
207	G19432	SEYEZ	FREDERICK	1500144		06/08/2019	GILCHRIST
208	888910	ELLISON	RONDELL	1600152		06/01/2019	GILCHRIST
209	G28103	DIAZ-BENITEZ	CRISTOBAL	1700178		05/30/2019	GILCHRIST
210	132969	SULLIVAN	ROBERT	1700121		05/24/2019	GILCHRIST
211	G18680	ARRINGTON	JEREMY	1600004		05/24/2019	GILCHRIST
212	G09102	MILLS	ERVIN	1700134		05/21/2019	GILCHRIST
213	G27325	CLEMONS	JOSHUA	1600164		05/15/2019	GILCHRIST
214	W09370	BARNES	WILLIE	1300128		06/09/2019	GLADES
215	M22399	ROBINSON	MATRIE	1600039		06/01/2019	GLADES
216	U26714	WHITE	LENARD	1700030		05/02/2019	GLADES
217	189137	GREEN	ROBERT	1600114		04/30/2019	GLADES
218	C09135	WHITFORD	JOHNNY	1700003		04/30/2019	GLADES
219	W11818	RIVERA	JOSE	1700092		04/16/2019	GLADES
220	374565	PASS	EARL	600182		03/18/2019	GLADES
221	U14504	HALLBACK	JAMES	1100068		03/15/2019	GLADES
222	B16086	BROGDON	BOB	1700150		02/11/2019	GLADES
223	B14691	NULL	BRENT	1500061		02/07/2019	GLADES
224	Q25393	BROWN	IRA	1700200		06/24/2019	GULF
225	A50779	WINFIELD	DESHAUN	1000217		06/20/2019	GULF
226	Q18391	AVITIA	MICHAEL	1700084		06/17/2019	GULF
227	Q30161	NGUYEN	TIT	1400277		06/08/2019	GULF
228	A50618	UNDERWOOD	JOHNNY	1500083	232015CF000083AXXXXX	06/02/2019	GULF
229	N21028	CARMICHAEL	JONATHAN	1700241		05/27/2019	GULF
230	N26904	LINCOLN	BLAKE	1700064		05/21/2019	GULF
231	Q06142	LAURIMORE	JASON	1400125		05/13/2019	GULF
232	726315	BRANT	CHARLES	1600169		05/08/2019	GULF
233	Q26619	SIMS	ARSENIO	1700034		05/06/2019	GULF
234	087936	EDWARDS	BENNY	8500073		06/08/2019	HAMILTON
235	I14802	RAULERSON	ADAM	1400088		06/03/2019	HAMILTON
236	I02177	SMITH	TAMMERA	500181		05/13/2019	HAMILTON
237	I09422	BIRDWELL	JACOB	1500087		05/03/2019	HAMILTON
238	587088	VICKERY	KENNETH	1400096		05/01/2019	HAMILTON
239	786873	REYNOLDS	LANEY	1700100		04/05/2019	HAMILTON
240	I08643	VAUGHN	CORTEZ	1000095		04/01/2019	HAMILTON
241	B10162	RAY	JAMES	1400117		03/05/2019	HAMILTON
242	I10765	JOHNSON	MIKE	1300114		02/27/2019	HAMILTON

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243	I14907	HUMPHREY	NATREAN	1500243		02/27/2019	HAMILTON
244	H36898	GEORGE	BRANDON	1000142	252010CF000142AOXXX	06/26/2019	HARDEE
245	H18855	RODRIGUEZ	DAVIE	1500160		06/07/2019	HARDEE
246	D53328	CALVILLO	JOEL	1800093		06/04/2019	HARDEE
247	865863	BOSTICK	MARK	1500328		06/02/2019	HARDEE
248	H50761	LUMLEY	TORRIE	1600326		05/29/2019	HARDEE
249	548105	ATCHLEY	BRADFORD	1600308		05/21/2019	HARDEE
250	H45994	LOPEZ	ALEXIS	1400338		05/12/2019	HARDEE
251	H46999	SHARP	MICHAEL	1300301		04/30/2019	HARDEE
252	H32315	HERNANDEZ	CHRISTOPHER	1700067		04/20/2019	HARDEE
253	H02298	KERSEY	SAMUEL	1600176		04/19/2019	HARDEE
254	Y48341	NAVARRO	TONY	1600223		06/25/2019	HENDRY
255	267999	PITTS	GREGORY	1500210		06/20/2019	HENDRY
256	Y08485	ROSS	EVELYN	1800421		06/14/2019	HENDRY
257	Y16441	BROWN	KEITH	1400501		06/14/2019	HENDRY
258	305455	REED	TYRONE	1700629		06/09/2019	HENDRY
259	W45398	RICHARD	JOHNTAVIS	1600463		06/05/2019	HENDRY
260	300435	MOORE	COY	1700346		06/02/2019	HENDRY
261	601827	FORD	JOHNNY	1100535		06/02/2019	HENDRY
262	Y63693	HAUCK	JASON	1600381		06/02/2019	HENDRY
263	W60303	BERMUDEZ	DAVID	1700790		06/01/2019	HENDRY
264	R80630	ELLIOTT	ANDREW	1401098		06/29/2019	HERNANDO
265	U28332	HODGE	JOSHUA	1100371		06/29/2019	HERNANDO
266	D39034	KISHPAUGH	DUSTIN	1501237		06/28/2019	HERNANDO
267	I10068	COULTER	JASON	1800908		06/28/2019	HERNANDO
268	D66248	MARTINEZ	DAVID	1602521		06/23/2019	HERNANDO
269	U58180	WARREN	COREY	1700318		06/23/2019	HERNANDO
270	U42753	HORSLEY	TYLER	1800579		06/21/2019	HERNANDO
271	U56778	CLARK	KIMBERLY	1601258		06/21/2019	HERNANDO
272	158920	KRONENBERG	ANGELA	1800869	272018CF000869AXXXM	06/20/2019	HERNANDO
273	T23286	BOOKER	CHARLES	1102418		06/20/2019	HERNANDO
274	W17148	HARP	LATASHA	1700842		06/28/2019	HIGHLANDS
275	G06760	BARTON	JOHN	1800380		06/25/2019	HIGHLANDS
276	H07255	OBRIEN	JUSTIN	1600291		06/25/2019	HIGHLANDS
277	766418	HUNTER	DONALD	1400474		06/23/2019	HIGHLANDS
278	H45248	PARONETTE	ROY	1601054		06/23/2019	HIGHLANDS
279	I42045	BURGOS	GIOVANNI	1201107		06/23/2019	HIGHLANDS
280	H47356	HENSLEE	DENNIS	1500247		06/22/2019	HIGHLANDS
281	H36815	LYNN	KEVIN	1600368		06/18/2019	HIGHLANDS
282	H44173	GILCHRIST	KEVON	1301000		06/16/2019	HIGHLANDS
283	H20856	COTTE	JOSE	300737		06/13/2019	HIGHLANDS
284	490666	DENSMORE	DANIEL	1614476		06/30/2019	HILLSBOROUGH
285	513407	GONZALEZ	FERNANDO	1810944		06/30/2019	HILLSBOROUGH
286	T31244	SALGADO-OSORIO	FERNANDO	1003115		06/30/2019	HILLSBOROUGH
287	T35048	BIVENS	CHRISTOPHER	1708818		06/30/2019	HILLSBOROUGH
288	T37538	WALTZ	CHARLES	1801301		06/30/2019	HILLSBOROUGH
289	T76045	ANDERSON	GREGORY	1614397		06/30/2019	HILLSBOROUGH
290	T82129	MOODY	BOBBY	1303881		06/30/2019	HILLSBOROUGH
291	I26700	GOODMAN	MARQUESE	1714846		06/29/2019	HILLSBOROUGH
292	D64724	KIRKLAND	TRAVIS	1803057		06/29/2019	HILLSBOROUGH
293	T45249	CURRY	JOSHUA	1616120		06/29/2019	HILLSBOROUGH
294	Q26053	MAHON	DUSTEN	1100183		06/25/2019	HOLMES
295	Q06030	WISE	BRIAN	1700101		06/18/2019	HOLMES
296	Q03490	EVERETT	JAMES	1600397		06/13/2019	HOLMES
297	P20721	CORDELL	SCOTTY	1400278		06/06/2019	HOLMES
298	Q02408	LOONEY	CHARLES	1600419		05/24/2019	HOLMES
299	613295	RAVENHALL	PAUL	1400374		05/15/2019	HOLMES
300	P05040	BRYAN	MATTHEW	800245		05/14/2019	HOLMES
301	Q33409	LAWHORN	PATRICIA	1700179		05/06/2019	HOLMES
302	Q25434	NALLS	ASHLEY	1600012		05/03/2019	HOLMES
303	Q13227	BIDDLE	BRENDA	1700509		05/01/2019	HOLMES

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304	K88818	WALVICK	JESSICA	1400039		06/30/2019	INDIAN RIVER
305	K91033	RICHARD	JAMES	1701561		06/27/2019	INDIAN RIVER
306	K73119	BOLES	CRIS	1700583		06/25/2019	INDIAN RIVER
307	K84382	REASON	DARRIEL	1601481		06/21/2019	INDIAN RIVER
308	K92364	CRANKFIELD	JOHN	1601220		06/21/2019	INDIAN RIVER
309	K76005	CIANCIO	BRANDON	1600224		06/20/2019	INDIAN RIVER
310	157139	NEVILLE	HEATHER	1500809		06/13/2019	INDIAN RIVER
311	K81450	BELL	EMANUEL	1001617		06/11/2019	INDIAN RIVER
312	K77029	JENKINS	TYRONE	1601228		06/10/2019	INDIAN RIVER
313	116067	DAMBOISE	EUGENE	1400833		06/08/2019	INDIAN RIVER
314	Q31458	GLANTON	PORSHA	1500393		06/28/2019	JACKSON
315	Q24371	MCQUEEN	JARED	1600747		06/27/2019	JACKSON
316	Q25168	PEARSON	QUENN	1600249		06/26/2019	JACKSON
317	892007	GRICE	ADAM	1600274		06/18/2019	JACKSON
318	A50910	RAMSEY	IVIN	1100919		06/16/2019	JACKSON
319	Q14669	PATTERSON	PHILLIP	1800179		06/15/2019	JACKSON
320	Q31471	BARWICK	JOSHUA	1700537		06/09/2019	JACKSON
321	B40193	MCCUMBER	ANTHONY	1800059		06/05/2019	JACKSON
322	580488	HUSSEY	EGLON	1600290		06/02/2019	JACKSON
323	Q34018	ARMSTEAD	TEREZ	1700549		05/27/2019	JACKSON
324	564906	ODOM	TOKEI	1700042		06/06/2019	JEFFERSON
325	N30585	SAVAGE	SYLVIA	1500167		05/08/2019	JEFFERSON
326	567500	KING	HAROLD	800067		04/01/2019	JEFFERSON
327	D55630	JONES	CARLOS	1500060		04/01/2019	JEFFERSON
328	N03070	STEPHENS	DARRELL	900200		04/01/2019	JEFFERSON
329	N23710	BROWN	TERRELL	1600030		03/30/2019	JEFFERSON
330	N13688	ROLLINS	DONTAY	1000119		03/19/2019	JEFFERSON
331	I10758	HAMPTON	JAVON	1400069		03/05/2019	JEFFERSON
332	158556	LEE	CIARA	1700058		01/13/2019	JEFFERSON
333	N28869	LITTLE	CODY	1800024		12/24/2018	JEFFERSON
334	I13156	THORNTON	JACOB	1700011		06/18/2019	LAFAYETTE
335	I14067	YANKOVICH	JOSEPH	1300029		06/10/2019	LAFAYETTE
336	I11432	DESMARTIN	GENE	1400041		05/01/2019	LAFAYETTE
337	I15727	SINGLETARY	MIKELL	1600025		12/05/2018	LAFAYETTE
338	I11402	WELLS	MICHAEL	1700010		12/01/2018	LAFAYETTE
339	I06143	WHITE	ROBERT	1600066		11/23/2018	LAFAYETTE
340	I02783	TIDWELL	JIMMY	600061		11/01/2018	LAFAYETTE
341	I15728	JONES	NATHAN	1500056		10/06/2018	LAFAYETTE
342	958189	BUTLER	CARL	1600021		08/11/2018	LAFAYETTE
343	I11886	ALLEN	ALBERT	1400021		07/24/2018	LAFAYETTE
344	I12106	WIDOWS	EUGENE	1702344		06/30/2019	LAKE
345	R63542	SCHMITZ	BRYAN	1802424		06/30/2019	LAKE
346	U40430	DEAL	MICHAEL	1400249		06/29/2019	LAKE
347	U49853	HOWELL	SHYMIERE	1603180		06/29/2019	LAKE
348	U59643	RICHARDSON	TRAMELL	1702002		06/29/2019	LAKE
349	X10413	REAVES	JASON	1400481		06/29/2019	LAKE
350	U47703	DUENO	GILBERT	1601691		06/27/2019	LAKE
351	U45631	AIKEN	SPRING	1701579	352017CF001579AXXXXX	06/26/2019	LAKE
352	C05110	ST PIERRE	BRANDON	1800564		06/25/2019	LAKE
353	V15182	STILLWELL	STEVEN	1601842		06/23/2019	LAKE
354	981240	THOMAS	BRUCE	1718436		06/30/2019	LEE
355	Y54728	SIDDONS	WILLIAM	1318768		06/30/2019	LEE
356	Y58560	DAY	GRUNDY	1516969		06/29/2019	LEE
357	716776	SINGLETARY	WILLIAM	1514163		06/28/2019	LEE
358	C05098	JEAN	ADSON	1614771		06/28/2019	LEE
359	Y62061	LITTLE	KAYLAH	1619038		06/27/2019	LEE
360	717188	THOMPSON	MICHAEL	1800215		06/26/2019	LEE
361	W19819	STUMP	RICHARD	1815641		06/26/2019	LEE
362	Y44761	RAYNER	ERIC	900087		06/26/2019	LEE
363	Y46203	MAHER	ERIK	1020211		06/26/2019	LEE
364	A50357	WHITE	JARROD	902184		06/30/2019	LEON

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365	N31994	GOULD	JARON	1603015		06/30/2019	LEON
366	583766	PLEAS	TERRY	1704280		06/29/2019	LEON
367	N22400	HAMILTON	EDWARD	1702321		06/29/2019	LEON
368	T37142	SINCLAIR	MICHAEL	1703133		06/29/2019	LEON
369	569199	O NEAL	JEROME	9704722		06/26/2019	LEON
370	266558	TEMPLETON	ALFRED	1802765		06/25/2019	LEON
371	582560	SMITH	MARIO	1701403		06/25/2019	LEON
372	N19269	BOYD	WILLIE	1702098		06/25/2019	LEON
373	564834	HENDERSON	HENRY	1403446		06/24/2019	LEON
374	814808	STOKES	AUDIE	1800149		06/26/2019	LEVY
375	G25742	WILLIAMS	DIAMON	1500371		06/15/2019	LEVY
376	G10619	BOLDEN	ADAM	1400190		06/01/2019	LEVY
377	I03308	WERNER	THOMAS	1700482		06/01/2019	LEVY
378	D05326	MCCAIN	FRANK	1800546	382018CF000546AXXXXX	05/30/2019	LEVY
379	G06876	HUDSON	ANDREW	1300498		05/24/2019	LEVY
380	G24481	DALLAS	COREY	1700610		05/19/2019	LEVY
381	G14157	GAINES	ROBERT	1700579		05/18/2019	LEVY
382	G27441	MCRAE	TREVEZ	1700321		04/30/2019	LEVY
383	B40232	WATSON	ROBERT	1700343		04/28/2019	LEVY
384	N32211	BOONE	ARTHUR	1700122		06/30/2019	LIBERTY
385	822342	HOUSTON	JAMES	1800034		06/17/2019	LIBERTY
386	132244	MOORE	DEVION	1100011		06/01/2019	LIBERTY
387	N18553	HARVELL	TREVOR	800052		04/22/2019	LIBERTY
388	N28344	MOORE	CAMERON	1400028		04/03/2019	LIBERTY
389	N29929	BURKE	KALEN	1500088		03/21/2019	LIBERTY
390	N27693	PYNES	JESSICA	1300099		03/10/2019	LIBERTY
391	899324	BURKE	DARRELL	1600101		03/02/2019	LIBERTY
392	517779	BYNAKER	WILLIAM	1000017		02/27/2019	LIBERTY
393	Q04126	MATHIS	CALVIN	1600046		02/25/2019	LIBERTY
394	513310	KING	AARON	1700334		06/09/2019	MADISON
395	I15072	BROWN	CORTNI	1500178		06/01/2019	MADISON
396	787130	DAVIS	MARVIN	1300070		05/01/2019	MADISON
397	I05979	GRAY	JONNY	200070		04/27/2019	MADISON
398	M58165	WILLIAMS	ANDY	1500067		04/12/2019	MADISON
399	D52615	JONES	CURTIS	1500347		04/05/2019	MADISON
400	I01992	SCOTT	RANDELL	1600082		03/12/2019	MADISON
401	I14729	MINOR	TRAVIS	1400101		03/12/2019	MADISON
402	Q14848	COBB	RAMON	1000214		03/03/2019	MADISON
403	N19526	KENNEDY	DWAYNE	1500388		03/02/2019	MADISON
404	549505	CHAPMAN	DAVID	1703111		06/29/2019	MANATEE
405	S34852	SULLIVAN	MARCKELLE	1703622		06/27/2019	MANATEE
406	440710	SANTIAGO	HECTOR	1503194		06/25/2019	MANATEE
407	S04904	HAYES	TROY	1603751		06/25/2019	MANATEE
408	S40642	FERNANDEZ	GABRIEL	1600368		06/25/2019	MANATEE
409	S42600	SAILES	RYKESE	1602683		06/25/2019	MANATEE
410	473901	POAG	SHAWN	801444		06/22/2019	MANATEE
411	774486	HARRIS	JOENATHAN	1700739		06/22/2019	MANATEE
412	S41578	SOLLOCK	THOMAS	1603991		06/22/2019	MANATEE
413	D30118	DAVIS	CORY	1401776		06/21/2019	MANATEE
414	134853	PHILLIPS	SHAUN	1003206		06/30/2019	MARION
415	156673	RILEY	KRISTI	1402151		06/30/2019	MARION
416	U28048	LEARD	STEPHEN	1200559	422012CF000559AXXXXX	06/30/2019	MARION
417	U29724	BALLIET	KRISTOPHER	1202601		06/30/2019	MARION
418	U45981	LEGETTE	ORVIN	1602127		06/29/2019	MARION
419	D50494	LEDFOED	JASON	1704279		06/28/2019	MARION
420	U26506	MCLEAN	FREDRICK	503813	422005CF003813AXXXXX	06/27/2019	MARION
421	U40236	JACKSON	KENNETH	1000232		06/26/2019	MARION
422	U56816	GORE	EMMITT	1600424		06/26/2019	MARION
423	157553	NALES	MIGUEL	1600412		06/25/2019	MARION
424	K69881	WALLACE	ORIELLE	1400472		06/30/2019	MARTIN
425	K82367	DUDA	SANDRA	1501065		06/27/2019	MARTIN



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426	K91520	REID	JOHN	1601342		06/26/2019	MARTIN
427	K54517	MISIC	STEVEN	400199	432004CF000199AXXXXX	06/24/2019	MARTIN
428	K72894	BENNETT	BOBBY	1501066		06/23/2019	MARTIN
429	470587	WELCH	RICHARD	1001603	432010CF001603AXXXXX	06/21/2019	MARTIN
430	W33354	MOORE	JOHNIE	1700215		06/21/2019	MARTIN
431	K92326	SKIDMORE	BRANDON	1601279		06/18/2019	MARTIN
432	L98959	FERRARO	JASON	1700217		06/14/2019	MARTIN
433	C90018	MOSS	JEROME	1401571		06/11/2019	MARTIN
434	871240	JOHNSON	ANDREW	1600202		06/26/2019	MONROE
435	K06352	GALINDO	JESUS	1300289		06/26/2019	MONROE
436	M47187	LECONTE	CLIFFORD	1600244		06/23/2019	MONROE
437	B00798	CARTWRIGHT	RICKY	1400040		06/19/2019	MONROE
438	M24434	MYLES	TARON	1300397		06/19/2019	MONROE
439	H00182	DAVILA	ANTHONY	1500461		06/18/2019	MONROE
440	891399	WALSH	DENNIS	1100210		06/15/2019	MONROE
441	730741	PEREZ	ANDREW	1600439		06/11/2019	MONROE
442	Y54536	MARTINEZ	JOHN	1800115		06/11/2019	MONROE
443	G18058	ADKINS	AARON	1500266		06/09/2019	MONROE
444	J58293	WILLIAMS	MARQUIS	1600585		06/21/2019	NASSAU
445	J19571	CRIDER	SHELLEY	1800610		06/20/2019	NASSAU
446	158640	BROWN	STEVEN	1700931		06/05/2019	NASSAU
447	J01761	MOON	DAVID	1300246		06/02/2019	NASSAU
448	J43369	DAVIS	MARKEL	1500589		06/01/2019	NASSAU
449	J61832	CRUMLEY	WHITNEY	1800151		06/01/2019	NASSAU
450	898381	MCGLASHING	MATTHEW	1800113		05/05/2019	NASSAU
451	D30988	EVANS	TONY	1800684	452018CF000684AXXXYX	05/05/2019	NASSAU
452	J27122	MANNING	JERRY	1400876		05/05/2019	NASSAU
453	J58507	GREEN	JUSTIN	1700753		04/27/2019	NASSAU
454	P02236	LOWE	DION	1601049		06/27/2019	OKALOOSA
455	P19007	PEREZ	RANDY	1801326		06/27/2019	OKALOOSA
456	P49493	HANNERS	ALEXANDER	1201588		06/27/2019	OKALOOSA
457	553907	HALL	CEDRIC	1600987		06/26/2019	OKALOOSA
458	P43989	HURST	MARTY	1201951		06/26/2019	OKALOOSA
459	P08362	MATHEWS	NEIL	1701055		06/23/2019	OKALOOSA
460	P57400	STILES	MICHAEL	1502183		06/22/2019	OKALOOSA
461	156327	ROSS	TRACY	1301599		06/19/2019	OKALOOSA
462	P60140	MERRITT	PHILIP	1602689		06/19/2019	OKALOOSA
463	308715	CARLE	MICHAEL	1502482		06/18/2019	OKALOOSA
464	N90025	HOLLOMAN	TERESA	1600804		06/30/2019	OKEECHOBEE
465	L64253	MINTON	NEAL	1800143		06/27/2019	OKEECHOBEE
466	K72042	GALARZA	JOSE	1800103		06/23/2019	OKEECHOBEE
467	K64784	SCHOCK	JAMES	1700575		06/15/2019	OKEECHOBEE
468	K94009	HAIR	CURTIS	1700505		06/14/2019	OKEECHOBEE
469	K92243	SEALS	ERICA	1600789		06/13/2019	OKEECHOBEE
470	K93320	HOWARD	MATTHEW	1600758		06/13/2019	OKEECHOBEE
471	K84094	SAXTON	STEVEN	1700321		06/08/2019	OKEECHOBEE
472	B02753	SANDOVAL	JOSEPH	1200534		06/05/2019	OKEECHOBEE
473	W11903	GABBARD	ROBERT	1800282		06/05/2019	OKEECHOBEE
474	469872	DAVIS	PAYNEWJUAN	1611086		06/30/2019	ORANGE
475	X81471	BATCHELOR	ANDREA	1202690		06/30/2019	ORANGE
476	D16886	COERPER	JOHN	602677	482006CF002677OXXXX	06/29/2019	ORANGE
477	X33685	OTERO	MICHAEL	110618	482001CF010618OAXXX	06/29/2019	ORANGE
478	X25783	KINSEY	BARRY	1612929		06/28/2019	ORANGE
479	X29529	KNOWLES	BERLIN	1510528		06/28/2019	ORANGE
480	X34714	NEAL	ANTONIO	100323		06/28/2019	ORANGE
481	X80025	PIERRE-JEUNE	ISMECHEL	1205099		06/28/2019	ORANGE
482	X41602	FALLON	DAVID	1606626		06/27/2019	ORANGE
483	X99082	DURDEN	KENNEITH	1601172		06/27/2019	ORANGE
484	X81684	FALERO-COLON	JENSEN	1503170		06/29/2019	OSCEOLA
485	X82877	TAVAREZ	BRIAN	1300169	492013CF000169BXXXXX	06/28/2019	OSCEOLA
486	X76819	ALVEREZ-COLLAZO	ALBERTO	1100025		06/27/2019	OSCEOLA

	A	B	C	D	E	F	G
487	984447	ROBINSON	ALTINA	1503259		06/24/2019	OSCEOLA
488	X83781	BELL	GERALD	1600837		06/24/2019	OSCEOLA
489	126312	CANUELAS	LUIS	1800103		06/23/2019	OSCEOLA
490	X56247	RAMIREZ	JOSEPH	503345		06/23/2019	OSCEOLA
491	C11239	HAMILTON	TROY	1601544		06/21/2019	OSCEOLA
492	X29309	BATTLE	DARRYL	1600852		06/20/2019	OSCEOLA
493	X40039	WILLIAMS	RICARDO	1703400		06/19/2019	OSCEOLA
494	598010	TALBOT	DAVID	1705536		06/30/2019	PALM BEACH
495	110499	IVORY	DARRELL	1710963		06/28/2019	PALM BEACH
496	B04988	WELLS	RONNIE	608017	502006CF008017AXXXM	06/28/2019	PALM BEACH
497	M81982	JENKINS	HORECIA	1412081		06/27/2019	PALM BEACH
498	W28037	PODGURSKI	FRANK	1611081		06/27/2019	PALM BEACH
499	461685	MCCLENDON	VERNON	1409374		06/26/2019	PALM BEACH
500	W20729	BRUNET	DAMIAN	1510757		06/26/2019	PALM BEACH
501	W31969	SERTILE	FRIENDLEY	1802396		06/26/2019	PALM BEACH
502	163915	HUNTER	AMBER	908259		06/25/2019	PALM BEACH
503	166918	CARLSON	MATTHEW	1610034		06/25/2019	PALM BEACH
504	503807	PEARSON	WILLIE	1107679		06/30/2019	PASCO
505	I60245	CARON	JONATHAN	1605644		06/30/2019	PASCO
506	R61703	BACCA	CLIFFORD	900348		06/30/2019	PASCO
507	R65971	MOODY	KEVIN	1306357		06/30/2019	PASCO
508	314256	IVEY	NATHAN	1503092		06/29/2019	PASCO
509	515894	SERRANO	ELBIN	1404779		06/28/2019	PASCO
510	R91858	KING	ROBERT	1700375		06/28/2019	PASCO
511	R64516	HOWARD	JOSHUA	1202438		06/27/2019	PASCO
512	R86044	CHRISTIAN	JORDAN	1502969		06/27/2019	PASCO
513	C10731	BYRNES	JUSTIN	1801359		06/26/2019	PASCO
514	381765	GRAHAM	ANTONIO	1702486		06/30/2019	PINELLAS
515	R20907	SHERMAN	MARIO	1803345		06/30/2019	PINELLAS
516	312671	MILLER	CHRISTOPHER	1715282		06/29/2019	PINELLAS
517	R71610	NADEAU	KYLE	1710611		06/29/2019	PINELLAS
518	R72863	DELANO	ANTHONY	1803409		06/29/2019	PINELLAS
519	R57804	KHANTHARASY	DARA	1014209	522010CF014209XXXXN	06/27/2019	PINELLAS
520	R93449	LITTERAL	CHRISTOPHER	1704883		06/27/2019	PINELLAS
521	R71408	SMITH	SHERROD	1507579		06/26/2019	PINELLAS
522	267302	PATRICK	JEFFERY	1705407		06/25/2019	PINELLAS
523	R27484	GRANT	HENRY	620361	522006CF020361XXXXN	06/23/2019	PINELLAS
524	369576	BIVINS	CHRISTOPHER	1701556		06/30/2019	POLK
525	H24688	MANNION	JOHN	1607102		06/30/2019	POLK
526	H51423	GUIN	TERESA	1208430		06/30/2019	POLK
527	H52188	JEFFERSON	DEMARCUS	1700748		06/30/2019	POLK
528	167872	KENNEDY	CECIL	1706357		06/29/2019	POLK
529	370424	HAYES	SHAWN	1601809		06/29/2019	POLK
530	C90096	COX	KEVIN	1601166		06/29/2019	POLK
531	H12851	STACKHOUSE	DWAYNE	1704827		06/29/2019	POLK
532	H23381	WRIGHT	LC	1707763		06/28/2019	POLK
533	H37735	FULLWOOD	JAMES	1006789	532010CF00678901XXXX	06/28/2019	POLK
534	749119	CLEMONS	GEORGE	1001261		06/30/2019	PUTNAM
535	V03096	DEERING	DENZILL	1600671		06/30/2019	PUTNAM
536	157586	MORENO	JOSE	1600413		06/29/2019	PUTNAM
537	V31775	JOHNSON	MICHAEL	1500381		06/29/2019	PUTNAM
538	V01038	CURRY	MELVIN	1600837		06/27/2019	PUTNAM
539	V31541	MCRAE	HOPE	1701032		06/26/2019	PUTNAM
540	076890	DURDEN	PAUL	1600117		06/23/2019	PUTNAM
541	V53346	TRIPP	CRYSTAL	1700379	542017CF000379AXXXM	06/21/2019	PUTNAM
542	204069	SIEG	EDWIN	900812		06/20/2019	PUTNAM
543	V41996	THOMAS	JEREMY	1101586		06/19/2019	PUTNAM
544	V04922	NICKERSON	DOUGLAS	1600600		06/30/2019	ST. JOHNS
545	105280	QUARRELS	STEVEN	9800096		06/29/2019	ST. JOHNS
546	J44343	JAMES	GREGORY	1701568		06/27/2019	ST. JOHNS
547	V37761	THOMAS	TEVIN	1400816		06/27/2019	ST. JOHNS

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548	V42337	LOCKE	JUSTIN	1700401		06/27/2019	ST. JOHNS
549	130160	BRYANT	MARLIN	1700990		06/25/2019	ST. JOHNS
550	V09583	PERCY	GLORIA	1601978		06/25/2019	ST. JOHNS
551	V52324	BEARCE	DAVID	1601980		06/25/2019	ST. JOHNS
552	V52678	ELLSWORTH	KATIE	1601982		06/25/2019	ST. JOHNS
553	V22786	HENDRIETH	IZELL	1800090		06/24/2019	ST. JOHNS
554	K85553	BROWN	MARQUIS	1102343		06/30/2019	ST. LUCIE
555	L29100	GUASTALLI	KIMBERLEY	1600451		06/30/2019	ST. LUCIE
556	182982	DOBSON	THOMAS	1500169		06/28/2019	ST. LUCIE
557	U52130	MCGRAW	AMANDA	1603389		06/28/2019	ST. LUCIE
558	C10009	CAMPOS	RAPHAEL	1301287		06/27/2019	ST. LUCIE
559	K93623	BELLANGE	FARMENS	1702553		06/27/2019	ST. LUCIE
560	M44095	HALL	STEPHEN	1603403		06/27/2019	ST. LUCIE
561	196085	CALZADA	FRANCISCO	1103802		06/26/2019	ST. LUCIE
562	K91529	REED	FRANTRAVIOU	1601787		06/26/2019	ST. LUCIE
563	K91904	HALL	BARTLEY	1600388		06/26/2019	ST. LUCIE
564	S21966	FIELDS	STEVEN	1601045		06/30/2019	SANTA ROSA
565	P54804	PITTMAN	DERREL	1400625		06/28/2019	SANTA ROSA
566	P50682	GARRETSON	SHAWN	1700083		06/27/2019	SANTA ROSA
567	P08582	DICKSON	BRANDON	1701243		06/22/2019	SANTA ROSA
568	812896	MORGAN	ALEH	1800366		06/20/2019	SANTA ROSA
569	769879	MILLER	JEREMY	1800886		06/17/2019	SANTA ROSA
570	P05578	ROGERS	JAMES	1300809		06/17/2019	SANTA ROSA
571	121707	CAMPBELL	STEVEN	1701925		06/13/2019	SANTA ROSA
572	P57027	GARRETT	TYLER	1500729		06/13/2019	SANTA ROSA
573	P41490	BINGHAM	RICHARD	900510		06/12/2019	SANTA ROSA
574	748511	GRAHAM	ROSCO	1601170		06/30/2019	SARASOTA
575	S35106	NEWELL	KYLE	1602689		06/30/2019	SARASOTA
576	S30556	MONTGOMERY	ROBERT	1012892		06/29/2019	SARASOTA
577	C02529	DEAMON	THEOFANE	1716394		06/28/2019	SARASOTA
578	S05049	SIMAITIS	RYAN	1806372		06/27/2019	SARASOTA
579	S22607	ARNOLD	DALEN	1608317		06/25/2019	SARASOTA
580	D21651	MCPHERSON	OLDEN	1712627		06/24/2019	SARASOTA
581	S25188	SALVATORI	DOMINIC	1111168		06/24/2019	SARASOTA
582	S14038	FRYE	STEPHEN	1607449		06/22/2019	SARASOTA
583	I40900	JOHNSON	KEIDRICK	1808562		06/21/2019	SARASOTA
584	E09459	MADDOX	ALBERT	1703577		06/28/2019	SEMINOLE
585	X23017	KIDD	AARON	1500346		06/28/2019	SEMINOLE
586	D41775	WILLIAM	TYRELL	1704163		06/27/2019	SEMINOLE
587	E60600	ZIMMERMAN	ROBERT	1800365		06/27/2019	SEMINOLE
588	069047	ANDERSON	REGINALD	1501373		06/26/2019	SEMINOLE
589	C10272	TRUITT	ERIK	1501056		06/24/2019	SEMINOLE
590	E50221	PONCE	WILLIAM	1600006		06/24/2019	SEMINOLE
591	X77633	MCNEIL	JENNIFER	1402723		06/24/2019	SEMINOLE
592	E59832	ROBERSON	MARK	1700739		06/21/2019	SEMINOLE
593	X46521	MCELLIGOTT	JOHN	1602334		06/21/2019	SEMINOLE
594	Q08110	PHILLIPS	BEVERLY	1600930		06/26/2019	SUMTER
595	765706	HARDWICK	CLEVE	1601142		06/25/2019	SUMTER
596	U49969	ROBERTS	TREY	1300643		06/20/2019	SUMTER
597	567764	BAILLEY	FEDDIE	1700519		06/19/2019	SUMTER
598	X71366	KARAJEWSKI	BRIAN	1500911		06/14/2019	SUMTER
599	U47550	GLENN	SHEREEDA	1800813		06/11/2019	SUMTER
600	U57568	RUFFIN	CHADRICK	1600774		06/11/2019	SUMTER
601	166769	CARTER	CURTIS	1000851		06/10/2019	SUMTER
602	U41418	BRANCH	RICKY	1300344		06/07/2019	SUMTER
603	144902	MCCREARY	RICHARD	1800743		06/06/2019	SUMTER
604	834503	SAPP	JOHN	1500521		06/29/2019	SUWANNEE
605	K89038	WINTERS	MARQUAY	1600403		06/29/2019	SUWANNEE
606	I13506	FORTN	FREDERICK	1200544		06/24/2019	SUWANNEE
607	825142	DUCHAJ	ROBERT	1800328		06/20/2019	SUWANNEE
608	I07072	POPE	DANIEL	1800020		06/12/2019	SUWANNEE

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609	I13481	DIAZ	ADAHID	1700539		06/08/2019	SUWANNEE
610	I08588	COMBS	DEWAYNE	1700181		06/06/2019	SUWANNEE
611	I14001	KIRBY	JUSTIN	1300289		06/06/2019	SUWANNEE
612	I12942	TOUCHTON	RICHARD	1600011		06/05/2019	SUWANNEE
613	I09612	HICKS	MELVIN	1400206		06/03/2019	SUWANNEE
614	I10134	MIMS	MICHAEL	1500118		06/29/2019	TAYLOR
615	I11871	SMITH	LAURA	1700423		06/28/2019	TAYLOR
616	089721	LOWE	RAYMOND	1400211		06/19/2019	TAYLOR
617	724995	WHITE	BARBARA	1700348		06/15/2019	TAYLOR
618	I06819	HILSON	ROBIN	1600260		06/12/2019	TAYLOR
619	I12511	SOROKA	JUSTIN	1700261		06/11/2019	TAYLOR
620	R24059	LLOYD	WILLIE	1300097		06/10/2019	TAYLOR
621	I09246	CORBIN	JAMES	1200175		06/02/2019	TAYLOR
622	I16193	BURNAU	ANTHONY	1700137		06/01/2019	TAYLOR
623	I02824	TEAL	HULON	1700301		05/30/2019	TAYLOR
624	G05528	BELL	THOMAS	1800073		06/20/2019	UNION
625	668916	NEVILLES	EDDIE	9500031		06/07/2019	UNION
626	G25034	YOUNG	BRADLEY	1400095		06/02/2019	UNION
627	J55792	SWAFFORD	AARON	1700079		05/28/2019	UNION
628	G22265	CULVERSON	JONATHAN	1500031		05/22/2019	UNION
629	G23626	BROOKS	LARRY	1600125		05/13/2019	UNION
630	G26564	HENDERSON	CORNELIUS	1600051		05/11/2019	UNION
631	817001	SHELDON	ROBERT	1800038		04/13/2019	UNION
632	G01589	WEBB	JAMES	1400223		04/06/2019	UNION
633	I01360	DUKES	KELLY	1700017		04/03/2019	UNION
634	E45624	CLEMONS	MATTHEW	1611033	642016CF101033	06/30/2019	VOLUSIA
635	V36278	ROGERS	TONY	803106		06/30/2019	VOLUSIA
636	Y70072	CONCEPCION-GARC	PEDRO	1734200	642017CF304200	06/30/2019	VOLUSIA
637	V12252	SYLVESTER	ERICA	1033177		06/29/2019	VOLUSIA
638	V22346	MORTBERG	CHRISTOPHER	1312928	642013CF102928	06/29/2019	VOLUSIA
639	V48091	KENNEDY	BRIAN	1334145	642013CF304145	06/29/2019	VOLUSIA
640	116411	GARNETT	THOMAS	1633133	642016CF303133	06/28/2019	VOLUSIA
641	121660	JACKSON	KENT	1711642		06/28/2019	VOLUSIA
642	A90067	MARTIN-PEREDA	GEOVANY	1734201	642017CF304201	06/28/2019	VOLUSIA
643	219354	BROWN	MICHAEL	1135573		06/27/2019	VOLUSIA
644	N32832	ATKINSON	SIERRA	1500296		06/17/2019	WAKULLA
645	N28273	BUTLER	ROCKY	1300158		06/16/2019	WAKULLA
646	561545	HOWELL	GEORGE	1700348		05/24/2019	WAKULLA
647	N12410	WARD	JOHNNY	1600003		05/16/2019	WAKULLA
648	568205	MCNEAL	ANTHONY	1400201		05/03/2019	WAKULLA
649	N24801	JOHNSON	WILLIAM	1000321		04/27/2019	WAKULLA
650	N24061	LINDSEY	KROUN	1600319		04/05/2019	WAKULLA
651	127277	WHITE	DARREN	1100180		04/01/2019	WAKULLA
652	N27713	PALMER	NEAL	1300129		03/14/2019	WAKULLA
653	N12398	HANCOCK	ROBERT	1600229		02/28/2019	WAKULLA
654	P60689	REYES	MILTON	1600841		06/21/2019	WALTON
655	N31027	WASHINGTON	LATRENDIA	1800580		06/08/2019	WALTON
656	P47956	PETERS	CALEB	1200580		06/08/2019	WALTON
657	A50266	SPARKS	JOHNNY	1700998		06/03/2019	WALTON
658	P40273	CAIN	JENNIFER	1800527		06/01/2019	WALTON
659	P03033	PALUMBO	MICHELE	1600675		05/31/2019	WALTON
660	A51038	WOLFRUM	RICHARD	1200233		05/30/2019	WALTON
661	P13670	COX	RICHARD	1400581		05/27/2019	WALTON
662	690831	DORSEY	ROBERT	1800365		05/26/2019	WALTON
663	689804	PHILLIPS	RONNIE	1300392		05/25/2019	WALTON
664	N28614	SUAH	ALVIN	1700479		06/30/2019	WASHINGTON
665	Q33330	PETERSON	DARRIUS	1600288		06/27/2019	WASHINGTON
666	A52048	PEREZ	JORGE	1700155		06/23/2019	WASHINGTON
667	115664	PETERSON	THOMAS	1500055		06/22/2019	WASHINGTON
668	Q23924	HUCKABY	STACEY	1400200		06/22/2019	WASHINGTON
669	Q25252	LASSITER	JAMES	1600233		06/17/2019	WASHINGTON

	A	B	C	D	E	F	G
670	Q24356	BURGETT	MATTHEW	1700093		06/16/2019	WASHINGTON
671	Q29673	HUNTER	MARTHA	1400284		06/14/2019	WASHINGTON
672	X13349	TRAWICK	SPENCER	1800028		06/07/2019	WASHINGTON
673	098927	HOPE	DEMETRIUS	1600352		06/04/2019	WASHINGTON



# FCCC ADVISORY

**Amendment 4/Restoration of Voting Rights QRT Data Review Request**

**No. 19-057**

**Date:** July 16, 2019

**Contact:** Richard Herring;

**Category:** Clerk Administration,

Kimberly Renspie

Courts

**Telephone:** (850) 921-0808

**Page:** 1 of 1

**E-mail:** [rherring@flclerks.com](mailto:rherring@flclerks.com);

[krensPie@flclerks.com](mailto:krensPie@flclerks.com)

The Amendment 4 Quick Response Team (QRT) has been working with the Department of Corrections (DOC) to obtain information on recently released felons. To help understand issues that may arise, DOC provided the attached list, *DOC Recent Releases by County*, which contains 10 recently released individuals per county, including financial obligations. The QRT requests that you review the 10 cases in your county and provide any issues you find during your review. The review should compare the CCIS information about the individual with the information in your local CMS. Each member of the QRT has already completed this review for their county and found it to be a valuable exercise in checking our data integrity. Please provide the results of your review to [Richard Herring](#) and [Kimberly Renspie](#) at the association by close of business Friday, July 26, 2019 in order to provide this information for discussion during the Quick Response Team on Monday, July 29, 2019.

#### Items to be aware of:

- DC Number - This is the number assigned to an inmate by DOC. The DC number, like a social security number, is a lifetime number.
- Case number - This number is a portion of the UCN, the first 1 or 2 digits indicate the year, and the CF case type is always omitted.
- Uniform Case Number - Expect the UCN to be blank in most cases. The DOC system does not routinely maintain the UCN.

#### QRT review results:

- There have been name misspellings and other data entry issues.
- It should take approximately 1-2 hours to complete this exercise.

The FCCC Amendment 4 QRT is composed of the Honorable Ken Burke, CPA (Pinellas), the Honorable Tara S. Green (Clay), the Honorable Tiffany Moore Russell, Esq. (Orange), the Honorable Karen E. Rushing (Sarasota), and the Honorable Carolyn Timmann (Martin).

For questions please contact [Richard Herring](#) at (850) 264-6531 and/or [Kimberly Renspie](#) at (813) 748-4133.

**FLCLERKS.COM**

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Wednesday, July 17, 2019 4:43 PM EDT  
**Subject:** Advisory - 19-058 - Approved FCCC Committee Charters  
**Attachment(s):** "19bull058.pdf", "19bull058\_Attach\_1\_FCCC Committee Charters 6-24-19.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Approved FCCC Committee Charters**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks	<b>Category:</b>	FCCC Governance
<b>Priority:</b>	High	<b>Action required:</b>	Please review the attached information related to the approved FCCC Committee Charters.
<b>Executive Summary:</b>	The Florida Court Clerks & Comptrollers Board of Directors approved the FCCC Committee Charters during their June 24, 2019, meeting. The charters are attached for reference.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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## Executive Committee Description and Charter

**DESCRIPTION:** The function of this five-member committee is to provide ongoing oversight of the business and program policies and operations of the association and, within this capacity, shall also serve as the association's Budget and Personnel Committees.

**AUTHORITY:** Per the FCCC Bylaws, Article VI, Section 3, A, the Executive Committee shall meet monthly at the direction of the President, who shall serve as chair of the Executive Committee. They shall review the finances of the Florida Court Clerks & Comptrollers, serve as members of the Budget Committee, review committee progress, educational programming and, in general, the progress of the Florida Court Clerks & Comptrollers.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** Per the FCCC Bylaws, Article VI, Section 3, A, the Executive Committee is a Standing Committee and shall consist of the Executive Officers, as provided for in Article IV, Section 2. The President shall serve as chair of the Executive Committee. The Chief Executive Officer of the Florida Court Clerks & Comptrollers shall be a nonvoting member of this committee.

Per the FCCC Bylaws, Article VIII, Section 2, A, the Budget Committee, which shall consist of the Executive Committee members and Chief Executive Officer shall prepare and recommend a work program and tentative annual budget for the for the coming year and recommend the same to the Board of Directors. The Treasurer will serve as the Chair.

Per the FCCC Bylaws, Article VIII, Section 4, the Chief Executive Officer, in consultation with the Executive Committee, shall develop a system of personnel administration and submit same to the Board of Directors for consideration and adoption. The voting members of the Executive Committee shall serve as the Personnel Committee.

### **RESPONSIBILITIES:**

1. Serves as the interim governing body between meetings of the Board of Directors. Acts on behalf of the board between meetings with authority vested by the Board and reports its meetings and actions to the Board
2. Ensures all directives and policies established by the Board are followed
3. Refers to the board for consideration and action any issues relating to major policy and financial changes and other important items





## Executive Committee Description and Charter

4. Has an independent audit of the preceding year's financial records conducted and submitted along with the management letter and statement of actions taken or being taken to correct areas of deficiency, to the Board of Directors
5. Develops and recommends to the Board regulations and policies governing the disbursement of funds which will include policies on purchasing and travel
6. Directs the Chief Executive Officer on the place and manner of disposition and safekeeping of all funds, securities and legal instruments
7. Serves as the Personnel Committee and in consultation with the Chief Executive Officer develops a system of personnel administration for consideration and adoption by the Board of Directors
8. In serving as the Personnel Committee, annually reviews the performance of the Chief Executive Officer and sets performance goals for the Chief Executive Officer in accordance with the CEO's contract.
9. Determines annual dues and assessments for review and approval by the Board and full membership
10. Serves as the Budget Committee and prepare and recommend a work program and tentative annual budget to the Board of Directors by April 30<sup>th</sup> of each year and shall present for approval the budget at the Executive Session during the annual meeting.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Audit Committee Description and Charter

**DESCRIPTION:** The Audit Committee's primary objective is to assist the Board of Directors in fulfilling their financial oversight responsibilities and fiduciary duties. The audit function applies to all audit services performed on behalf of the Florida Court Clerks and Comptrollers and its subsidiary organizations.

**AUTHORITY:** As referenced in Article VIII, Section 2.E. of the FCCC Bylaws, the Audit Committee is comprised of the Executive Committee members and reports to the Board of Directors. The Audit Committee aligns with FCCC Strategic Plan Goals & Objectives, and all actions are consistent with FCCC Bylaws and FCCC Board policies each program year.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Audit Committee will consist of members from the Executive Committee and will serve for a one-year term. The Executive Committee includes the FCCC President, President Elect, Vice-President, Treasurer and Secretary. The Chair of the committee shall be the FCCC Treasurer.

**MEETINGS:** The committee shall meet at least twice a year, either in person, electronically or via telephone. Additional meetings shall be scheduled as considered necessary by the committee. The required meetings shall be prior to the commencement of the annual financial statement audit and after the completion of fieldwork but prior to the issuance of the consolidated audit report.

The committee shall request members of management, counsel, and external auditors, as applicable, to participate in committee meetings, as necessary, to carry out the Committee's responsibilities. The committee may invite other interested parties or advisors to attend the Committee meetings to present information, provide guidance, or answer questions before any Committee deliberations or voting begins. The Committee will ensure that only independent Directors participate in any Committee deliberations or voting.

Periodically, and at least annually, the committee shall meet in private sessions with only the committee members. It shall be understood that meetings between the committee and/or the committee chair with external auditors or counsel may, at any time, be deemed necessary, with or without management's attendance. In any case, the committee shall meet in executive sessions separately with external auditors, at least annually.

### **RESPONSIBILITIES:**

These responsibilities include but are not limited to the following items:

1. Completion of an annual audit of financial statements
2. Monitoring of the organizational accounting and financial reporting
3. Review of internal control processes and related policies and procedures
4. Identifying and managing risks



## Audit Committee Description and Charter

More specifically, the Audit Committee shall:

1. Recommend appointment, retention and termination of the independent auditor to the Board of Directors. On behalf of the Board, the committee shall oversee the independent auditor, including the terms of engagement and the resolution of any disagreements between management and the independent auditor regarding financial reporting, and any restrictions on the scope of the auditor's activities or access to requested information. The independent auditor shall report directly to the Committee.
2. Prior to commencement of work, meet with the auditor to review the compensation, the terms of its engagement, its independence, its most recent peer review and the scope of the audit to be conducted. Provide a clear understanding to the independent auditor that the auditor is accountable to the committee and, ultimately, the Board. Any findings or potentially damaging circumstances that may adversely affect the reputation of the FCCC shall be brought to the attention of the Board of Directors.
3. Pre-approve all audit and non-audit services performed by the independent auditor or any party performing such services.
4. Annually, confirm with the independent auditor its independence delineating all its relationships and professional services with the FCCC (verbal or in writing). In addition, review with the independent auditor the nature and scope of any disclosed relationships or professional services and take appropriate action to ensure the continuing independence of the independent auditor.
5. Review and discuss with the independent auditor any material risks and weaknesses in internal controls identified by the auditor and the adequacy of the FCCC accounting and financial reporting processes.
6. Review the procedures for the receipt, retention and treatment of complaints received regarding accounting, internal controls or audit matters; and the confidential anonymous submission by staff and volunteers of concerns regarding questionable activity related to financial internal controls, audit, illegal activity, accounting issues, and related matters.
7. Review with Legal counsel any matters that may have a material impact of the financial statements.
8. Institute and oversee any special investigatory work and non-audit services as needed, and assure responses to reports issued.
9. Oversee the adoption, implementation of, and compliance with the Conflict of Interest Policy and the Whistleblower Protection Policy. Recommend revisions to the Board as needed. Review disclosed or potential conflict of Interest transactions in accordance with the applicable Policy.
10. Review FCCC policies assigned to the Audit Committee and recommend new policies and appropriate revisions to current policies to the Board of Directors.
11. At least annually, report its activities and findings to the Board of Directors.
12. At least annually, meet outside the presence of management to facilitate direct conversation with the auditors.
13. Operate under a charter and review annually for adequacy and recommend any



## Audit Committee Description and Charter

necessary changes for approval to the Board of Directors.

14. Accomplish additional tasks as charged by the Chair of the Board of Directors.

**COMMITTEE REPORTS:** The committee, through the committee Chair, shall report periodically, as deemed necessary, but at least annually, to the Board of Directors. In addition, summarized minutes from Committee meetings, shall be available to each board member at least one week prior to the subsequent Board of Directors meeting.

The minutes shall include an attendance record, a copy of the agenda and a report of committee discussions with documented recommendations and decisions.

### **RFP Procedure**

When the Audit Committee decides it is cost beneficial to issue an RFP, the Committee will follow the predefined procedures and weighted scoring model for the RFP.

FCCC staff will gather information in accordance with the weighted scoring model and present the results to the Audit Committee. The Audit Committee will review this information with the FCCC staff, participate in interviews, and recommend a selection to the FCCC Board of Directors.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the Committee. This includes Committee documentation, communication and coordination utilizing FCCC standard Committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considered during their performance review.

### **Amendments**

Amendments to this charter may be proposed by the Budget & Finance Committee and then approved by the FCCC Board of Directors.

**Approval Date:** May 30, 2019

**Effective Date:** May 30, 2019

**Last Review Date:** May 30, 2019

**Sunset Date:** TBD



## Budget and Finance Committee Charter

**DESCRIPTION:** The Budget & Finance Committee provides oversight and direction in working to ensure that the FCCC is in good financial health, that its assets are protected, and the FCCC's resources are used appropriately and accounted for sufficiently. This includes oversight over all FCCC financial records which include: Florida Court Clerks & Comptrollers, CiviTek, and CiviTek National.

**AUTHORITY:** The Budget & Finance Committee aligns with FCCC Strategic Plan Goals & Objectives, and all actions are consistent with FCCC Bylaws and FCCC Board policies each program year. The Committee adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Budget & Finance Committee will consist of elected Clerks and Comptrollers each program year who will each serve for a term in accordance with the standard FCCC program year of July 1 – June 30. The FCCC Treasurer shall serve as the Vice Chair of the Committee. The Chair is selected by the FCCC President. The committee shall include at least five members, but not more than seven. The following members are required: FCCC Treasurer, CiviTek Treasurer, CiviTek National Inc. Treasurer. At least one member must be a Certified Public Accountant. All other members will be named by the Chair and Vice Chair.

**MEETINGS:** Meets at least four times during the year. Required meetings include: Budget development/recommendation in March through May, semiannual operating performance and investment performance in October and April, 990 tax filing approval and financial policy review in December. Additional meetings may be called throughout the year to discuss financial matters.

### **RESPONSIBILITIES:**

1. Review monthly financial reports and prepare to discuss with the Board any variances.
2. Assist the FCCC professional team with the development of the tentative annual budget for the forthcoming year.
3. Approve the annual budget prior to being presented to any applicable committees, the Board and membership for final approval.
4. Monitor the disbursement of funds as approved in the annual budget.
5. Review investment reports on a quarterly basis to ensure funds are invested in accordance with the Investment Policy.
6. Annually present the investment performance results to the Board.



## Budget and Finance Committee Charter

7. Annually review all financial policies.
8. Ensure Board financial policies are being followed and recommend new policies or policy updates to the FCCC Board of Directors.
9. Review any IRS Form 990's before being presented to the Board for approval and ensure timely filing.
10. Determine and recommend to the Board of Directors the amount of annual dues and special assessments of the FCCC.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the Committee. This includes Committee documentation, communication and coordination utilizing FCCC standard Committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considered during their performance review.

### **Related Financial Policies:**

Financial policies the committee shall review include, but are not limited to:

- Contract & Purchasing
- Reserves
- Investment
- Budget
- Travel Reimbursement

### **Amendments**

Amendments to this charter may be proposed by the Budget & Finance Committee and then approved by the FCCC Board of Directors.

**Approval Date:** May 30, 2019

**Effective Date:** May 30, 2019

**Last Review Date:** May 30, 2019

**Sunset Date:** TBD



## Nominating Committee Description and Charter

**DESCRIPTION:** The function of the Nominating Committee is to submit to the general membership nominations for the various offices and boards of the Florida Court Clerks & Comptrollers.

**AUTHORITY:** Per the FCCC Bylaws, Article X, Section 1, within its duties, the Nominating Committee shall meet with each individual being considered for nomination and discuss the duties and responsibilities of the office and determine the individual's availability and intent relative to the nomination. A sitting member of the Committee shall not be considered for nomination, with the exception that the outgoing President, the immediate past President or any former President may be considered for nomination to the Board of Directors, as prescribed for past presidents in Article V, Section 1. The Nominating Committee shall publish its report no later than thirty (30) days prior to the annual meeting. Additional nominations may be made from the floor by any regular member, until the President shall, upon vote of the Florida Court Clerks & Comptrollers, declare nominations to have ceased.

Per the FCCC Bylaws, Article X, Section 2, the election of officers shall take place at the annual meeting, at which time District Caucus selections shall be announced and ratified for the coming year.

Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** Per the FCCC Bylaws, Article X, Section 1, the committee is a standing committee and consists of the current President and one representative elected by each of the seven districts. The immediate Past President chairs the committee and the committee is to submit to the membership nominations for the various offices and boards of the FCCC.

### **RESPONSIBILITIES:**

1. Determines a method of selecting candidates to be nominated for FCCC officers
2. Notifies the FCCC membership of the nominating process, including providing clear deadlines for prospective nominees
3. Meets with each individual being considered for nomination and discusses the duties and responsibilities of the office and determines the individual's availability and intent relative to the nomination



## Nominating Committee Description and Charter

4. Selects candidate(s) for nomination and ratifies District Caucus results following the March 31 deadline for District Caucuses to meet
5. Publishes its report no later than 30 days prior to the annual meeting
6. Sees that the election of officers takes place at the annual meeting, at which time District Caucus selections shall be announced and ratified for the coming year
7. Makes recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.





## Legislative Committee Description and Charter

**DESCRIPTION:** The function of the Legislative Committee is to develop and promote a legislative program for each session of the Legislature that is reflective of the statutory requirements of the duties and responsibilities of the office. In addition, it is the responsibility of the committee to monitor the legislative process relative to proposed legislation that might present either a negative or positive impact on statutory functions and, in response, develop an appropriate agenda.

**AUTHORITY:** The Legislative Committee provides oversight in the development and implementation of the FCCC Legislative agenda for each Program Year. This agenda must be provided to the FCCC Board of Directors and subsequently to the full FCCC membership at Executive Session for approval each year. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** Per the FCCC Bylaws, Article VI, Section B., the Legislative Committee is a Standing Committee. The Legislative Committee shall consist of 17 members. Two members shall be elected from each of the seven FCCC Districts, one elected in even number years and one elected in odd number years, each to serve a two-year term on the committee. Members may be re-elected to succeed themselves at the discretion of their District. The incoming President shall appoint three members at large to the committee. The Chair of the Legislative Committee shall be appointed by the incoming President from the members of the committee and shall serve a one-year term. The chair may be appointed to succeed themselves. The President Elect shall be the vice chair of the Legislative Committee.

### **RESPONSIBILITIES:**

1. Monitors and responds to members needs in legal, regulatory and legislative issues.
2. Makes recommendations to the Board of Directors on needed changes to the bylaws, strategic plan, policies or legislation.
3. Studies and recommends policy and resolutions to the Board concerning legislative and government relations activities affecting the profession
4. Arranges for research and preparation of testimony for presentation before legislatures and government agencies.
5. Studies and generates grassroots support for and opposition to specific issues. Studies and recommends a program aimed at encouraging members to inform the public and key contacts on issues.



## Legislative Committee Description and Charter

6. Encourages members to arrange visits with legislators to become better acquainted with and discuss problems affecting the industry
7. Prepares and submits written statements to identified publics on matters affecting the industry
8. Studies and recommends programs on legislative matters at conferences and other meetings
9. Studies and informs the membership on actions or rulings and court decisions affecting the industry.
10. Develops key contacts that regular correspondence should be maintained
11. Develops key measurements to evaluate the success of the legislative program annually. These measurements may include the following: success or failures of legislative priorities, Clerk engagement in the legislative process, Clerk reporting, earned media opportunities and social media promotion
12. The committee consists of six workgroups: Bill Analysis, E-Wills, Pro Se, Budget Bill, Driver License Suspension Bill and Political Engagement. Reviews the work of these workgroups and makes recommendations on their activities to the Board of Directors.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Best Practices Committee Description and Charter

**DESCRIPTION:** The function of the Best Practices Committee is to identify and develop best business practices to enhance the services provided by the Clerks and Comptrollers to the public and increase standardization and efficiencies.

**AUTHORITY:** The committee provides oversight and direction in identifying and developing best practices.

A best practice typically begins with a need to improve a process or to address new requirements and responsibilities as a result of legislation or court rules. Clerks' staff, various Clerks' committees and workgroups, make their suggestions to the Best Practices Committee. The suggestions are reviewed to determine applicability for a best practice process and prioritized. Depending on the subject matter, experts and workgroups assist during the development process. A draft practice is circulated before it is approved by the Committee.

The FCCC Board of Directors approves the best practice for distribution to the Clerks' and Comptrollers' offices. The best practice is also sent out as an Advisory Bulletin and posted on the FCCC website for easy access by all offices.

Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Best Practices Committee is a Special committee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The chair of the committee shall be appointed by the FCCC President.

### **RESPONSIBILITIES:**

1. Identifies and develops best practices to enhance the services provided by Clerks and Comptrollers
2. Identifies inconsistencies in processes and recommends best practices to increase standardization and efficiency
3. Reviews and updates best practices to ensure they are current with business practices and legislation
4. Provides direction for best practice trainings at regional trainings, conferences and via WebEx meetings.
5. Promotes and encourages the use of best practices in Clerks' offices statewide



## Best Practices Committee Description and Charter

6. The committee consists of four subcommittees: Process Standardization, Court Operations/Rules Review, Self Help/Pro Se and Comptroller Subcommittees.
7. Make recommendations to the FCCC Board of Directors on changes to the strategic plan, bylaws, policies and legislation.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Court Operations Subcommittee Description and Charter

**DESCRIPTION:** The Court Operations Subcommittee recommends statewide policy direction and coordination relative to the court-related operations within the offices of Clerks and Comptrollers. This could include direct mandates from the Florida Legislature, Supreme Court and other Clerk partner agencies or offices.

**AUTHORITY:** The Court Operations Subcommittee works under the direction of the Best Practices Committee and provides executive level oversight and policy direction for statewide court-related activities. Adheres to Board-approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Best Practices Committee

**TERM AND COMPOSITION:** The Court Operations Subcommittee is a Special subcommittee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The FCCC President also selects a chair and vice chair of the committee.

### **RESPONSIBILITIES:**

1. The Court Operations Subcommittee members should be well-versed in the overall court-related activities of the Clerk's office and seek to address each court-related issue using the following criteria:
  - a. Support of statewide standardization when possible
  - b. Consider the efficient use of technology, budget and resources.
2. Makes recommendations to Best Practices Committee on changes to office operations, strategic plan, policies or legislation.
3. Workgroups: This subcommittee has two workgroups.
  - a. Distribution Schedule Workgroup. This workgroup is comprised of staff from the office of each subcommittee member. They review the changes needed to the Schedule annually in relation to legislation or policy, or as often as needed in order to keep it current. The workgroup makes a report to the subcommittee annually in order approve the new schedule for an upcoming fiscal year, or as needed in order to keep the schedule current.



## Court Operations Subcommittee Description and Charter

- b. Rules Review Workgroup. This workgroup is comprised of Clerk's attorneys who are members of the various Florida Bar Rules Committees. The attorneys represent the Clerks' offices in a statewide capacity and attend Florida Bar Rules Committee and Subcommittee meetings. The workgroup may appoint a spokesperson and make regular reports at the quarterly Court Operations Subcommittee meetings. In the event a rule is in need of response by the Association, the Court Operations Chair can convene a meeting for the purpose of hearing the issue from the Rules Review Workgroup and passing the issue to the Best Practices Committee and beyond in a fast-track manner.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Self Help/Pro Se Subcommittee Description and Charter

**DESCRIPTION:** The Self Help/Pro Se Subcommittee recommends statewide policy direction and coordination relative to the court-related operations relating to the assistance provided to pro se litigants within the offices of Clerks and Comptrollers. This could include direct mandates from the Florida Legislature, Supreme Court and other Clerk partner agencies or offices.

**AUTHORITY:** The Self Help/Pro Se Subcommittee works under the direction of the Best Practices Committee and provides executive level oversight and policy direction for statewide self help/pro se-related activities. Adheres to Board-approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Best Practices Committee

**TERM AND COMPOSITION:** The Self Help/Pro Se Subcommittee is a Special subcommittee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The FCCC President also selects a chair and vice chair of the committee.

### **RESPONSIBILITIES:**

1. The Self Help/Pro Se Subcommittee members should be well-versed in the self-represented litigant activities and assistance provided by the Clerk's office and seek to address each related issue using the following criteria:
  - a. Support of statewide standardization when possible
  - b. Always consider the efficient use of available technology, budget and resources
  - c. Stay abreast of self represented litigant/pro se initiatives in Florida and nationally.
2. Implements parts of the strategic plan in support of the Best Practices Committee.
3. Makes recommendations to Best Practices Committee on changes to office operations, strategic plan, policies or legislation.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Comptroller Subcommittee Description and Charter

**DESCRIPTION:** The purpose of the Comptroller Subcommittee is to focus on issues related to the duties of the Comptroller and assists in promoting the role of the Comptroller.

**AUTHORITY:** The Comptroller Subcommittee works under the direction of the Best Practices Committee and provides oversight in dealing with issues related to the duties of the Comptroller and assists in promoting the role of the Comptroller. Adheres to Board-approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Best Practices Committee

**TERM AND COMPOSITION:** The Comptroller Subcommittee is a Special subcommittee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term.

### **RESPONSIBILITIES:**

1. Analyze issues related to the duties of the Comptroller
2. Assists in promoting the role of the Comptroller
3. Develops best practices/standardized processes for recommendation to the Committee as pertains to Comptrollers
4. Develop a list of resources available from the FCCC including which clerks serve the comptroller function
5. The committee consists of one workgroup: Guardianship. Reviews the work of this workgroup and makes recommendations on their activities to the Board of Directors.
6. Make recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC PROFESSIONAL TEAM SUPPORT:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.





## Education Committee Description and Charter

**DESCRIPTION:** The purpose of the Education Committee is to meet the association's education needs in an innovative and accountable manner by assessing, developing, evaluating, improving and implementing statewide educational programming through a variety of mediums that maximize program dollars, feature timely topics and promote attainment of professional education credit.

**AUTHORITY:** The Education Committee provides oversight and policy direction for the education and training for Clerks and Comptrollers and their staff, related to the duties and responsibilities of the office. The FCCC Education Program is developed in compliance with s. 145.051(2), F.S., and is sponsored and conducted by the FCCC Education Committee as a service to the membership.

The program has been developed as a multi-disciplinary curriculum designed to address the various management, operational, and technical training requirements of the Clerks/Comptrollers and their employees. Program objectives are achieved through three training methods: conferences, seminars, regional trainings and webinars. The curriculum provides Clerks the opportunity to satisfy the specific statutorily mandated continuing education for investments and ethics as well as training for all constitutional and statutory duties.

Program efforts of the Education Committee are undertaken through funding from the FCCC, Clerks of Court Operations Corporation (CCOC), the Florida Trust, partner sponsorships and participant registration fees.

Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Education Committee is a Special Committee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. Per the FCCC Bylaws, Article IV, Section 2.C., should the President establish the Education Committee, the Vice President shall be the chair.

### **RESPONSIBILITIES:**

1. Provides oversight in the development and implementation of a program of education and training for Clerks and Comptrollers and their staff related to the duties and responsibilities of the office



## Education Committee Description and Charter

2. Determines the needs and interests of the membership for educational services, programs and materials
3. Determines and implements the means through which the FCCC can meet the educational needs and interests of the membership
4. Recommends to the FCCC Board of Directors policies and procedures to guide the education programs
5. Arranges for research pertinent to the development and improvement of specific activities within the education programs
6. The committee consists of two subcommittees: New Clerk Academy and Conference Subcommittees
7. Makes recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considered during their performance review.



## Conference Subcommittee Description and Charter

**DESCRIPTION:** The purpose of the Conference Subcommittee is to provide forethought, oversight and assist the professional team with the architecture and development of future FCCC conferences while aligning with the President and President Elect and FCCC's strategic initiatives.

**AUTHORITY:** The Conference Subcommittee works under the direction of the Education Committee while staying aligned with FCCC's current and incoming Presidents. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Education Committee

**TERM AND COMPOSITION:** The Conference Subcommittee is a Special subcommittee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. Per the FCCC Bylaws, Article IV, Section 2.E., should the President establish a Conference Committee, the Secretary shall be the chair.

### **RESPONSIBILITIES:**

1. Provides oversight for the logistical development, promotion and application of impending conferences tailored to meet the needs of the Clerks and Comptrollers
2. Makes recommendations on the selection process for future conference locations based upon a comprehensive review all factors to best serve the Clerks and Comptrollers
3. Assists with developing the structure for selecting speakers for future conferences, including keynotes, special guests and honorees
4. Reviews conference evaluations and makes recommendations to further improve future conference experiences
5. Assists with recruiting Clerk ambassadors from host counties to support conference activities
6. Makes recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## New Clerk Academy Subcommittee Description and Charter

**DESCRIPTION:** The New Clerk Academy Subcommittee provides oversight in the development of a training curriculum for newly elected Clerks and Comptrollers. This curriculum provides training for core functions of the Clerk and Comptroller along with management approaches and leadership development in a rapidly changing environment. The academy provides new Clerks and Comptrollers up to 180 continuing education credits of the 240 credit hours as required by the December 1996 Supreme Court Administrative Order for the designation as certified Clerk of Court.

**AUTHORITY:** The New Clerk Academy Subcommittee works under the direction of the Education Committee and provides oversight for the New Clerk Academy in accordance with the Supreme Court Administrative Order issued in December of 1996.

Every two years, if applicable, the FCCC conducts a New Clerk Academy for newly elected Clerks and Comptrollers. The Academy is authorized by Chapter 80-377, Laws of Florida, which amended s. 145.051, F.S. This law directed the Florida Supreme Court to create and implement a certification program for the elected Clerks and Comptrollers.

Adheres to Board approved policies and standards and is conscious of good stewardship.

**REPORTS TO:** FCCC Education Committee

**TERM AND COMPOSITION:** The New Clerk Academy Subcommittee is a Special subcommittee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The FCCC President also selects a chair and vice chair of the committee.

### **RESPONSIBILITIES:**

1. Provides oversight in the development and implementation of a program of education and training for newly elected Clerks and Comptrollers related to the duties and responsibilities of the office in accordance with the Supreme Court Administrative Order issued in December of 1996.
2. Develops and manages a New Clerk Academy Education Plan for newly elected Clerks and Comptrollers in compliance with the Supreme Court Administrative Order and the FCCC Education Policy and Guidelines for Clerks and Comptrollers initial certification.
3. Assists with assessing the needs and interests of the membership for educational services, programs and materials related to the New Clerk Academy.



## New Clerk Academy Subcommittee Description and Charter

4. Reviews historical data and makes recommendations to further improve opportunities to meet the educational needs for the New Clerk Academy.
5. Makes recommendations to the Education Committee on changes to the bylaws, strategic plan, policies and legislation.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Communications Committee Description and Charter

**DESCRIPTION:** The function of the Communications Committee is to develop and implement programs for the enhancement of public perception of the duties and responsibilities of the offices of Clerk and Comptroller, and provide a means of information flow relative to the activities of the association and the membership.

**AUTHORITY:** The committee provides oversight and policy direction for FCCC's communication initiatives. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Communications Committee is a Special Committee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. Per the FCCC Bylaws, Article IV, Section 2.E., should the President establish a Communications Committee, the Secretary shall be the chair.

### **RESPONSIBILITIES:**

1. Provides oversight for the development and implementation programs for the enhancement of public perception of the duties and responsibilities of the offices of Clerk and Comptroller.
2. Coordinates the development of standardized messaging to align and support the legislative committee and Clerks' legislative agenda.
3. Promotes Clerks through creative branding, specific messaging, social media, strategic partnerships and educational outreach.
4. Provides direction for the contracting of outside technical or professional expertise as may be necessary.
5. Assists in the development of marketing and promotion efforts of all activities of the FCCC
6. Studies and recommends policy relating to conducting an effective and continuing public relations program to translate into the nature and activities and aims of the profession/industry and achieve favorable public recognition.
7. Studies and arranges for obtaining factual background data through research to determine existence of problems, establish a base to measure progress, set priorities and identify publics at which to direct the program
8. Provides oversight in the development of media training for members
9. Provides oversight in the development of sample materials for Clerks to use in local areas



## Communications Committee Description and Charter

10. Submits to Board and Membership an overall report on accomplishments of the program and indicate immediate and future goals
11. Works with other committees in coordinating marketing and public relations activities with and for members
12. Make recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Strategic Planning Committee Description and Charter

**DESCRIPTION:** The function of the committee is to develop and implement both a short and long-term strategic agenda to address issues of concern relative to the enhancement of the public, statutory and constitutional positions of the offices of Clerk and Comptroller.

**AUTHORITY:** Per the FCCC Bylaws, Article VI, Section D., the committee chair shall call a Strategic Planning Committee meeting as soon as possible after the installment of the next appointed slate of Executive Committee officers, and prior to the first regularly scheduled Executive Session of the Florida Court Clerks & Comptrollers for the ensuing year, for the purpose of organizing the committee and conducting such business as the committee members may feel necessary to accomplish the purpose of the committee and the Florida Court Clerks & Comptrollers. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** Per the FCCC Bylaws, Article VI, Section D., the Strategic Planning Committee is a Standing Committee. The Committee shall consist of all former presidents of the Florida Court Clerks & Comptrollers, the current President, President Elect, Vice President, Treasurer and Secretary, the Chair of the Clerks of Court Operations Corporation and the Chair of the FACC Services Group, LLC (CiviTek). The chair shall be appointed by the President. The term for each member is for one-year term coinciding with the FCCC Program Year.

### **RESPONSIBILITIES:**

A strategic plan is an essential element for a successful organization as it positions the organization, guides it through successive volunteer leaders, advises committees and gives purpose as to why members belong to the FCCC.

1. Adopts a strategic planning process
2. Adopts a strategic plan that positions the FCCC into the following core components: vision statement, mission statement, major strategic objectives and critical milestones with deadlines, accountabilities and action plans
3. Sees that the strategic plan is updated every three years and reviewed at board meetings and updated every year.
4. Incoming President serves as the "Plan Champion" who monitors the plans progress
5. Committees/staff and others assigned action plans report regularly on their progress
6. Communicates regularly internally and externally progress on the website, press releases articles, etc.





## Strategic Planning Committee Description and Charter

7. Translates the plan into business plans where necessary and revise budgets as needed
8. Recommends sun setting unnecessary committees and staff that are not aligned with major goals. Conversely align committees, volunteers, staff and consultants to accomplish the plan.
9. Makes recommendations to the Board of Directors on needed changes to Bylaws, policies and legislation.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Bylaws Committee Description and Charter

**DESCRIPTION:** The Bylaws Committee is charged with reviewing the FCCC Bylaws and making recommendations for modifications or changes when deemed appropriate.

**AUTHORITY:** The committee may make recommendations to the FCCC Board of Directors on any modifications or changes to the FCCC Bylaws. Per the FCCC Bylaws, Article XI, the bylaws may be amended by a majority vote of a quorum present and voting at any Executive Session (as prescribed in Article IX, Section 2) or Annual Meeting, providing that a copy of any proposed amendment of the constitution shall have been sent to all regular members at least two (2) weeks prior to such Executive Session or Annual Meeting. A quorum for the purposes of amending the constitution shall be at least two-thirds (2/3) of the full membership of the Florida Court Clerks & Comptrollers. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Bylaws Committee is a Special Committee and consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The chair of the committee shall be appointed by the FCCC President.

**RESPONSIBILITIES:**

1. Reviews the Constitution and Bylaws at a minimum annually for needed changes to comply with rules, regulations and law
2. Recommends revisions based on the FCCC Strategic Plan
3. Makes recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

**FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Clerk Partners Committee Description and Charter

**DESCRIPTION:** The Clerk Partners Committee provides oversight and direction in identifying and addressing issues at the local and state level related to the many entities that Clerks interact with on a regular basis as part of their duties performed in serving as Clerks and Comptrollers.

**AUTHORITY:** The Clerk Partners Committee assists in developing strategic policy and a plan of action for short and long-term interactions and coordination with Clerk partners, such as the judiciary, constitutional officers, state agencies, etc. Adheres to Board approved policies and standardizations, and is conscious of good stewardship.

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** The Clerk Partners Committee is a Special Committee consists of elected Clerks and Comptrollers, as chosen by the sitting FCCC President each program year for a one-year term. The FCCC President also selects a chair and vice chair of the committee.

### **RESPONSIBILITIES:**

1. Develops a plan and action and methodology for addressing issues when interacting with Clerk partners
2. Protects the role of the elected Clerk and Comptroller and preserves the current duties while addressing issues with Clerk partners
3. Serves as liaison between Florida's constitutional officers and other relevant entities such as the judiciary, state agencies, etc.
4. Assists in identifying relevant Clerk partner speakers for engagement and training opportunities at future FCCC conferences and other events
5. Assists with the development of Memorandums of Understanding agreements or other agreements with partners to affirm relationships
6. Makes recommendations to the FCCC Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## Strategic Technology Committee Description and Charter

**DESCRIPTION:** The function of the Strategic Technology Committee is to provide policy direction and coordination relative to the application of technology within the offices of Clerks and Comptroller. This could include direct technical mandates from the Florida Legislature, Supreme Court and other Clerk Technology Stakeholders.

**AUTHORITY:** The committee provides executive level oversight and policy direction for FCCC sponsored statewide applications such as CLERC, TCATS and CCIS. (The Florida Courts E-Filing Portal has its own oversight board named the Florida Courts E-Filing Authority). The committee adheres to Board-approved policies and standardizations, and is conscious of good stewardship.

A technology issue typically begins with a need to improve a process or to address new requirements and responsibilities, or implement new standards as a result of legislation or court rules. Clerks' staff, various Clerks' committees and workgroups, make their suggestions to the Strategic Technology Committee. The suggestions are reviewed to determine applicability for a 'technology analysis and review' by the Clerk Technology Group Workgroup and are prioritized. The subject matter experts and workgroups assist during the analysis process. A draft technology recommendation is circulated before it is approved by the Committee.

The Strategic Technology Committee seeks to provide policy guidance to Clerk technology issues with an emphasis on collaboration with internal and external Clerk stakeholder agencies and entities. These include but are not limited to:

- Florida Legislature
- Florida Supreme Court/Florida Courts Technology Commission (FCTC)
- Florida Department of Law Enforcement/CJJIS Council
- Florida Courts E-Filing Authority
- Florida Department of Revenue (CLERC)
- Florida Department of Highway Safety and Motor Vehicles (TCATS)
- CiviTek Board of Managers (Contracted to provides services to FCCC)

**REPORTS TO:** FCCC Board of Directors



## Strategic Technology Committee Description and Charter

**TERM AND COMPOSITION:** The Strategic Technology Committee consists of elected Clerks and Comptrollers as chosen by the sitting FCCC President each program year for a one-year term. The FCCC President also selects a chair and vice chair of the committee. Per the Florida Courts E-Filing Authority Interlocal Agreement, Article 3.1, the chair also serves as the chair of the Florida Courts E-Filing Authority Board of Directors. The chair of the Strategic Technology Committee will also appoint a committee member to act as the sponsor for the Clerk Technology Workgroup.

### **RESPONSIBILITIES:**

1. The Strategic Technology Committee members should be well-versed in the overall technology environment of the Clerk's office and seek to address each technology issue using the following criteria:
  - a. Optimizing Existing Technology when possible
  - b. Support of Statewide Standardization when possible
  - c. Always Consider the Efficient use of Available Technology Budget and Resources
  - d. Promote Technology Innovation and Adoption of New Technologies to stay ahead of the technology curve
  - e. Alignment with the FCCC I&T Strategic Plan
2. Provides regular updates to the FCCC I&T Strategic Plan and implements parts of strategic plan that are IT related.
3. Aligns I&T Strategic Plan with the FCCC Strategic Plan and implements the elements of the I&T Strategic Plan
4. Consults with and advises appropriate administrative officers on budget and resource allocation matters including charges and funding sources for information technology services.
5. The committee has four workgroups:
  - a. CMS Vendor Workgroup, which consists Clerks Office representatives who also chair the various Vendor User Groups or are the subject matter expert for an in-house developed CMS or a one-office CMS Vendor. This workgroup will communicate progress of Vendor CMS updates that are being done to comply with statewide initiatives, collaborate on implementation issues and ideas, and coordinate these initiative implementations between the vendors and the goals of the STC.
  - b. Clerk Technology Group (CTG) Workgroup, which consists of subject matter experts who develop, recommend, and update the FCCC I&T Strategic Plans, provide standards, white papers, recommendations, review, and analysis for the



## Strategic Technology Committee Description and Charter

- technology initiatives that come before this committee. The CTG reports to the Committee.
- c. CCIS Workgroup, which consists of Clerk's Office CCIS subject matter experts who understand CCIS interfaces and are interested in the goals and outcomes of the CCIS product, including CiviTek staff who work on the CCIS application. This group will evaluate Interface Control Document (ICD) requirements, quality, and outcomes and help set priorities and CCIS version release schedules.
  - d. Data Quality Management (DQM) Workgroup, the workgroup's purpose is to identify and address opportunities to improve and maintain the overall quality, availability, and security of the court case information submitted by each Clerk's office to the CCIS repository. The workgroup will recommend data quality policies, procedures, and best practices, facilitating confidence and trust in the CCIS repository as the single point of search for statewide court case information.
6. Make recommendations to Board of Directors on changes to the bylaws, strategic plan, policies or legislation

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team are assigned to provide subject matter expertise and support to the committee. This includes committee documentation, communication and coordination utilizing FCCC standard committee processes and tools.

The Committee Chair will evaluate the Professional Team staffing annually. This evaluation will be included in the Professional Team's file and considering during their performance review.



## FCCC District Caucus Description and Charter

**DESCRIPTION:** The Florida Court Clerks & Comptrollers Board of Directors is partially comprised of seven Directors elected at regional District Caucuses as described in the FCCC Bylaws. These District Caucuses are used to elect the Directors as well as other members of various FCCC Boards and Committees. Each Director is elected to serve as a representative for the District Caucus and consults with the district's members in order to provide direction for the full FCCC Board of Directors.

**AUTHORITY:** Per the FCCC Bylaws, Article V, Section 1, seven Board members will be elected from their district at a caucus held prior to March 31 of each year by the regular members of each district. The FCCC Districts shall consist of the following counties:

- **District I:** Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun and Gulf
- **District II:** Leon, Wakulla, Jefferson, Madison, Taylor, Suwannee, Lafayette, Gadsden, Liberty and Franklin
- **District III:** Bradford, Clay, St. Johns, Putnam, Columbia, Hamilton, Baker, Union, Nassau and Duval
- **District IV:** Lake, Gilchrist, Dixie, Alachua, Marion, Levy, Citrus, Hernando and Sumter.
- **District V:** St. Lucie, Okeechobee, Volusia, Flagler, Seminole, Orange, Brevard, Osceola and Indian River
- **District VI:** Pasco, Polk, Hillsborough, Pinellas, Manatee, Hardee, Sarasota, DeSoto and Highlands
- **District VII:** Charlotte, Glades, Palm Beach, Martin, Hendry, Lee, Collier, Broward, Monroe and Dade

Each District Caucus is also required to elect members to the following Boards and Committees: CiviTek Board of Managers (1 member), Florida Courts E-Filing Authority Board (1 member), Nominating Committee (1 member) and Legislative Committee (2 members).

**REPORTS TO:** FCCC Board of Directors

**TERM AND COMPOSITION:** Members of each District Caucus consist of the elected Clerks and Comptrollers as listed above. Each District Director is elected for a one-year term. The District Director shall serve as chair of the District Caucus.



## FCCC District Caucus Description and Charter

### **RESPONSIBILITIES:**

1. District Caucuses will elect a District Director to serve on the FCCC Board of Directors annually
2. The District Director will serve as chair of the District Caucus, serve as a representative for the District Caucus and consults with the district's members in order to provide direction for the full FCCC Board of Directors
3. The District Director will communicate with District Caucus members as needed to keep them informed on Board actions and any pertinent issues impacting all Clerks
4. The District Director, with the assistance of the FCCC professional team, will convene District Caucus meetings, as needed, and will at least meet annually before March 31 to elect FCCC Board and Committee representatives. All elected representatives will assume their positions beginning on July 1 of each year to align with the FCCC fiscal year, unless a vacancy occurs before July 1
5. The current FCCC President may attend and participate in all District Caucus meetings
6. The District Director will be responsible for replacing district representatives to FCCC Boards and Committees if a vacancy occurs. If the vacancy occurs before the annual election, a special election will be called to fill the vacancy. If the vacancy occurs following the election, the District Director may choose to appoint the representative elected at the District Caucus for the remainder of the current term. Such votes may be done via e-mail.
7. Elects a District representative to the CiviTek Board of Managers for a two-year term
8. Elects a District representative to the Florida Courts E-Filing Authority Board for a one-year term
9. Elects a District representative to the Nominating Committee for a one-year term
10. Elects two District representatives to the Legislative Committee for a two-year term on a staggered term schedule
11. Although District Caucus meetings may ideally be scheduled as in-person meetings, the FCCC Professional Team will provide other alternatives such as conference calls or online meetings.

### **FCCC Professional Team Support:**

Members of the FCCC Professional Team, including the FCCC Chief Executive Officer and Director of Administrative and Member Services, are assigned to provide support to each District Caucus. This includes documentation, communication and coordination, utilizing FCCC standard processes and tools. The FCCC Professional Team will coordinate with the District Director and FCCC President in scheduling the date and location for the annual District Caucus meeting.





# FCCC ADVISORY

## Approved FCCC Committee Charters

No. 19-058

**Date:** July 17, 2019

**Contact:** Sean Hudson

**Category:** FCCC Governance

**Telephone:** (850) 921-0808

**Page:** 1 of 1

**E-mail:** [shudson@flclerks.com](mailto:shudson@flclerks.com)

The Florida Court Clerks & Comptrollers Board of Directors approved the FCCC Committee Charters during their June 24, 2019, meeting. The charters are attached for reference.

These FCCC Committee Charters were developed in the beginning of the 2018-19 FCCC Program Year and have been reviewed by FCCC Committee Chairs, Members and the FCCC Board of Directors throughout the year. Although the Board of Directors has reviewed and approved the Committee Charters, all FCCC Committees will be asked to review the Charters at the beginning of the 2019-20 FCCC Program Year and propose any recommended changes to the Board of Directors, if needed.

All FCCC Committee Charters and other governance documents can be accessed on the [FCCC website on the FCCC Governance and Policies page](#).

**From:** Sean Hudson <shudson@flclerks.com>  
**Sent:** Monday, July 22, 2019 4:23 PM EDT  
**Subject:** Advisory - 19-060 - Federal subpoenas being issued regarding SB7066/Amendment 4  
**Attachment(s):** "19bull060.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Federal subpoenas being issued regarding SB7066/Amendment 4.**

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks	<b>Category:</b>	Clerk Administration
<b>Priority:</b>	High	<b>Action required:</b>	Please notify <a href="#">Chris Hart</a> if you have been served so a uniform response can be provided and limit the demands as much as possible on the Clerks.
<b>Executive Summary:</b>	Florida's Clerks may have been served today with subpoenas for deposition and to produce documents in the Federal case being brought to challenge the constitutionality of Senate Bill 7066, which was enacted by the 2019 Florida Legislature to implement recently adopted Amendment 4 to the Florida Constitution. This was the "Voting Restoration Amendment" that was placed on the 2018 General Election ballot by the Constitution Revision Commission to allow former felons who have "completed all conditions" of their sentence to register to vote. FCCC General Counsel has been asked to review the demands and advise how Clerks should best respond.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**SEAN C. HUDSON**, *Director of Administration & Member Services*  
 Phone (850) 921-0808  
 SHudson@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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# FCCC ADVISORY

## Federal subpoenas being issued regarding SB 7066/Amendment 4 No. 19-060

**Date:** July 22, 2019

**Contact:** Chris Hart

**Category:** Clerk Administration

**Telephone:** (850) 921-0808

**Page:** 1 of 1

**E-mail:** [chrishart@flclerks.com](mailto:chrishart@flclerks.com)

Florida's Clerks may have been served today with subpoenas for deposition and to produce documents in the case of Jones vs. DeSantis, Civil Action No. 4:19-cv-300, now pending in the U.S. District Court for the Northern District of Florida. This is a case being brought to challenge the constitutionality of Senate Bill 7066, which was enacted by the 2019 Florida Legislature to implement recently adopted Amendment 4 to the Florida Constitution. This was the "Voting Restoration Amendment" that was placed on the 2018 General Election ballot by a citizen petition initiative process to allow former felons who have "completed all conditions" of their sentence to register to vote.

The subpoenas are requiring appearance for deposition and to produce voluminous records. While we do not know the extent of the intended subjects of the deposition, the document production requires records and communications regarding implementation of Amendment 4, as well as SB 7066. Further, it requires all records and communications regarding the process for determining voter ineligibility because of outstanding or financial obligations related to prior convictions.

FCCC General Counsel has been asked to review the demands and advise how Clerks should best respond. We ask that if you have been served with these or similar subpoenas, please refrain from immediately responding and advise FCCC. We would like to have a uniform, if not joint, response to limit the demands as much as possible. It is FCCC's intent to provide further guidance later this week. The Federal Rules provide 14 days from the date of service for you to object to the production of documents request.

Please contact [Chris Hart](#) if you have any further questions or have been served regarding this case.

**From:** Sean Hudson <shudson@flclerks.com>  
**Sent:** Friday, August 02, 2019 4:58 PM EDT  
**Subject:** Advisory - 19-067 - Restoration of Voting Rights Task Force  
**Attachment(s):** "19bull067.pdf"

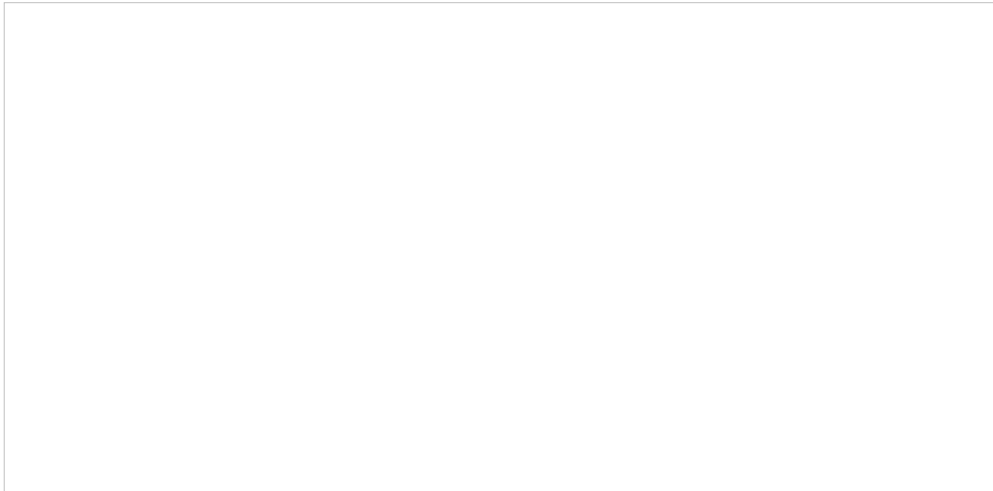
**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory Bulletin regarding **Restoration of Voting Rights Task Force**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration
<b>Priority:</b>	High	<b>Action required:</b>	None.
<b>Executive Summary:</b>	Governor Ron DeSantis today announced the appointments of Clerk JD Peacock II (Okaloosa) and Clerk Doug Chorvat Jr. (Hernando) to the State's Voting Rights Task Force, which is charged with reviewing the process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4.		

Thank you,





## FCCC ADVISORY

### **Restoration of Voting Rights Task Force**

**No. 19-067**

**Date:** August 2, 2019

**Contact:** Kimberly Renspie

**Category:** Clerk Administration,  
Communications

**Telephone:** (850) 921-0808

**Page:** 1 of 1

**E-mail:** [krenspie@flclerks.com](mailto:krenspie@flclerks.com)

Governor Ron DeSantis announced the appointments to the state's new Voting Rights Task Force today, which includes two Clerks of Court: the Honorable JD Peacock II (Okaloosa) and the Honorable Doug Chorvat Jr. (Hernando). This task force is a requirement within the language of Senate Bill 7066, which deals with the implementation of Amendment 4.

The bill establishes the task force within the Department of State (DOS), for the purpose of conducting a comprehensive review of DOS's process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4. The group must submit a report of its findings, conclusions, and recommendations to the President of the Senate and the Speaker of the House by November 1, 2019. The report is to include recommendations for consolidating data necessary to verify the eligibility of individuals for restoration of voting rights under Amendment 4, and for a process for informing such individuals about the custodians of information needed to verify eligibility. Following the report's submission, the workgroup is dissolved.

The governor also appointed the Honorable Chris Anderson, Supervisor of Elections in Seminole County, and the Honorable Vikki Cannon, Supervisor of Elections in Nassau County. The governor's press release can be found [here](#).

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Friday, August 16, 2019 1:58 PM EDT  
**Subject:** Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion  
**Attachment(s):** "19bull070.pdf"; "19bull070\_Attach\_1\_FACC opinion on Amendment 4 issues.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Legal Opinion**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legal opinion concerning several issues related to the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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**Memorandum**

**TO:** Chris Hart  
Florida Court Clerks & Comptrollers

**FROM:** Fred Baggett  
Hope Keating  
Mike Moody

**DATE:** July 26, 2019

**RE:** *Issues Pertaining to Restoration of Voting Rights*

---

***INTRODUCTION***

Amendment 4 to the Florida Constitution was passed by ballot initiative in 2018 and amended Article VI, Section 4, of the Florida Constitution. Article VI, Section 4, now provides in part that “any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.” Art. VI, § 4(a), Fla. Const.

**Implementing Legislation**

Chapter 2019-162 was passed by the Florida Legislature pursuant to Senate Bill 7066 and creates section 98.0751, Florida Statutes, effective July 1, 2019. Section 98.0751 provides in pertinent part:

- (2) For purposes of this section, the term:
- (a) “Completion of all terms of sentence” means any portion of a sentence that is contained in the four corners of the sentencing document, including, but not limited to:
1. Release from any term of imprisonment ordered by the court as a part of the sentence;
  2. Termination from any term of probation or community control ordered by the court as a part of the sentence;
  3. Fulfillment of any term ordered by the court as a part of the sentence;

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 2

4. Termination from any term of supervision, which is monitored by the Florida Commission on Offender Review, including, but not limited to, parole; and

5.a. Full payment of restitution ordered to a victim by the court as part of the sentence. A victim includes, but is not limited to, a person or persons, the estate or estates thereof, an entity, the state, or the Federal Government.

b. Full payment of fines or fees ordered by the court as a part of the sentence or that are ordered by the court as a condition of any form of supervision, including, but not limited to, probation, community control, or parole.

c. The financial obligations required under sub-subparagraph a. or sub-subparagraph b. include only the amount specifically ordered by the court as part of the sentence and do not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.

d. For the limited purpose of addressing a plea for relief pursuant to sub-subparagraph e. and notwithstanding any other statute, rule, or provision of law, a court may not be prohibited from modifying the financial obligations of an original sentence required under sub-subparagraph a. or sub-subparagraph b. Such modification shall not infringe on a defendant's or a victim's rights provided in United States Constitution or the State Constitution.

e. Financial obligations required under sub-subparagraph a. or sub-paragraph b. are considered in the following manner or in any combination thereof:

- (I) Actual payment of the obligation in full.
- (II) Upon the payee's approval, either through appearance in open court or through the production of a notarized consent by the payee, the termination by the court of any financial obligation to payee, including but not limited to, a victim, or the court.
- (III) Completion of all community service hours, if the court, unless otherwise prohibited by law or the State Constitution, converts the financial obligation to community service.

### **Questions Presented**



To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 3

In light of the amendment to Article VI, Section 4, and the new implementing language pertaining to “completion of all terms of sentence” as set forth above, you have posed the following questions:

1. Does the requirement of “completion of all terms of sentence” include any statutory interest?
2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by a clerk for the collection of fees, fines and court costs?
3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order?

Of course, the new constitutional amendment and the new statute will be subject to interpretation by the courts. To this end, case law and other interpreting authority does not yet exist. Nonetheless, you have asked us to analyze the new law in conjunction with existing Florida law and to provide our thoughts as to the questions posed. Our responses to the questions are as follows:

**1. Does the requirement of “completion of all terms of sentence” include any statutory interest?**

As set forth above, section 98.0751(2)(a) states that “completion of all terms of sentence” means full payment of restitution ordered to a victim by the court as a part of the sentence and full payment of fines or fees ordered by the court as a part of the sentence. § 98.0751(2)(a)5.a., and b., Fla. Stat. The statute goes on to state that such financial obligations “include only the amount specifically ordered by the court as part of the sentence and do not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.” § 98.0751(2)(a)5.c., Fla. Stat. The statute does not address interest, nor does it address what is meant by “any fines, fees, or costs.”

Pursuant to section 775.089, Florida Statutes – the criminal restitution statute – restitution may be ordered as part of a criminal sentence. § 775.089(1)(a), Fla. Stat. The outstanding unpaid amount of the restitution bears interest in accordance with section 55.03, Florida Statutes (the statutory interest statute). § 775.089(5), Fla. Stat. Thus, to the extent restitution is included in a criminal judgment sentencing order, interest accrues on such restitution pursuant to statute.

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

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As previously noted, there is no case law or other authority to provide guidance on this issue. Also, the Bill Analyses for CS/SB 7066, the implementing legislation, do not reference “completion of all terms of sentence.” However, we believe that on the issue of interest, section 98.0751 and section 775.089 must be read *pari materia*. “The doctrine of *pari materia* is a principle of statutory construction that requires that statutes relating to the same subject or object be construed together to harmonize the statutes and to give effect to the Legislature’s intent.” *E.A.R. v. State*, 4 So. 3d 614, 629 (Fla. 2009). Given the language in section 98.0751(2)(a) requiring full payment of restitution ordered as part of a sentence, and the language in section 775.089(5) mandating the accrual of interest on restitution, we believe that when read together a reasonable interpretation of the new law would be – and certainly an argument can be made – that statutory interest is an obligation incurred on the date restitution is ordered as a part of the sentence and, thus, payment of such interest is required to complete the sentence. Of course, the new law will be subject to future interpretation by courts and this has not yet occurred.

The new law also requires “[f]ull payment of fines or fees ordered by the court as a part of the sentence.” § 98.0751(2)(a), Fla. Stat. Section 938.30, Florida Statutes, provides that when a person is liable for payment of any financial obligation in a criminal case, the judgment setting forth such financial obligations “must secure all unpaid court-imposed financial obligations that are due . . . as well as *interest* and reasonable costs for issuing a satisfaction and recording the satisfaction in the official records.” § 938.30(8), Fla. Stat. (emphasis added). The Bill Analysis for CS/SB 7086, the companion legislation to CS/SB 7086, discusses “completion of all terms of sentence,” and while it does not state that interest is included within the meaning of that term, it acknowledges and quotes section 938.39(8) stating that a judgment on court-imposed financial obligations must secure “interest.”

Thus, to the extent that a fine, fee, or cost is made a part of the criminal judgment/sentencing order and interest is included in the judgment, we believe that a reasonable interpretation of the new law when read in *pari materia* with section 938.39 is – and an argument can be made – that payment of such interest is required to complete the sentence.

**2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by the clerk for the collection of fees, fines, and court costs?**

It is our understanding that a collection fee paid to a collection agent is a fee that is in addition to, and is added to the balance of, the unpaid financial obligations. § 28.246(6), Fla. Stat. It is further our understanding that such fee paid to a collection agent would necessarily accrue after the date the financial obligations of the sentence are ordered.

The new law provides that “completion of all terms of sentence” means payment of “only the amount specifically ordered by the court as part of the sentence and do[es] not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.” §

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98.0751(2)(a)5.c., Fla. Stat. As noted above, there is no authority interpreting the new law. However, given the plain language of the statute, we believe it is likely that a court would find that, unless otherwise specifically ordered in the criminal judgment, fees owed to a collection agent that are in addition to, and added to the balance of, the unpaid financial obligations would not be included in the definition of “completion of all terms of sentence.” *See Germ v. St. Luke’s Hosp. Ass’n*, 993 So. 2d 576 (Fla. 1st DCA 2008) (courts should give statutory language its plain and ordinary meaning, and may not add words that were not included by the legislature).

Such plain language interpretation is reinforced by case law stating that additional costs may not be added to a sentence after a defendant begins serving the sentence. *See Martinez v. State*, 91 So. 3d 878 (Fla. 5th DCA 2012).

**3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order?**

Florida case law indicates that statutory financial obligations imposed by a court – such as costs of prosecution, attorney’s fees, court costs under chapter 938 and criminal restitution under section 775.089 – are criminal sanctions that are ordinarily imposed during the sentencing process and are criminal sanctions. *See Martinez*, 91 So. 3d at 880; *Woods*, 879 So. 2d 651, 653 (Fla. 5th DCA 2004); *State v. Sandomeno*, 217 So. 3d 110, 111 (Fla. 4th DCA 2017). If such financial obligations are made a part of the criminal judgment and a condition of the sentence, the court’s reduction of the amounts owed to a civil judgment or lien for enforcement purposes does not alter the criminal nature of the sanction, or the fact that it is part of the criminal sentence. *Martinez*, 91 So. 3d at 880 n.2. *See also Cammelleri v. State*, 270 So. 3d 369 (Fla. 4th DCA 2019) (civil lien for incarceration costs included in the criminal judgment was considered by the court to be part of the sentence).

Unless included in the criminal judgment, a civil judgment or lien is collateral to the criminal judgment. *See Cruz v. State*, 742 So. 2d 489, 490 (Fla. 3d DCA 1999). Generally, a civil judgment for money or lien is a non-criminal remedy for the recovery of an underlying debt or reimbursement of particular expenses owed. *Id.* A “lien” is defined as “[a] legal right or interest that a creditor has in another’s property, lasting usually until a debt or duty that it secures is satisfied.” BLACK’S LAW DICTIONARY (10th ed. 2014). In this regard, we believe it significant that immediately before the passage of CS/SB 7066, an amendment was rejected that contained the following language:

To: FCCC  
From: Greenberg Traurig, P.A.  
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5. Payment of all restitution, fees, or fines that are ordered by the court as part of the sentence or that are ordered by a court as a condition of any form of supervision including, but not limited to, probation, community control, or parole. *A financial obligation required under this subparagraph is deemed to have been completed to the extent that the financial obligation has been converted to a civil lien.*

Fla. S. Jour. 875 (Reg. Sess. May 2, 2019) (emphasis added).

There is no case law to provide guidance on this issue in the context of the new law. However, given the authority discussed above, we believe that a reasonable interpretation of the new law would be that the reduction of amounts owed pursuant to a criminal judgment/sentencing order to a civil judgment or lien does not eliminate the obligation to pay the amounts owed as provided for in the criminal judgment/sentencing order.

We note that to the extent a trial court imposes only a civil judgment or lien for amounts owed and does not make them part of the criminal judgment and sentence, case law indicates that the financial obligations could be considered to be independent of the criminal sentence. *Woods*, 879 So. 2d at 653 n. 1 (where sentence included the payment of public defender's fees and trial court later tried to make payment of supplemental fees part of criminal sentence, appellate court held that request was made out of time for modification of sentence; appellate court further indicated that if the trial court had issued a civil lien for the fees, such proceeding would have been independent of the criminal proceeding); *Doctor v. State*, 679 So. 2d 76, 77 (Fla. 4th DCA 1996) (criminal defendant could not challenge civil restitution lien by way of rule 3.850 motion applicable to criminal sentences; civil restitution lien is not a criminal penalty); *Cruz*, 742 So. 2d at 490 (civil restitution lien need not be considered in a plea agreement or accepted by sentencing court).

Our research thus far has uncovered no case law to support the premise that a civil judgment issued separate and apart from a sentence would be construed as being part of the sentence.

ACTIVE 44877305v1



# FCCC ADVISORY

## Restoration of Voting Rights- Legal Opinion

**No. 19-070**

**Date:** August 16, 2019  
**Category:** Clerk Administration, Courts  
**Page:** 1 of 1

**Contact:** Richard Herring  
**Telephone:** (850) 921-0808  
**E-mail:** [rherring@flclerks.com](mailto:rherring@flclerks.com)

The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.

In brief, without the associated legal reasoning and caveats included in the legal opinion, a summary is:

1. Does the requirement of “completion of all terms of sentence” include any statutory interest? *Only if the fine, fee, or cost is made a part of the criminal judgment/ sentencing order and interest is specifically included in the judgment.*
2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by a clerk for the collection of fees, fines and court costs? *Unless otherwise specifically ordered in the criminal judgment, fees owed to a collection agent that are in addition to, and added to the balance of, the unpaid financial obligations would not be included in the definition of “completion of all terms of sentence.”*
3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order? *The reduction of amounts owed pursuant to a criminal judgment/sentencing order to a civil judgment or lien does not eliminate the obligation to pay the amounts owed as provided for in the criminal judgment/sentencing order.*

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Friday, August 16, 2019 2:19 PM EDT  
**Subject:** Advisory - 19-071 - Restoration of Voting Rights - Effect on Other Civil Rights  
**Attachment(s):** "19bull071.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Effect on Other Civil Rights**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following regarding Advisory regarding questions received on the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team has been advised that several Clerks have received questions about the new law on restoration of voting rights and its impact on <u>other</u> civil rights, such as jury service, holding public office, or firearm possession.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, Member Outreach Manager

Phone (850) 921-0808

ANewman@FLClerks.com

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# FCCC ADVISORY

## Restoration of Voting Rights – Effect on Other Civil Rights

**No. 19-071**

**Date:** August 16, 2019

**Contact:** Richard Herring

**Category:** Clerk Administration, Courts

**Telephone:** (850) 264-6531

**Page:** 1 of 1

**E-mail:** [rherring@flclerks.com](mailto:rherring@flclerks.com)

The Amendment 4 Quick Response Team has been advised that several Clerks have received questions about the new law on restoration of voting rights and its impact on other civil rights, such as jury service, holding public office, or firearm possession.

The new law, [Chapter 2019-162, Laws of Florida](#), ([CS/SB 7066](#), 2019) distinguishes between restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and voting rights restoration pursuant to s. 4., Art. VI of the State Constitution. Section 4, Art. VI of the State Constitution and the recent amendments to [Chapter 98, Florida Statutes](#), provide the requirements for restoration of voting rights only. Meeting those requirements does not restore other civil rights.

Persons seeking information on restoration of civil rights generally may be referred to the Florida Commission on Offender Review. The Commission's Office of Executive Clemency has rules, forms, and processes for persons seeking restoration of civil rights, pardon, firearm authority, and other forms of clemency. See: <https://www.fcor.state.fl.us/restoration.shtml> Specific to the right to vote, the Office of Executive Clemency website says:

*Regarding the Restoration of Civil Rights (RCR) process and the passage of Amendment Four:*

*For those offenders covered by the amendment, only the right to vote, not the right to sit on a jury or the right to hold public office, is contemplated by the amendment. Restoration of the right to sit on a jury and to hold public office can only be obtained through application to the Board of Executive Clemency.*

*As to those offenders not covered by the amendment, namely those convicted of murder or a felony sexual offense or those who have not completed all terms of their sentence, the restoration of the right to vote, to sit on a jury, and to hold public office can only be obtained through application to the Board of Executive Clemency.*

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Monday, August 19, 2019 1:38 PM EDT  
**Subject:** Advisory - 19-072 - Bills Effective October 1, 2019, and Later  
**Attachment(s):** "19bull072.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Bills Effective October 1, 2019, and Later.**

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Staff	<b>Category:</b>	Clerk and Comptroller Administration; Courts; Child Support; IT; Records; Recording
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information and share with appropriate staff.
<b>Executive Summary:</b>	The following provides a summary of those bills that are effective October 1, 2019, January 1, 2020, and later that may have some effect on the office operations of, or be of other interest to, Court Clerks and Comptrollers. These bills passed the 2019 Regular Session of the Florida Legislature and were signed into law by Governor Ron DeSantis. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. This information will be compiled and published in the association's annual Legislation of Interest document for ease of reference.		
<b>Clerk outreach:</b>	No outreach needed at this time.		

Thank you,



**ALLISON L. NEWMAN**, Member Outreach Manager  
 Phone (850) 921-0808  
 ANewman@FLClerks.com

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# FCCC ADVISORY

**BILLS EFFECTIVE OCTOBER 1, 2019, AND LATER**

**NO. 19-072**

**Date:** August 19, 2019  
**Category:** Clerk and Comptroller  
Administration, Courts, Child  
Support, IT, Records, Recording  
**Page:** 1 of 26  
**Contact:** Sara Sanders  
**Telephone:** (850) 921-0808  
**E-mail:** [ssanders@flclerks.com](mailto:ssanders@flclerks.com)

This is a list of bills that are effective October 1, 2019, January 1, 2020, and later that may have some effect on the office operations of, or be of other interest to, Clerks of Court and Comptrollers.

These bills passed the 2019 Regular Session of the Florida Legislature and have been signed into law by Governor Ron DeSantis. Please make sure to read the text of the entire bill in order to assess the full impact to your operations.

Membership should also note that some of the bills that are effective upon becoming a law or July 1, 2019, contain provisions that are effective October 1, 2019, or later; for example, [CS/CS/SB 7030 Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission](#), [CS/HB 7123 Taxation](#), [CS/HB 107 Wireless Communications While Driving](#), and [CS/CS/HB 337 Courts](#). Please reference [Advisory Bulletin 19-034](#) and [Advisory Bulletin 19-048](#) for full summaries of these bills. Provisions that are effective October 1, 2019, or later are noted therein.

As a reminder, all bill summaries will also be compiled in the association's annual Legislation of Interest document. Additional information related to the 2019 legislative session may be found on the [Legislative Information page](#).

## **Board Side**

### **CS/HB 9 Community Redevelopment Agencies**

Effective Date: October 1, 2019

Approved: June 28, 2019

Chapter Law: [2019-163](#)

[Final Legislative Staff Bill Analysis](#)

### **Summary:**

This bill seeks to provide increased transparency and accountability practices by local community redevelopment agencies (CRA).

Of specific interest, the bill amends s. 163.387, F.S., to require each CRA with revenues or a total of expenditures and expenses in excess of \$100,000, as reported on the trust fund financial statements, to provide for a financial audit each fiscal year. The audit report for the CRA must accompany the county's annual financial report, regardless of whether the CRA reports separately to the Department of Financial Services (DFS). The bill also amends s. 218.32, F.S., to provide that a county's failure to include a CRA's financial audit report with its annual financial report to DFS constitutes a failure to report under this section.

The bill also removes the current requirement for a CRA to file an annual report with the local governing body under s. 163.356(3), F.S., and creates a new section of law, s. 163.371, F.S., related to CRA reporting requirements to provide that:

- by January 1, 2020, each CRA must publish digital maps on its website depicting the CRA's geographic boundaries and total acreage; any changes must be updated within 60 days.
- beginning March 31, 2020, and each March 31 thereafter, each CRA must file an annual report with the county or municipality that created the CRA, which must include:
  - the most recent complete audit report of the CRA trust fund; if the previous year's audit report is not yet available, the CRA must publish it on its website within 45 days of completion;
  - certain statutorily enumerated performance data for each plan authorized, administrated, or overseen by the CRA; and
  - a summary indicating to what extent the CRA has achieved its goals.

The bill provides procedures for termination of a CRA in new s. 163.3755, F.S., and requires the Department of Economic Opportunity to declare certain CRAs inactive, pursuant to new s. 163.3756, F.S.

The bill further amends s. 163.387, F.S., to provide that monies in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the CRA's board of commissioners and only for purposes specified by law. The bill also requires the CRA to submit its annual budget, and any amendments thereto, to the local board of county commissioners within 10 days after adoption.

Finally, the bill requires each CRA to use the same purchasing processes and requirements for procurement that apply to the county or municipality that created it, and amends s. 112.3142, F.S., to require each commissioner of a CRA to complete four hours of ethics training each calendar year, beginning January 1, 2020.

**Clerk Point:**

This bill revises certain statutory requirements related to CRAs. Of specific interest, the bill amends s. 218.32, F.S., to require a county to include a CRA's financial audit report with the county's annual financial report to DFS. Failure to do so constitutes a failure to report under this section.

## **Court Side – Civil**

### **[CS/CS/CS/HB 431 Liens Against Motor Vehicles and Vessels](#) (Also of interest to Real Property/Recording)**

Effective Date: January 1, 2020

Approved: June 7, 2019

Chapter Law: [2019-73](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill makes changes to law related to liens against motor vehicles and vessels, including amending s. 559.920, F.S., to make it unlawful for any motor vehicle repair shop or its employees to violate a provision of s. 713.585, F.S., related to enforcement of liens by sale of a motor vehicle, which constitutes a violation of the Florida Motor Vehicle Repair Act.

The bill amends s. 713.585(1), F.S., to add additional requirements for the contents of notices of claims of lien that are sent to registered owners, customers, and all other persons claiming an interest in or lien on a vehicle. Such notices, which are required to be sent within seven business days after the date storage charges begin to accrue on the vehicle, must now be sent at least 30 days before the sale of the motor vehicle. The bill also allows a lienor's agent to provide the notice of lien. Similar changes are made to s. 713.78, F.S., related to liens for recovering, towing, or storing vehicles and vessels.

Subsection (3) of s. 713.585, F.S., is revised to prohibit a vehicle from being sold to satisfy a lien for repairs or storage within 60 days after completion of repair work. The bill also specifies what is to be included in the notice of sale and clarifies that such notice must be sent at least 15 days before the sale date. Similar changes are made to s. 713.78, F.S.

Sections 713.585 and 713.78, F.S., are further amended to require repair shops to allow inspection of vehicles subject to a claim of lien; allow a lienor or their agent to charge certain administrative fees for the repair, towing, or storage of vehicles; make certain requirements of the Florida Department of Highway Safety and Motor Vehicles (DHSMV); and require a motor vehicle repair shop, garage, automotive service facility, or storage operator to use a DHSMV-approved third-party service, as defined by the bill, to transmit all statutorily required notices, unless such service is unavailable.

#### **Clerk Point:**

Of specific interest, the bill:

- amends s. 559.917, F.S., to add any person of record claiming a lien against a vehicle to the list of persons who may have a vehicle released by filing a cash or surety bond with the Clerk, and makes conforming changes throughout the section to reference a customer or such person. The bill also specifies that if a lienor fails to file suit within 60 days after the posting of the bond, the bond shall be discharged by the Clerk.

- amends s. 713.585(4), F.S., to provide that a certificate of compliance, which a lienor is required to file with the Clerk, also include the vehicle identification number and a copy of the notice of sale required by subsection (3); and
- amends s. 713.78(5)(b), F.S., to authorize an owner or lienholder to post a cash or surety bond, or other adequate security, with the Clerk for release of a vehicle or vessel at any time before the sale of the vehicle or vessel. As noted in the legislative staff analysis, the owner or lienholder is no longer required to file a complaint before posting such bond.

**[CS/CS/HB 1009 Business Organizations](#) *(Also of interest to Real Property/Recording)***

Effective Date: January 1, 2020

Approved: June 7, 2019

Chapter Law: [2019-90](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

As noted in the legislative staff analysis, this comprehensive bill is a work product of a task force of The Florida Bar's Business Law section, which was established to recommend revisions to the Florida Business Corporation Act (FBCA), governed by Chapter 607, F.S.

Among the changes are some that may be of interest:

- **Section 9.** Amends s. 607.0126, F.S., to limit a corporation's venue for appeal of the Department of State's (DOS) refusal to file a document to the Circuit Court of Leon County for enforcement. Under current law, an appeal may be pursued in either Leon County or in the county where the corporation's principal office is located.
- **Section 54.** Amends s. 607.0703, F.S., to lengthen from 13 to 15 months the amount of time a corporation has to hold its annual shareholders' meeting or undertake action by written consent before a court may order a meeting or other action. This section also authorizes the court to establish quorum requirements for separate voting groups.
- **Sections 72-79.** Repeal s. 607.07401, F.S., related to shareholders' derivative actions, but create a number of other new sections of law related to such actions.
- **Sections 80-81 and 91.** Create ss. 607.0748 and 607.0749, F.S., and a process by which a shareholder may petition a court to appoint a receiver or custodian to manage a corporation under certain circumstances, and authorize the court to appoint a provisional director to remedy deadlocks. The bill also creates s. 607.08081, F.S., to authorize a court to remove a corporation director under certain circumstances.
- **Section 111.** Creates s. 607.0854, F.S., which relocates and revises the process for court-ordered indemnification and advance for expenses for certain directors or officers of a corporation.
- **Sections 141-147.** Repeal ss. 607.1108 – 607.1115, F.S., related to mergers and conversions; these sections are reorganized and re-written in sections 131-139 and 152-157 of the bill.
- **Sections 148-151.** Expand the types of corporate domestications allowed in Florida. New ss. 607.11922 and 607.11923, F.S., authorize DOS-certified copies of articles of domestication or

conversion to be filed in the official records of any county in which the eligible domesticating or converting entity holds an interest in real property.

- **Sections 175-196.** Amend, reorganize, and create numerous sections of law related to corporation dissolution. New s. 607.1409, F.S., relates specifically to court proceedings, authorizing a dissolved corporation that has filed or published certain notice to file an application with the court for determination of certain claims. Section 607.1423, F.S., is amended to limit a corporation's venue for appeal of DOS denial of corporate reinstatement to the Leon County Circuit Court. Previously such appeal could be pursued in either Leon County or in the county where the corporation resided. (Note that a related change for foreign corporations is made by Section 271 of the bill, amending s. 607.1532, F.S.) Section 607.1434, F.S., is amended to allow the court to order remedies other than those outlined in statute to avoid dissolution in such judicial proceedings. Section 607.1436, F.S., is amended and makes changes in subsections (6) and (8), related to entry of certain court orders.
- **Sections 221 and 223.** Amend s. 607.1604, F.S., related to court-ordered inspection, entitling a shareholder, who must seek a court order to enforce right of inspection of a corporation's records, to reimbursement of attorney fees and reasonable expenses. The bill also clarifies the court's right to impose reasonable confidentiality requirements on the inspection of such records by a shareholder. Similar requirements are added to s. 607.1620, F.S., related to access to a corporation's financial statements by shareholders.
- **Section 230.** Amends s. 607.1907, F.S., to provide that this act does not affect a pending action, proceeding, or right accrued prior to January 1, 2020; a pending civil action or proceeding may be completed, and a right accrued may be enforced, as if this act had not become effective.

**Clerk Point:**

This bill makes changes to Chapter 607, F.S., and other sections of law—both substantive and conforming—related to the FBCA, and is provided primarily for your information.

**Court Side – Criminal**

**[CS/CS/SB 96 Police, Fire, and Search and Rescue Dogs and Police Horses](#)**

Effective Date: October 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-9](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill revises the defined terms “police dog,” “fire dog,” and “search-and-rescue (SAR) dog,” under s. 843.19, F.S., to “police canine,” “fire canine,” and “SAR canine,” and expands the definition to include canines that are owned and of service to correctional agencies.

The bill also amends the existing criminal penalties under this section and makes necessary conforming changes to the Criminal Punishment Code.

**Clerk Point:**

Section 843.19, F.S., provides criminal penalties for certain offenses against police, fire, SAR canines, or police horses.

This bill reclassifies and increases the current third degree felony offense under s. 843.19(2), F.S., for intentionally and knowingly causing great bodily harm, permanent disability, or death to a police, fire, SAR canine, or police horse, to a second degree felony.

The bill also makes conforming changes to the current first and second degree misdemeanor penalties in subsections (3) and (4) to reference “canines” rather than “dogs.”

**CS/SB 160 Prohibited Acts in Connection with Obscene or Lewd Materials**

Effective Date: October 1, 2019

Approved: May 23, 2019

Chapter Law: [2019-45](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 847.011, F.S., prohibits and criminalizes certain acts in connection with obscene and lewd materials. This bill amends this section to also prohibit certain acts in connection with an obscene, child-like sex doll and creates new criminal penalties.

The bill goes on to make necessary conforming changes, including those to the Criminal Punishment Code.

**Clerk Point:**

This bill creates the following criminal penalties related to certain acts in connection with an obscene, child-like sex doll:

- s. 847.011(5)(a)2.a., F.S.: provides a third degree felony penalty for knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions; having possession, custody, or control with the intent to commit such actions; or advertising in any manner an obscene, child-like sex doll.
  - s. 847.011(5)(a)2.b., F.S.: provides a second degree felony penalty for a second or subsequent conviction.
- s. 847.011(5)(b)1., F.S.: provides a first degree misdemeanor penalty for knowing possession, custody, or control of an obscene, child-like sex doll.
  - s. 847.011(5)(b)2., F.S.: provides a third degree felony penalty for a second or subsequent conviction.

**[SB 910 Court-Ordered Treatment Programs](#)**

Effective Date: October 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-61](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

As noted in the legislative staff analysis, in 2012, the Florida Legislature created veterans' treatment courts, which are problem-solving courts intended for eligible veterans and servicemembers with a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problems. Eligibility for these programs is currently limited to those who have been honorably or generally discharged or those who are on active duty.

This bill expands the eligibility for participation in military veterans and servicemembers' court programs under s. 394.47891, F.S.; pretrial intervention programs under s. 948.08, F.S.; misdemeanor pretrial intervention programs under s. 948.16, F.S.; and postadjudicatory programs under s. 948.21, F.S., to also include all veterans who were discharged or released under any condition; current or former U.S. Department of Defense contractors; and current or former military members of a foreign allied country.

The bill specifies that the eligibility for veterans and servicemembers' postadjudicatory treatment programs is prospective only for those crimes committed on or after October 1, 2019.

**Clerk Point:**

This bill expands the eligibility for participation in certain military veterans and servicemembers' court programs to also include all veterans, regardless of the nature of their discharge; current or former U.S. Department of Defense contractors; and current or former military members of a foreign allied country.

**[CS/CS/CS/SB 1080 Hazing](#)**

Effective Date: October 1, 2019

Approved: June 25, 2019

Chapter Law: [2019-133](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends s. 1006.63, F.S., to redefine the term "hazing" to include initiation or admission into, or affiliation with, any organization operating under the sanction of a postsecondary institution, and the perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution.

The bill also expands the applicability of the existing criminal penalties in subsections (2) and (3).

Finally, the bill creates new subsection (11), “Andrew’s Law,” to provide criminal immunity for specified persons who seek assistance for or provide aid to a hazing victim.

**Clerk Point:**

This bill:

- expands the applicability of the current third degree felony penalty for hazing in s. 1006.63(2), F.S., to also include such conduct that results in the permanent injury of another person.
- expands the applicability of the current first degree misdemeanor penalty for hazing in s. 1006.63(3), F.S., to also include a person who solicits another to commit hazing, or a person who is actively involved in the planning of any act of hazing; and to also include such act against former members of any type of student organization.

**CS/HB 7125 Administration of Justice (Also of interest to Clerk IT and Child Support)**

Effective Date: October 1, 2019, except as otherwise expressly provided.

Approved: June 28, 2019

Chapter Law: [2019-167](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This comprehensive bill addresses a number of issues related to public safety, including Driver License (DL) suspension and reinstatement, sentencing and community supervision, sealing and expunction, criminal justice data collection and transparency, and the jurisdictional threshold amounts for specified theft-related offenses.

The bill also revises, renumbers, and creates a number of criminal penalties and makes necessary conforming changes, including those to the Criminal Punishment Code.

Items of specific interest to Clerks are listed below by broad subject area, with corresponding sections of the bill indicated.

**Clerk Point:**

*Updates to Criminal Justice Data Collection and Transparency (Sections 46, 53)*

In 2018, the Florida Legislature passed SB 1392, [Chapter 2018-127, Laws of Florida](#), and created a framework model for a statewide uniform criminal justice data collection system, with certain data reported by criminal justice agencies to the Florida Department of Law Enforcement (FDLE), which is required to make such data available to the public, in order to promote transparency. That bill also defined a number of data elements that each Clerk of Court, state attorney, public defender, county detention facility administrator, and the Department of Corrections (DOC) are required to collect and report to FDLE within a certain time period.



This bill provides updates and revisions to the uniform criminal justice data collection program. Note that these changes are effective upon becoming a law (June 28, 2019).

**Section 46.** Amends s. 900.05, F.S.:

- revises existing and creates new definitions in subsection (2) for reportable data elements;
- removes the biweekly data collection requirement in subsection (3); instead, a reporting entity is now required to both collect and report data to FDLE on a monthly basis;
- revises, and in some instances reassigns, the data elements that are required to be collected and reported for each criminal case by each reporting entity;
  - Those data elements that are required to be collected and reported by each Clerk are specified in paragraph (3)(a). Revisions of note include the digitized sentencing scoresheet, previously a Clerk-reported data element that will now be reported by DOC.
- adds two new reporting entities: the Justice Administrative Commission and the offices of Criminal Regional Conflict Counsel;
- delays until January 1, 2020, FDLE's required data for publishing data received by reporting entities;
- revises the noncompliance language in subsection (5) to provide that any reporting entity that does not comply with the requirements of this section is ineligible to receive funding from the General Appropriations Act, any state grant program administered by FDLE, or any other state agency for five years after the date of noncompliance; and
- creates new subsection (6) to stipulate that information that is confidential and exempt upon collection by a reporting entity remains confidential and exempt when reported to FDLE.

**Section 53.** Amends s. 943.6871, F.S., to:

- require FDLE to assist the Criminal and Juvenile Justice Information Systems (CJJIS) Council in developing specifications by October 1, 2019, for a uniform arrest affidavit to be used by each state, county, and municipal law enforcement agency;
  - These specifications must also include guidelines for developing a uniform criminal charge and disposition statute crosswalk table to be used by certain justice partners, and guidelines for developing a uniform criminal disposition and sentencing statute crosswalk table to be used by each Clerk.
- by January 1, 2020, and subject to appropriation, require FDLE to procure the uniform arrest affidavit, the uniform criminal charge and disposition statute crosswalk table, and the uniform criminal disposition and sentencing statute crosswalk table;
- require FDLE to provide training to impacted stakeholders, including each Clerk; and
- require, by July 1, 2020, each applicable stakeholder, including Clerks, to use the uniform arrest affidavit, uniform criminal charge and disposition statute crosswalk table, and the uniform criminal disposition and sentencing statute crosswalk table.

Driver License Reinstatement Days (Section 13)

**Section 13.** Creates s. 322.75, F.S., to require each Clerk to establish an annual Driver License Reinstatement Days event for reinstating suspended driver licenses, in consultation with other

participants like the Florida Department of Highway Safety and Motor Vehicles (DHSMV), the offices of the state attorney and public defender, the courts, and any interested community organization. Clerks must select one or more days each year for a reinstatement event and are encouraged to schedule at least one event on a weekend or after hours on a weekday.

The bill provides eligibility requirements for individuals to participate in the reinstatement program, and requires full payment of the license reinstatement fee; however, Clerks may reduce or waive other fees and costs, except those imposed by the court, to facilitate reinstatement. Clerks and DHSMV are required to verify any information necessary for reinstatement of a license under the program.

The bill also allows Clerks to work with FCCC to promote and coordinate the reinstatement events and to develop communications. Clerks are required to report certain data to CCOC from these events, including: the number of cases paid in full or put on a payment plan; the number of license reinstatements and the number of licenses made eligible for reinstatement; the amount of fees and costs collected, reported by the receiving entity; and the personnel, operating, security, and other expenditures incurred by the Clerk. Clerks must also report the number of cases that fail to comply with a payment plan that subsequently result in a license suspension.

CCOC must then report the information collected in its annual report.

*Driver License Suspensions and Revocations (Sections 5, 8-12, 23-24, 27, 33, 35, 38, 44)*

This bill modifies multiple sections of law related to non-driving related DL suspensions and revocations.

The bill also creates a definition for “suspension or revocation equivalent status” to allow DHSMV to designate a person who does not have a DL or driving privilege, but would otherwise qualify for suspension or revocation if licensed. DHSMV is allowed to designate a person with such status in the same way it is authorized to suspend or revoke a DL or driving privilege. The bill then amends s. 322.34, F.S., to add this designation to the bases for which a person may be charged and prosecuted for driving with a suspended or revoked DL. (**See Sections 8 and 12.**)

**Section 5.** Amends s. 61.13016, F.S., to allow a person owing a delinquent child support obligation to enter into an agreement with the Department of Revenue (DOR), within 20 days of receiving notice of delinquency, for a reasonable period of payment deferral to accommodate an obligor’s good faith job-seeking efforts. Under such agreement, DOR defers requesting a DL suspension from DHSMV for the specified period.

**Section 9.** Amends s. 322.055, F.S., to change the one-year mandatory DL revocation for an adult drug offense conviction to a six-month DL suspension. The bill also amends language providing court authority to issue a hardship license to instead require the court to find a compelling circumstance to justify the exception. As noted in the legislative staff analysis, this is consistent with federal requirements for highway funding. A similar change is made in other sections of the bill.

**Sections 10, 11, 23, 24, 27, and 44.** The bill repeals all bases for DL suspension for minors relating to possession of, purchase of, and misrepresenting age or military service to obtain alcohol, tobacco, and nicotine.

For minors found guilty of drug offenses, Section 10 amends s. 322.056, F.S., to provide a mandatory six-month DL revocation or suspension period, and removes the mandatory six months to 1 year suspension or revocation for a first time offense and the two year suspension or revocation for a second or subsequent offense.

Section 11 repeals s. 322.057, F.S., related to a DL suspension for an adult convicted of providing alcohol to a minor.

Section 23 amends s. 562.11, F.S., to remove the DL suspension for selling, giving, or serving alcohol to a person under age 21, and removes the DL suspension for using a fake ID.

Section 24 amends s. 562.111, F.S., to remove the DL suspension for possession of alcohol by persons under age 21.

Section 27 amends s. 569.11, F.S., to remove the mandatory DL suspension for possession of or use of a fake ID to purchase tobacco by a minor; the court is authorized, but no longer required, to suspend a DL for failure to pay a fine or complete court-ordered community service or anti-tobacco programs.

Section 44 amends s. 877.112, F.S., to remove the mandatory DL suspension for possession of or use of a fake ID to purchase nicotine or nicotine dispensing device by a minor; the court is authorized, but no longer required, to suspend a DL for failure to pay a fine or complete court-ordered community service or anti-tobacco and nicotine programs.

**Section 33.** Amends s. 790.22, F.S., to convert the mandatory DL suspension for possession of a BB gun or firearm by a minor to a discretionary suspension.

**Section 35.** Amends s. 806.13, F.S., to convert the mandatory DL suspension for graffiti committed by a minor to a discretionary suspension.

**Section 38.** Amends s. 812.0155, F.S., to convert the mandatory DL suspension for theft-related offenses committed by a minor to a discretionary suspension.

*Sealing and Expunction (Sections 47-52)*

**Section 47.** Creates s. 943.0578, F.S., related to lawful self-defense expunction. As noted in the legislative staff analysis, this type of expunction is currently within the court-ordered expunction section. This bill creates a distinct section for this process, but retains the substance of current law.

**Section 48.** Changes the title of s. 943.0581, F.S., to “Administrative expunction for arrests made contrary to law or by mistake,” but makes no substantive changes to the law.

**Section 49.** Creates s. 943.0584, F.S., to establish a separate list of offenses that cannot be sealed or expunged; these are enumerated by both name and statute number.

**Sections 50 and 51.** Substantially rewords and reorganizes ss. 943.0585 and 943.059, F.S., for clarity.

**Section 52.** Creates s. 943.0595, F.S., and an automatic sealing of criminal history records process within FDLE, upon receipt of a certified copy of a disposition from the Clerk when:

- charges are not filed, or were dismissed nolle prosequi or by the court, unless the dismissal is due to incompetency to proceed; or
- the defendant was acquitted by either a verdict of not guilty (except not guilty by reason of insanity) or by a judgment of acquittal.

Criminal history records related to a forcible felony or those that would result in a person being designated as a sexual offender are not eligible under this section.

The bill provides that there is no limitation on the number of times a person may obtain an automatic sealing under this section, and directs FDLE to adopt rules to implement this process.

The bill specifically provides in paragraph (3)(b) that an automatic sealing of a criminal history record under this section does not require sealing by the court or other criminal justice agencies.

***Felony Theft Threshold (Sections 6, 22, 28, 36-37, and 41)***

This bill raises the jurisdictional threshold amounts for specified theft-related offenses, including grand theft and retail theft, as follows:

**Section 6.** Amends s. 212.15(2), F.S., to raise the jurisdictional threshold amount for felony theft of state funds to \$1,000, and the threshold for misdemeanor theft of state funds from less than \$300 to less than \$1,000. Conforming changes are made to the second degree misdemeanor penalty in paragraph (2)(a) and to the third degree felony penalty in paragraph (2)(b).

**Section 22.** Amends the existing criminal penalties in s. 509.151(1), F.S., related to “Dine-N-Dash” offenses, raising the jurisdictional threshold amount for the second degree misdemeanor penalty from less than \$300 to less than \$1,000, and the threshold amount for the third degree felony penalty to \$1,000 or more.

**Section 28.** Amends the existing criminal penalties in s. 713.69, F.S., related to disposal of property under lien, raising the jurisdictional threshold amount for the second degree misdemeanor penalty from less than \$50 to less than \$1,000, and the threshold amount for the third degree felony penalty to \$1,000 or more.

**Sections 36 and 37.** Amends ss. 812.014 and 812.015, F.S., to raise the jurisdictional threshold amount for grand theft and retail theft from \$300 to \$750. The bill also amends the existing criminal penalties in ss. 812.014(2)(d) and (e) and 812.015(8), F.S., to conform to the changes made by the bill.

The bill also requires the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) to perform a study and report to the Governor and Legislature every five years on the appropriateness of the threshold amounts for grand theft and retail theft.

**Section 41.** Amends s. 817.413, F.S., related to the sale of used motor vehicle goods as new, to raise the jurisdictional threshold amount for the third degree felony penalty in subsection (2) from \$100 to \$1,000; a new first degree misdemeanor penalty is also created in subsection (2) for purchase price amounts that are less than \$1,000.

*Other Criminal Penalty Revisions (Sections 2, 12, 19, 21, 23, 25-26, 31, 34, 40, 42-43, 45, 47, 50-51, 54-55, 66)*

**Section 2.** Creates s. 16.557, F.S., related to crime stoppers organizations, and a new third degree felony penalty in paragraph (2)(a) for a person who discloses a privileged communication or protected information (with exceptions), as defined by the bill.

**Section 12.** Amends the criminal penalties in s. 322.34, F.S., as follows:

- renumbers the existing first degree misdemeanor penalty for a second or subsequent conviction for driving with a suspended or revoked DL to sub-paragraph (2)(b)1.;
- reduces the penalty for a third or subsequent offense from a third degree felony penalty to a first degree misdemeanor penalty (with exceptions), but requires such person to serve a minimum of 10 days in jail; and
- retains the third degree felony penalty for a third or subsequent conviction only if the current violation or most recent violation involves driving under the influence; refusal to submit to a urine, breath, or blood alcohol test; a traffic offense causing death or serious bodily injury; or fleeing or eluding.

**Section 19.** Amends s. 489.126, F.S., to revise the criminal offenses related to contractor fraud. Previously, a person who violated this section was guilty of theft, punishable under s. 812.014, F.S. This bill creates criminal penalties in subsection (5), for failure to apply for permits and start work after payment, and (6), for failure to perform work after payment, and sets value thresholds for these offenses, as follows:

- (5)(a): provides a first degree misdemeanor penalty, if the total money received is less than \$1,000;
- (5)(b): provides a third degree felony penalty, if the total money received is \$1,000 or more, but less than \$20,000;
- (5)(c): provides a second degree felony penalty, if the total money received is \$20,000 or more, but less than \$200,000; and
- (5)(d): provides a first degree felony penalty, if the total money received is \$200,000 or more.

- (6)(a): provides a first degree misdemeanor penalty, if the total money received exceeding the value of work performed is less than \$1,000;
- (6)(b): provides a third degree felony penalty, if the total money received exceeding the value of work performed is \$1,000 or more, but less than \$20,000;
- (6)(c): provides a second degree felony penalty, if the total money received exceeding the value of work performed is \$20,000 or more, but less than \$200,000; and
- (6)(d): provides a first degree felony penalty, if the total money received exceeding the value of work performed is \$200,000 or more.

**Section 21.** Amends s. 500.451, F.S., to delete the one-year minimum mandatory period of incarceration for sale of horsemeat for human consumption.

**Section 23.** Renumbers the existing first and second degree misdemeanor penalties in s. 562.11(1)(a)1., F.S., for first and subsequent violations of sale of alcohol to a person under age 21 to paragraph (1)(a).

**Section 25.** Amends s. 562.27(8), F.S., to reclassify and reduce the criminal penalty for crimes related to possession of a still or related apparatus from a third degree felony to a second degree misdemeanor.

**Section 26.** Amends s. 562.451(2), F.S., to reclassify and reduce the criminal penalty for possession of one or more gallons of moonshine from a third degree felony to a first degree misdemeanor.

**Section 31.** Amends the definition of “cyberstalk” in s. 784.048, F.S., to include access, or attempt to access, the online accounts or Internet-connected home electronic systems of another person without permission; thereby expanding the applicability of the existing criminal penalties under this section.

**Section 34.** Expands the definition of “employee” and “facility” in s. 800.09, F.S., to include conduct in county detention facilities; thereby expanding the applicability of the existing criminal penalties for lewd and lascivious exhibition in the presence of an employee.

**Section 40.** Amends s. 815.06, F.S., to expand criminal access to another’s electronic device or computer to include exceeding the authorization that was given; thereby expanding the applicability of the existing criminal penalties under this section.

**Section 42.** Amends s. 831.28(2)(a), F.S., to expand the applicability of the existing third degree felony penalty for possession of a counterfeit payment instrument to include with intent to defraud.

**Section 43.** Amends s. 849.01, F.S., to reclassify and reduce the criminal penalty for keeping a gambling house from a third degree felony to a second degree misdemeanor.

**Section 45.** Amends s. 893.135(1)(c)2., F.S., to increase the base weight threshold amount for the first degree felony penalty for “trafficking in hydrocodone” from 14 grams or more to 28 grams or more.

The bill similarly raises the mandatory minimum penalty thresholds in this section as follows: 28 grams or more, but less than 50 grams is punishable by a \$50,000 fine and three years’ imprisonment; 50 grams or more, but less than 100 grams is punishable by a \$100,000 fine and seven years’ imprisonment; 100 grams or more, but less than 300 grams is punishable by a \$500,000 fine and 15 years’ imprisonment; 300 grams or more, but less than 30 kilograms is punishable by a \$750,000 fine and 25 years’ imprisonment.

**Section 47.** Creates s. 943.0578, F.S., related to lawful self-defense expunction, and transfers and renumbers the existing third degree felony penalty in s. 943.0585(5), F.S., to subsection (1) for knowingly providing false information on the petition to expunge.

**Sections 50 and 51.** Renumbers the existing criminal penalties related to court-ordered expunction and sealing:

- s. 943.0585, F.S.: the existing third degree felony penalty in subsection (1) for knowingly providing false information on a petition to expunge is renumbered to subsection (3); the existing first degree misdemeanor penalty in (4)(c) for disclosing information made confidential by this section is renumbered to paragraph (6)(d);
- s. 943.059, F.S.: the existing third degree felony penalty in subsection (1) for knowingly providing false information on a petition to seal is renumbered to subsection (3); the existing first degree misdemeanor penalty in (4)(c) for disclosing information made confidential by this section is renumbered to paragraph (6)(d).

**Section 54.** Amends s. 944.40, F.S., to expand the applicability of the existing second degree felony penalty for prisoner escape to include escape while on furlough.

**Section 55.** Renumbers the existing second degree felony penalty in s. 944.47(2), F.S., for introduction, removal, or possession of contraband to new paragraph (2)(a).

**Section 66.** Amends s. 951.22, F.S., related to introduction of contraband to a county jail facility. The current third degree felony penalty in subsection (2) is amended to apply to contraband that is a narcotic or other specified drugs, a firearm, any instrument that could be used to effect an escape, or a cell phone. A new first degree misdemeanor penalty is created in subsection (2) if such contraband is other items, including tobacco, liquor, money, food, or clothing.

*Sentencing and Community Supervision (Sections 59-65)*

**Sections 59-62.** Section 59 amends the definition of “administrative probation” in s. 948.001, F.S., to allow a court to order this form of supervision. DOC remains authorized to transfer a qualifying probationer to administrative probation. (See also Section 60, amending s. 948.013, F.S.)

Section 61 amends s. 948.04, F.S., to establish the court's process for either early termination of a term of supervision or conversion to administrative probation and defendant eligibility. The court may decline this process in an otherwise eligible case if the court makes written findings that continued reporting probation is necessary to protect the community or the interests of justice. This process does not apply to an offender on community control.

Section 62 amends s. 948.05, F.S., to require DOC to implement a system of graduated incentives to promote compliance with the terms of supervision and prioritize the highest levels of supervision for probationers or offenders presenting the greatest risk of recidivism. DOC is authorized to offer specific incentives to a compliant probationer or offender in community control without leave of court. DOC may also incentivize compliance by making recommendations to modify terms of supervision to the court.

**Section 63.** As noted in the legislative staff analysis, the bill creates a statewide alternative sanctioning program in s. 948.06, F.S., to be established in each judicial circuit, related to violations of probation or community control, identifying eligible offenders, eligible violations—classified as either low or moderate risk—and permissible sanctions.

In addition, following a technical violation—defined as an alleged violation that is not a new felony, misdemeanor, or criminal traffic offense—a probation officer must determine whether the offender is eligible for an alternative sanctioning program, and, if so, may proceed with such program in lieu of filing an affidavit of violation with the court.

**Section 64.** Amends s. 948.08, F.S., to modify drug offender probation and clarifies the entrance requirements for a treatment-based drug court program.

**Section 65.** Creates s. 948.081, F.S., authorizing each judicial circuit to establish a community court program for defendants charged with certain misdemeanor offenses, specified in the circuit court's administrative order creating the program. The bill establishes minimum requirements for each community court and, if created, requires an advisory committee to review and make recommendations on each case. The bill establishes the membership of the advisory committee, which must include the chief judge or designated community court judge, who shall serve as chair; the state attorney and the public defender, or their designees; and the community court resource coordinator. The chair may select other individuals to serve on the advisory committee.

A circuit choosing to establish a community court must fund the program with sources other than state funds, except for costs already assumed by the state under s. 29.004, F.S. Funds provided by executive branch agencies for treatment and other services may be used.

*Miscellaneous (Sections 1-4, 29, 67, 73-76, 152)*

**Sections 1 and 2.** This bill amends s. 16.555, F.S., related to the Crime Stoppers Trust Fund, which is housed within the Department of Legal Affairs. Specifically, the bill allows up to 50 percent of unencumbered funds that are returned to the trust fund from a previous year to be reallocated to



other judicial circuits for crime stoppers' initiatives in subsequent years, and lists and expands the authorized uses of these funds by local counties. The bill also creates s. 16.557, F.S., to add communications between a person and a crime stoppers organization as privileged under the Florida Evidence Code. Note that Section 1 of the bill is effective July 1, 2019.

**Section 3.** Creates s. 43.51, F.S., to require the Office of the State Courts Administrator (OSCA) to annually report to the Legislature information on the number of participants in each problem-solving court in the state for each fiscal year such court has been operating, and include the types of services provided, sources of funding, and performance data for each such court, based on established outcome measures.

**Sections 4, 29.** Amends s. 57.105, F.S., to prohibit the awarding of attorney fees in proceedings for an injunction for protection, unless the court finds by clear and convincing evidence that a petitioner knowingly made a false statement or allegation in the petition or that a respondent knowingly made a false statement or allegation in an asserted defense, with regard to a material matter. Section 29 amends s. 741.30, F.S., to conform to this change.

**Section 67.** Amends s. 958.04, F.S., to clarify that a court may sentence a person meeting all other criteria as a youthful offender if he or she was 21 or younger at the time the offense was committed.

**Sections 73-75.** Amends s. 985.12, F.S., related to civil citation or similar prearrest diversion programs for juvenile misdemeanor offenses, to require each program to enter the appropriate youth data into the Juvenile Justice Information System Prevention Web within seven days after the admission of a youth into the program. Previous law required a copy of each civil citation or similar diversion program notice issued under this section to be provided to the Department of Juvenile Justice (DJJ) for DJJ to enter into the juvenile offender information system. Sections 74 and 75 amend ss. 985.126, and 985.145, F.S., to conform to this change.

**Section 76.** Amends s. 985.557, F.S., to delete the provisions related to mandatory direct file.

**Section 152.** Establishes the Criminal Punishment Code Task Force, to be implemented by the Department of Legal Affairs. The bill defines task force membership, including representatives from state and criminal justice agencies. The purpose of the task force is to review, evaluate, and make recommendations regarding sentencing for and ranking of noncapital felony offenses under the Criminal Punishment Code, and also include an analysis of best practices.

By June 30, 2020, the task force must submit a report to the Governor, the Legislature, and the Supreme Court, and include, at a minimum, the issues considered by the task force, any recommendations for legislative changes, and an analysis of the expected impact of such recommendations if enacted by the Legislature. The task force is dissolved upon submission of the report.

**[CS/CS/CS/HB 1033 Continuing Care Contracts](#) *(Also of interest to Court Side – Civil)***

Effective Date: January 1, 2020

Approved: June 27, 2019

Chapter Law: [2019-160](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

This comprehensive bill addresses the Office of Insurance Regulation's (OIR) enforcement authority over continuing care retirement communities (CCRC), pursuant to Chapter 651, F.S.

Of specific interest, the bill amends s. 651.105, F.S., to give OIR standing to petition a circuit court for mandatory injunctive relief to compel access to and require a provider to produce documents, records, and other information requested by OIR in the furtherance of its statutorily required examinations of CCRC providers. OIR may petition the circuit court in the county where the CCRC facility is located or the Circuit Court of Leon County for enforcement.

The bill also creates a new criminal penalty and expands the applicability of an existing criminal penalty.

**Clerk Point:**

This bill:

- creates s. 651.1065, F.S., Soliciting or accepting new continuing care contracts by impaired or insolvent facilities or providers, and a third degree felony penalty in subsection (2) for a proprietor, general partner, member, officer, director, trustee, or a manger who violates this section; and
- expands the applicability of the current third degree felony penalty in s. 651.125(1), F.S., for any person who maintains or enters into a continuing care at-home contract without a valid certificate of authority to also include such action without a valid provisional certificate of authority.

**[CS/CS/CS/HB 475 Certificates of Title for Vessels](#)**

Effective Date: July 1, 2023

Approved: June 7, 2019

Chapter Law: [2019-76](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

As noted in the legislative staff analysis, this bill incorporates the Uniform Certificate of Title for Vessels Act into the state's existing vessel titling law. As such, the bill makes a number of changes to the duties and responsibilities of the Florida Department of Highway Safety and Motor Vehicles (DHSMV).

Of specific interest, the bill creates a new noncriminal infraction penalty and renumbers an existing criminal penalty.

Note that this bill is effective *July 1, 2023*.

**Clerk Point:**

This bill, effective July 1, 2023, creates s. 328.045, F.S., establishing responsibilities of a vessel owner or insurer of a hull-damaged vessel. A new noncriminal infraction is created in subsection (4) for an owner of record or insurer who fails to comply with the disclosure requirements created by the bill. Such noncriminal infraction is punishable by a penalty of \$5,000 for the first offense, \$15,000 for a second offense, and \$25,000 for each subsequent offense.

This bill also amends s. 328.15, F.S., Notice of lien on vessel; recording, to renumber from subsection (9) to subsection (6) the existing second degree misdemeanor penalty for failure to return a certificate of title after demand by DHSMV or for failure to forward satisfaction of lien after such demand. The bill also schedules subsection (6) for expiration on October 1, 2026.

**Ethics / Elections**

**SB 702 Qualified Blind Trusts**

Effective Date: January 1, 2020

Approved: June 4, 2019

Chapter Law: [2019-60](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

The 2013 Florida Legislature passed CS/SB 2 Ethics, [Chapter 2013-36, Laws of Florida](#), which—in part—created s. 112.31425, F.S., allowing public officers to place assets and investments in a qualified blind trust to avoid conflicts of interest.

This bill repeals s. 112.31425, F.S., Qualified blind trusts.

**Clerk Point:**

This bill is provided primarily for your information, as it makes a change to Chapter 112, F.S., related to public officers and employees.

## **Family**

### **[CS/SB 262 Child Welfare](#)**

Effective Date: October 1, 2019

Approved: June 25, 2019

Chapter Law: [2019-128](#)

[Final Legislative Staff Bill Analysis](#)

### **Summary:**

As noted in the legislative staff analysis, this bill revises several provisions of Chapter 39, F.S., to address barriers to permanency for children in the child welfare system with the goal of shortening the timeframe for achieving permanency.

Of specific interest, the bill amends s. 39.001, F.S., to require the name and contact information of a child's guardian ad litem (GAL) or attorney ad litem, if appointed, be entered on all court orders in related dependency proceedings to ensure a child and their family know that information. The bill also amends s. 39.811(5), F.S., to require that the court's written order terminating parental rights be entered within 30 days of the conclusion of the hearing.

The bill amends ss. 39.0136 and 39.402, F.S., to limit continuances or extensions by the court's own motion to 60 days within any 12-month period.

The bill further amends ss. 39.402 and 39.507, F.S., to require the court to notify parents in plain language of actions required to achieve permanency, including: compliance with the case plan so that permanency may occur within the shortest possible time period, but no later than one year after removal or adjudication; staying in contact with attorneys and case managers and updating contact information, as needed; and notification of parties and the court of any barriers to completing case plan tasks. Similar information must also be contained in the case plan developed pursuant to ss. 39.6011 and 39.6012, F.S.

The bill also makes certain requirements of the Department of Children and Families (DCF), including making service referrals more promptly and including strategies in the case plan to help parents overcome barriers.

### **Clerk Point:**

This bill makes changes to Chapter 39, F.S., and is provided for your information.

## **Probate**

### **[CS/CS/HB 409 Electronic Legal Documents](#) *(Also of interest to Real Property/Recording)***

Effective Date: January 1, 2020, except as otherwise expressly provided

Approved: June 7, 2019

Chapter Law: [2019-71](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

The bill authorizes remote—or online—notarization in Florida, amending various sections of Chapter 117, F.S., to establish procedures, standards, and requirements for online notarization. The bill provides rulemaking authority to the Department of State (DOS) in order to implement the bill and establish certain technical standards and minimum requirements for online notarization, including identity proofing, credential analysis, and audio-video communication technology.

The bill also authorizes the use of electronic wills in Florida, and provides that an electronic will is executed, modified, and revoked in a similar manner as a paper will under current law.

#### **Clerk Point:**

##### **Remote/Online Notarization:**

The bill defines “online notary public” as a commissioned notary public, an appointed civil-law notary, or an appointed commissioner of deeds, who has registered with DOS to perform online notarizations. An online notary public may charge a fee of up to \$25 for online notarization.

The bill creates the authority to perform online notarization in new s. 117.209, F.S., and allows an online notary public to perform any function, regardless of whether the principal or witnesses are physically located in Florida, as long as the online notary public is in the state while performing the notarization. However, an online notary public *may not* solemnize the rites of matrimony.

Of specific interest, the bill amends s. 28.222, F.S., to require Clerks to record copies of any instrument originally created and executed using an electronic signature and certified as a true and correct paper printout by a notary public, if the county recorder is not prepared to accept electronic documents for recording electronically.

The bill also amends s. 695.28, F.S., Validity of recorded electronic documents, to provide that submission to the Clerk provides notice to all persons that a document was signed, witnessed or notarized electronically, and that the recorded document was a certified printout of a document to which one or more electronic signatures have been affixed.

Of additional interest, the bill:

- amends s. 117.021, F.S., to require a notary public, in performing an electronic notarial act, to protect access to their electronic signature through the use of passwords or codes.

- amends s. 117.05, F.S., to require the notarial certificate to indicate whether the signer appeared physically or remotely before the notary public; as such, a conforming change is made to the current form certificates in subsection (13). In the case of online notarization, the online notary public must comply with the requirements and procedures created in new ss. 117.235 and 117.265, F.S.
- creates a form certificate in s. 117.05(12)(c), F.S., for use by a notary public notarizing electronic documents.
- creates s. 117.201, F.S., defining terms associated with online notarization and the required technology.
- creates s. 117.225, F.S., to establish registration requirements for online notaries with DOS.
- creates ss. 117.245 and 117.255, F.S., to require an online notary to keep a secure electronic journal of notarized electronic records and stipulates the use of an electronic journal, signature, and seal. The bill prescribes certain information that must be contained in each journal entry and establishes retention requirements for the electronic journal and any audio-video communication recordings.
- creates s. 117.285, F.S., to establish standards for supervising the witnessing of electronic records.
- amends s. 689.01, F.S., related to how real estate is conveyed, to provide that any requirement that an instrument be signed in the presence of two subscribing witnesses may be satisfied by witnesses being present and electronically signing via audio-video communication and other standards applicable to online notarization.
- amends ss. 709.2119, 709.2120, and 709.2202, F.S., to authorize a third party to rely on a notary's electronic journal or record as evidence of a valid power of attorney; however, a third party is not required to accept a power of attorney if an agent is unable to produce such electronic record or journal. The bill also prohibits a power of attorney that is witnessed remotely from granting any authority that requires separate signed enumeration.

*Electronic Wills:*

The bill also authorizes the use of electronic wills in Florida, amending the current definition of "will" in s. 731.201, F.S., to include an electronic will, as defined in new s. 732.521, F.S. In addition, the bill provides for the self-proving, storing, and filing an electronic will.

The bill creates s. 732.526, F.S., to provide that an electronic will that is filed electronically with the Clerk through the Florida Courts E-Filing Portal is deemed to have been deposited with the Clerk as an original of the electronic will. A paper copy of an electronic will that is certified by a notary public may be offered for and admitted to probate and shall constitute an original of the electronic will.

In new s. 732.524, F.S., the bill creates a definition of a "qualified custodian," who is responsible for possessing and controlling an electronic will. Upon notification of a testator's death, a qualified custodian must deposit the electronic will with the court, in accordance with s. 732.901, F.S., and may not charge a fee for depositing with the Clerk.

As provided in the legislative staff analysis, a qualified custodian must:

- be domiciled in and a resident of Florida, or be incorporated, organized, or have its principal place of business in Florida;
- regularly employ a secure system for maintaining custody and storage of electronic records that contain electronic wills and any records attached to or logically associated with electronic wills, including acknowledgements by testators, affidavits of witness, and records pertaining to online notarization;
- furnish for any court hearing involving an electronic will that is currently or previously stored by the qualified custodian any information requested pertaining to the qualified custodian's policies and procedures related to the creation, sending, communication, receipt, maintenance, storage, and production of electronic wills;
- limit access to or information about an electronic will to specified entities;
- maintain certain liability coverage, as provided in s. 732.525, F.S.; and
- maintain an audio-video recording of an electronic will online notarization. If such recording cannot be produced by the online notary public or the qualified custodian, the electronic will shall be treated as lost or destroyed, subject to s. 733.207, F.S. (*See s. 117.245(4) and (5), F.S.*)

A qualified custodian must provide a paper copy of an electronic will and the electronic record containing the electronic will to a testator immediately upon request, and may not terminate or suspend access to, or downloads of, the electronic will by a testator. In addition, the qualified custodian must keep a testator's information confidential.

The bill also provides retention requirements for qualified custodians and provides a methodology for a qualified custodian to cease serving in such capacity, either by delivery of the electronic will to the testator, if living, or by filing with the court, after the testator's death; or by the designation of a successor qualified custodian.

Finally, the bill stipulates that a qualified custodian is liable for the negligent loss or destruction of an electronic record and may not limit liability for damages.

## **Public Records**

### **[HB 7009 OGSR/Identification and Location Information/Department of Health](#)**

Effective Date: October 1, 2019

Approved: May 14, 2019

Chapter Law: [2019-28](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Section 119.071(4), F.S., provides general exemptions from inspection or copying of public records for certain personal identifying and location information for a number of agency personnel, as well as information relating to their spouses and children.

Section 119.071(4)(d)2.o., F.S., exempts the home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health (DOH), and their families, whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by DOH.

This bill reenacts and removes the scheduled repeal of this exemption.

As a reminder, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

**Clerk Point:**

This bill reenacts an existing agency personnel exemption for certain DOH personnel, under s. 119.071(4)(d), F.S., and is provided for your information.

**[HB 7025 OGSR/Treatment-based Drug Court Programs](#)**

Effective Date: October 1, 2019

Approved: May 14, 2019

Chapter Law: [2019-30](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 397.334(10)(a), F.S., provides a public records exemption for information relating to a participant, or a person considered for participation in a treatment-based drug court program, which is contained in records created or compiled during screenings for participation in the program or during substance abuse screenings; behavioral health evaluations; or subsequent treatment status reports.

The bill reenacts and removes the scheduled repeal of this exemption.

As a reminder, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.



**Clerk Point:**

This bill reenacts the existing public records exemption in s. 397.334(10)(a), F.S., related to certain treatment-based drug court program information, and is provided for your information.

**[SB 7034 OGSR/Automated License Plate Recognition System](#)**

Effective Date: October 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-16](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 316.0777(2), F.S., provides a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and for the personal identifying information of an individual in data generated from such images that is held by an agency.

The bill reenacts and removes the scheduled repeal of this exemption.

As a reminder, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

**Clerk Point:**

This bill reenacts a current public records exemption and is provided primarily for your information.

**[HB 7036 OGSR/Payment of Toll on Toll Facilities/Identifying Information](#)**

Effective Date: October 1, 2019

Approved: May 14, 2019

Chapter Law: [2019-17](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 338.155(6), F.S., provides a public records exemption for personal identifying information held by the Department of Transportation, a county, a municipality, or an expressway authority for the purpose of paying, prepaying, or collecting tolls and associated administrative charges due for the use of toll facilities.

The bill reenacts and removes the scheduled repeal of this exemption.

As a reminder, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law

creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

**Clerk Point:**

This bill reenacts a current public records exemption and is provided primarily for your information.

**Traffic/Motor Vehicles**

**[CS/HB 1057 Motor Vehicles](#)**

Effective Date: October 1, 2019, except as otherwise expressly provided

Approved: June 7, 2019

Chapter Law: [2019-92](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

As noted in the legislative staff analysis, current law allows for certain additional lighting equipment on motor vehicles operating in Florida.

This bill amends s. 316.235, F.S., to provide that a motor vehicle may be equipped with one or more lamps or devices underneath, as long as such devices do not emit light in violation of statutes governing lights on law enforcement vehicles, flashing lights, or multiple-beam road lighting equipment.

The bill also amends ss. 316.2397 and 316.2398, F.S., to allow vehicles registered to volunteer firefighters to show or display red, or red and white, lights under certain circumstances. The bill also makes it unlawful for non-authorized persons to display red and white lights on vehicles operating on Florida roads.

Violations of each of these sections are noncriminal traffic infractions, punishable as nonmoving violations as provided in Chapter 318, F.S.

The bill also makes changes to sections of Chapter 319, F.S., governing damaged or dismantled vehicles.

**Clerk Point:**

This bill expands the applicability of certain noncriminal traffic infractions in Chapter 316, F.S., and is provided primarily for your information.

**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>  
**Sent:** Friday, August 23, 2019 4:41 PM EDT  
**Subject:** Advisory - 19-073 - Federal subpoenas being issued regarding SB 7066/Amendment 4 - Update  
**Attachment(s):** "19bull073.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Federal subpoenas being issued regarding SB 7066/Amendment 4 – Update.**

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks	<b>Category:</b>	Clerk Administration
<b>Priority:</b>	High	<b>Action required:</b>	Please notify both <a href="#">Chris Hart</a> and <a href="#">Fred W. Baggett, Esq.</a> if you have been served a subpoena.
<b>Executive Summary:</b>	This Advisory is an update to <a href="#">Advisory 19-060</a> , sent on July 22, 2019. At this time it is possible that additional Clerks may receive subpoenas in the case of <a href="#">Jones vs. DeSantis</a> , Civil Action No. 4:19-cv-300, now pending in the U.S. District Court for the Northern District of Florida. This relates to the Amendment 4 implementation.		
<b>Clerk outreach:</b>	No external outreach is needed.		

Thank you,



**ALLISON L. NEWMAN**, Member Outreach Manager

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

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## FCCC ADVISORY

### Federal subpoenas being issued regarding SB 7066/Amendment 4 – Update No. 19-073

**Date:** August 23, 2019

**Contact:** Chris Hart

**Category:** Clerk Administration

**Telephone:** (850) 921-0808

**Page:** 1 of 1

**E-mail:** [chrishart@flclerks.com](mailto:chrishart@flclerks.com)

This Advisory is an update to [Advisory 19-060](#), sent on July 22, 2019. At this time it is possible that additional Clerks may receive subpoenas in the case of *Jones vs. DeSantis*, Civil Action No. 4:19-cv-300, now pending in the U.S. District Court for the Northern District of Florida. This relates to the Amendment 4 implementation. This is a case being brought to challenge the constitutionality of Senate Bill 7066, which was enacted by the 2019 Florida Legislature to implement recently adopted Amendment 4 to the Florida Constitution. This was the “Voting Restoration Amendment” that was placed on the 2018 General Election ballot by a citizen petition initiative process to allow former felons who have “completed all conditions” of their sentence to register to vote.

If you do receive a subpoena, please send a copy of the subpoena to both [Chris Hart](#) and [Fred W. Baggett, Esq.](#)

The association is currently working with FCCC General Counsel to set up a conference call with Clerks who receive subpoenas to review and discuss the issue. The FCCC will provide more information to Clerks regarding this conference call as details become available.

Please contact [Chris Hart](#) if you have any further questions.

**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>

**Sent:** Monday, July 08, 2019 9:29 AM EDT

**Subject:** ALERT: Amendment 4/Restoration of Voting Rights and Amendment 6/Marsy's Law Quick Response Teams

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information regarding the Amendment 4/Restoration of Voting Rights and Amendment 6/Marsy's Law Quick Response Teams (QRT).
<b>Clerk outreach:</b>	No external outreach needed.		

**Dear Court Clerks and Comptrollers:**

FCCC would like all Clerks to be aware of the Amendment 4/Restoration of Voting Rights and Amendment 6/Marsy's Law Quick Response Teams (QRT).

The Honorable Ken Burke, CPA (Pinellas), is leading the Amendment 4 QRT. Members of the Amendment 4 QRT are the Honorable Carolyn Timmann (Martin), the Honorable Tara S. Green (Clay), the Honorable Tiffany Moore Russell, Esq. (Orange), and the Honorable Karen Rushing (Sarasota). Clerks' offices are encouraged to contact Richard Herring ([rherring@flclerks.com](mailto:rherring@flclerks.com)) and Kimberly Renspie ([krenspie@flclerks.com](mailto:krenspie@flclerks.com)) with any questions or concerns regarding Amendment 4/Restoration of Voting Rights.

The Honorable Laura Roth, Esq. (Volusia), is leading the Amendment 6 QRT. Members of the Amendment 6 QRT are the Honorable Roger D. Eaton (Charlotte), Tom Hall, Esq., Cindy Guerra, Esq. (Palm Beach), and Jean Sperbeck, Esq. (Alachua). If there are any questions or concerns regarding Amendment 6/Marsy's Law, please contact Cyndi Andrews ([candrews@flclerks.com](mailto:candrews@flclerks.com)).

As a reminder, for guidance on, or to alert FCCC about any media issues, please contact Savannah Sullivan ([ssullivan@flclerks.com](mailto:ssullivan@flclerks.com)).

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

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**From:** Shannon Cash-Russell  
**Sent:** Monday, January 07, 2019 12:22 PM EST  
**To:** Kathy Coggins <KNCoggin@leoncountyfl.gov>  
**Subject:** Amendment 4 Court Case Information 1-3-2019.docx  
**Attachment(s):** "Amendment 4 Court Case Information 1-3-2019.docx"

## Notice Regarding Amendment 4 to the Florida Constitution

**Background:** On November 6, 2018, Florida voters approved Amendment 4 to the State Constitution. The Amendment states the following:

### Article VI, Section 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

For people interested in restoring their voting rights and wishing to access their court records, the Leon County Clerk of Courts maintains court records of Leon County cases **only**. Accessing these records is available through the Clerk's website at <https://cvweb.clerk.leon.fl.us/public/index.html> .

**Locating Court Records:** A listing of court records is available by selecting the Search Court Records tab. Copies of judgments issued in court cases are also filed in the Official Records. Both the Search Court Records tab and the Search Official Records tab are available on the Clerk's website as follows:

Any judgments issued prior to 2010 that had an adjudication of guilt will be found by searching the Official Records. 2010 through the current date can be found at the case level by searching Court Records.



One can search by name (both tabs), court case number (Search Court Records tab) and by book and page number (Search Official Records tab). Note: selecting the Search Court Records tab will provide access to a listing of the court records as well as displaying any court costs and fines assessed and paid. One can also select documents for view.

**Notes on Court Records Requests:** For records/images not available online, every effort will be made by the Leon County Clerk of Courts to make the requested document(s) available within 7 to 10 business days from the request date. Please note this may take longer for larger documents, or documents containing higher amounts of confidential data. **Please note, the Clerk cannot provide legal advice or tell you if you are eligible for restoration of your voting rights.**

For court costs and fines in cases with a sentencing date earlier than January 1, 1998, one will need to contact the Florida Department of Corrections for any balances owed, including any court ordered restitution.

**Cases in Other Counties:** The Clerk maintains court records for Leon County. For cases in other counties, one will need to contact the clerk's office in those counties. Links to other Clerks' offices are on the Leon County Clerk's website at the Useful Links tab.

Selecting Useful Links and then selecting Clerk Links will bring up the following options:

## FLORIDA CLERK OF COURTS' WEB LINKS

- [Alachua County Clerk](#)
- [Baker County Clerk](#)
- [Bay County Clerk](#)
- [Bradford County Clerk](#)
- [Brevard County Clerk](#)
- [Broward County Clerk](#)
- [Calhoun County Clerk](#)
- [Charlotte County Clerk](#)
- [Citrus County Clerk](#)
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- [Columbia County Clerk](#)
- [DeSoto County Clerk](#)
- [Dixie County Clerk](#)
- [Duval County Clerk](#)
- [Escambia County Clerk](#)
- [FCCC Clerk Directory](#)
- [Flagler County Clerk](#)
- [Franklin County Clerk](#)
- [Gadsden County Clerk](#)
- [Gilchrist County Clerk](#)
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- [Hillsborough County Clerk](#)
- [Holmes County Clerk](#)
- [Indian River County Clerk](#)
- [Jackson County Clerk](#)
- [Jefferson County Clerk](#)
- [Lafayette County Clerk](#)
- [Lake County Clerk](#)
- [Lee County Clerk](#)
- [Leon County Clerk and Comptroller](#)
- [Levy County Clerk](#)
- [Liberty County Clerk](#)
- [Madison County Clerk](#)
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- [Marion County Clerk](#)
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- [Volusia County Clerk](#)
- [Wakulla County Clerk](#)
- [Walton County Clerk](#)
- [Washington County Clerk](#)

**Contact Us:** For additional information on court records, one can visit the Clerk's Help Center at 301 South Monroe Street, #100, Tallahassee, FL 32301, or by calling (850) 606-4070. For questions regarding court costs and fines, please call (850) 606-4001.



**From:** hebertj@gtlaw.com <hebertj@gtlaw.com>

**Sent:** Tuesday, July 02, 2019 10:13 AM EDT

**To:** angel.colonneso@manateeclerk.com <angel.colonneso@manateeclerk.com>; avick@citrusclerk.org <avick@citrusclerk.org>; BaggettF@gtlaw.com <BaggettF@gtlaw.com>; allman@flclerks.com <allman@flclerks.com>; BevisA@gtlaw.com <BevisA@gtlaw.com>; bWASHINGTON@madisonclerk.com <bWASHINGTON@madisonclerk.com>; CTimmann@martinclerk.com <CTimmann@martinclerk.com>; Cvancura@martinclerk.com <Cvancura@martinclerk.com>; chrishart@flclerks.com <chrishart@flclerks.com>; ellsperrmann@marioncountyclerk.org <ellsperrmann@marioncountyclerk.org>; detemanng@gtlaw.com <detemanng@gtlaw.com>; spencerdc@flcjn.net <spencerdc@flcjn.net>; dsunshine@flclerks.com <dsunshine@flclerks.com>; Gwen Marshall <GMarshall@leoncountyfl.gov>; hebertj@gtlaw.com <hebertj@gtlaw.com>; jasonharrell@flclerks.com <jasonharrell@flclerks.com>; jwely@flccoc.org <jwely@flccoc.org>; connellk@unionclerk.com <connellk@unionclerk.com>; kburke@co.pinellas.fl.us <kburke@co.pinellas.fl.us>; Ken Kent <KAKent@leoncountyfl.gov>; kmadok@monroe-clerk.com <kmadok@monroe-clerk.com>; krenspie@flclerks.com <krenspie@flclerks.com>; kdunaway@flclerks.com <kdunaway@flclerks.com>; lroth@clerk.org <lroth@clerk.org>; lgivens@flaglerclerk.com <lgivens@flaglerclerk.com>; nfingerhut@mypalmbeachclerk.com <nfingerhut@mypalmbeachclerk.com>; pchilders@escambiaclerk.com <pchilders@escambiaclerk.com>; poneil@pascoclerk.com <poneil@pascoclerk.com>; richard@REHerring.com <richard@REHerring.com>; ssanders@flclerks.com <ssanders@flclerks.com>; ssullivan@flclerks.com <ssullivan@flclerks.com>; sbock@mypalmbeachclerk.com <sbock@mypalmbeachclerk.com>; sdecker@mypalmbeachclerk.com <sdecker@mypalmbeachclerk.com>; Stacey Allen <SAAllen@leoncountyfl.gov>; stacybutterfield@polk-county.net <stacybutterfield@polk-county.net>; greent@clayclerk.com <greent@clayclerk.com>; tiffany.moorerussell@myorangeclerk.com <tiffany.moorerussell@myorangeclerk.com>; tbexley@flaglerclerk.com <tbexley@flaglerclerk.com>

**Subject:** Final FCCC Priority Bill Matrix

**Attachment(s):** "Final FCCC Priority Matrix for July 1, 2019.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Please find attached the final FCCC Priority Bill Matrix with the governor's action on bills for your review.

Best Regards,

Jesse

**Jesse Hebert**

Manager of Legislative Affairs

Greenberg Traurig, P.A.  
101 East College Avenue | Tallahassee, FL 32301  
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[hebertj@gtlaw.com](mailto:hebertj@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)

**GT** GreenbergTraurig

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**\*\*FINAL\*\***

**FLORIDA COURT CLERKS & COMPTROLLERS  
PRIORITY ISSUES  
2019 SESSION**

**\*\*Bills with Final Passage are Highlighted in Blue\*\***

Updated: July 1, 2019

<b>**FCCC PACKAGE BILLS**</b>	<b>BILLS/SPONSORS</b>	<b>LEGISLATIVE HISTORY</b>	<b>COMMENTS</b>
<p><b>Clerks of the Circuit Court:</b> Providing that funds available for budgets of the clerks of the court include certain revenues from the previous year, budget amendments, and appropriated funds; revising the requirements to which a proposed budget by the clerks of the court must conform; requiring the Department of Revenue to deposit certain remitted funds in the Clerks of the Court Trust Fund rather than the General Revenue Fund, etc. APPROPRIATION: \$39,220,115.00 Effective Date: 10/1/2019</p>	<p>SB 1076 by Brandes</p>	<p>Filed: 02/14/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Approps Sub Crim &amp; Civ Justice: Appropriations: <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This is the Clerks Serve Florida Act that FCCC membership approved as the first and foremost priority for the upcoming 2019 Legislative Session. The bill:</p> <ul style="list-style-type: none"> <li>• Provides budget stability by authorizing Clerks to retain earned revenues and maintain reserves;</li> <li>• Protects critical public services by reimbursing Clerks for no-fee services provided to vulnerable populations;</li> <li>• Creates flexibility in funding to adjust the budget to address new requirements with fiscal impacts; and</li> <li>• Recognizes needs and costs to ensure Clerks' services are accounted for in the budget.</li> </ul>
<p><b>Jurisdiction of County Courts:</b> Provides procedures for allowing Supreme Court justices to have designated a facility in their district as their official headquarters; provides for appellate jurisdiction of circuit courts; requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts on specified dates; requires Office of State Courts Administrator to submit report relating to county court jurisdiction; provides county court civil filing fees for claims of specified values; provides for distribution of fees; revises levy of certain fees for mediation &amp; arbitration services in certain county court cases; authorizes certain defendants to demand that court issue ruling related to proper court venue; provides for award of attorney fees &amp; costs to prevailing party; authorizes court to transfer certain civil cases if specified criteria are met. Effective Date: July 1, 2019</p>	<p>HB 1143 by Plakon</p>	<p>Filed: 02/28/19 References: Justice Approps Sub: Judiciary Committee: Appropriations Committee: <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Courts:</b> Requiring specified filing fees for appeals from certain county courts; increasing the jurisdictional limit for actions at law by county courts on specified dates; providing county court civil filing fees for claims of specified values, etc. Effective Date: 1/1/2020</p>	<p>HB 337 by Leek</p>	<p>Filed: 1/17/19 References: Civil Justice Subcommittee: <b>FAVORABLE; 13Y, 1N</b> Justice Approps Sub: <b>FAVORABLE; 11Y, 0N</b> Judiciary Committee: <b>FAVORABLE; 18Y, 0N</b> Senate Rules: <b>HOUSE: Passed (Vote: 111 Yeas / 4 Nays)</b> <b>SENATE: Passed (Vote: 36 Yeas / 0 Nays)</b> <b>HOUSE Concurred with Amendment (938140); Passed (Vote: 109 Yeas / 0 Nays)</b> <b>05/24/19 Approved by Governor; Chapter No. 2019-58</b></p>	
	<p>SB 328 by Brandes</p>	<p>Filed: 01/14/19 References: Judiciary: <b>FAVORABLE with CS; 5Y, 0N</b> Infrastructure&amp;Security: <b>FAVORABLE; 6Y, 2N</b> Approps Sub Crim/Civ. Justice: <b>FAVORABLE; 8Y, 0N</b> Appropriations: <b>FAVORABLE; 20Y; 0N</b> <b>SENATE: Read Second Time; Substituted for HB 0337; Laid on Table, Refer to HB 0337</b></p>	



**MAJOR PRIORITY** BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Pro Se Assistance:</b> Requiring the clerk of the circuit court to inform certain pro se litigants about court reporters and the importance of transcripts in the appeals process, etc. Effective Date: 7/1/2019</p>	<p>SB 278 by Taddeo (Compare Bill SB 1582)</p>	<p>Filed: 1/10/19 References: Judiciary: Appropriations: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Pro Se Assistance:</b> Defining the term “ministerial assistance”, etc. Effective Date: 7/1/2019</p>	<p>SB 1582 by Broxson (Compare Bill SB 278)</p>	<p>Filed: 03/01/19 References: Judiciary: Criminal Justice: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Penalties and Fees:</b> Requiring a certain application to provide the applicant with the option to fulfill any court-ordered financial obligation associated with a case by enrolling in a payment plan or by completing community service if ordered by the court; revising requirements relating to the payment of court-related fines or other monetary penalties, fees, charges, and costs; authorizing the court to review the reasonableness of the payment plan upon motion of the party and to modify the plan; prohibiting the suspension of a person’s driver license solely for failure to pay certain financial obligations unless the clerk of court demonstrates to the court that the individual has the ability to pay but is refusing to do so, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2019</p>	<p>SB 734 by Rouson</p>	<p>Filed: 02/05/19 References: Criminal Justice: Approps Sub on Crim/Civil Justice: Approps:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Suspension or Revocation of Driver Licenses:</b> Repeals provisions requiring or authorizing suspension or revocation of driver license for certain offenses, including certain drug, alcohol, or tobacco offenses, theft, passing worthless checks, &amp; minor's unlawful firearm possession, placement of graffiti, &amp; failure to comply with citation for sexting. Effective Date: July 1, 2019</p>	<p>HB 1013 by Polsky</p>	<p>Filed: 02/21/19 References: Crim Justice Sub: Transp &amp; Tour Approps Sub: Judiciary Committee:</p> <p>HOUSE Indefinitely postponed and withdrawn from consideration</p>	
	<p>SB 1574 by Cruz</p>	<p>Filed: 02/28/19 References: Infrastructure and Security: Criminal Justice: Appropriations:</p> <p>SENATE Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Broward County:</b> Provides for transfer of certain county-related functions &amp; duties including ex-officio clerk of board of county commissioners, county recorder, auditor, &amp; custodian of county funds to county government; provides that County Auditor maintain power &amp; authority as prescribed in Broward County Charter. Effective Date: July 1, 2019</p>	<p>HB 1183 by Jacobs</p>	<p>Filed: 03/01/19 References: Local, Fed &amp; Vet Affairs Sub: FAVORABLE; 14Y, 0N State Affairs Committee: FAVORABLE; 19Y, 1N</p> <p>HOUSE: Passed (Vote: 112 Yeas / 0 Nays) SENATE: Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Legal Notices:</b> Provides for Internet website publication of legal notices; provides criteria for such publication; authorizes fiscally constrained county to use publicly accessible website to publish legally required advertisements &amp; public notices only if certain requirements are met; requires governmental agency to provide specified notice to residents concerning alternative methods of receiving legal notices. Effective Date: July 1, 2020</p>	<p>HB 1235 by Fine</p>	<p>Filed: 03/01/19 References: Local, Fed &amp; Vet Affairs Sub: FAVORABLE; 10Y, 5N Judiciary Committee: FAVORABLE; 11Y, 7N</p> <p>HOUSE: Passed (Vote: 68 Yeas / 44 Nays) SENATE: Indefinitely postponed and withdrawn from consideration</p>	
	<p>SB 1676 by Baxley</p>	<p>Filed: 03/01/19 References: Judiciary: Gov Oversight and Accountability: Rules:</p> <p>SENATE Indefinitely postponed and withdrawn from consideration</p>	

<p><b>Legal and Official Advertisements:</b> Authorizing the publication of legal and official advertisements on specified publicly accessible governmental websites in lieu of publication in a newspaper, etc. Effective Date: 7/1/2019</p>	<p>SB 1710 by Diaz</p>	<p>Filed: 03/01/19 References: Judiciary: Gov Oversight and Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Victim Rights:</b> Specifying the rights to which every victim is entitled; specifying rights that a victim may elect to exercise by providing notice to a state attorney or a law enforcement agency; prohibiting the questioning of a victim regarding certain sexual conduct; specifying that victims have a right to be informed of their rights; providing for enforcement and protection of a victim's right to a prompt and final conclusion of a case and any relating proceedings, etc. Effective Date: 7/1/2019</p>	<p>SB 1426 by Book</p>	<p>Filed: 02/27/19 References: Criminal Justice: Judiciary: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Mental Health:</b> Requiring service providers to disclose information from a clinical record under certain circumstances relating to threats to cause serious bodily injury or death; requiring psychiatrists to disclose certain patient communications for purposes of notifying law enforcement agencies of certain threats; revising responsibilities of the Department of Education and the Statewide Office for Suicide Prevention, etc. Effective Date: 7/1/2019</p>	<p>HB 363 by Silvers</p>	<p>Filed: 1/18/19 References: Child, Families &amp; Seniors Sub: <b>FAVORABLE; 15Y, 0N</b> Oversight, Transp. &amp; Pub Mngmt Sub: <b>FAVORABLE; 13Y, 0N</b> Health&amp;Human Services: <b>FAVORABLE; 18Y, 0N</b>  <b>HOUSE Laid on Table</b></p>	
	<p>SB 1418 by Powell</p>	<p>Filed: 02/27/19 References: Child, Families, &amp; Elder Affairs: <b>FAVORABLE; 7Y, 0N</b> Rules: <b>FAVORABLE; 16Y, 0N</b>  <b>SENATE: Passed (Vote: 38 Yeas / 0 Nays)</b> <b>HOUSE: Passed (Vote: 113 Yeas / 0 Nays)</b>  06/25/19 Approved by Governor; Chapter No. 2019-134</p>	
<p><b>State Court System Administration:</b> Requires security background investigations for foreign language court interpreters &amp; mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments. Effective Date: 7/1/2019</p>	<p>HB 7081 by Civil Justice Subcommittee</p>	<p>Filed: 03/11/19 References: Civil Justice Subcommittee: <b>FAVORABLE; 16Y, 0N</b> Justic Approps Sub: <b>FAVORABLE; 8Y, 0N</b> Judiciary: <b>FAVORABLE; 17Y, 0N</b>  <b>HOUSE: Passed (Vote: 110 Yeas / 0 Nays)</b> <b>SENATE: Passed (Vote: 40 Yeas / 0 Nays)</b>  06/07/19 Approved by Governor; Chapter No. 2019-98</p>	
	<p>SB 656 by Baxley</p>	<p>Filed: 02/01/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Approps Sub on Crim/Civil Justice: <b>FAVORABLE; 7Y, 0N</b> Appropriations: <b>FAVORABLE; 18Y, 0N</b>  <b>SENATE Substituted for HB 7081; Laid on Table, Refer to HB 7081</b></p>	

<p><b>General Appropriations Act:</b> Provides moneys for annual period beginning July 1, 2019, &amp; ending June 30, 2020, &amp; supplemental appropriations for period ending June 30, 2019, to pay salaries &amp; other expenses, capital outlay—buildings &amp; other improvements, &amp; for other specified purposes of various agencies of state government. Effective Date: Not Specified (Previously PCB APC 19-01 - General Appropriations Act)</p>	<p>HB 5001 by Appropriations Committee</p>	<p>Filed: 03/21/19 References: Appropriations: <b>FAVORABLE; 26Y, 1N</b>  <b>HOUSE LAID ON TABLE; REFER TO SB 2500</b></p>
<p><b>Implementing the 2019-2020 General Appropriations Act:</b> Implements specified appropriations of the General Appropriations Act for 2019-2020 fiscal year. Effective Date: July 1, 2019 (Formerly APC 2)</p>	<p>HB 5003 by Appropriations Committee</p>	<p>Filed: 03/21/19 References: Appropriations: <b>FAVORABLE; 24Y, 1N</b>  <b>HOUSE Substituted for SB 2502; Laid on Table, Refer to SB 2502</b></p>
<p><b>Appropriations:</b> Providing moneys for the annual period beginning July 1, 2019, and ending June 30, 2020, and supplemental appropriations for the period ending June 30, 2019, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government, etc. APPROPRIATION: \$91,106,375,235.00 Effective Date: Except as otherwise provided herein, this act shall take effect July 1, 2019, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2019, then it shall operate retroactively to July 1, 2019</p>	<p>SB 2500 by Appropriations</p>	<p>Filed: 03/22/19 References: Appropriations: <b>FAVORABLE; 21Y, 0N</b>  SENATE: <b>Conference Committee Report Received; Conference Committee Report Adopted (379320)</b> HOUSE: <b>Bill placed in Conference (Appropriations Conference Committee/Appropriations)</b>  06/21/19 Approved by Governor with Appropriation Veto; Chapter No. 2019-115</p>
<p><b>Implementing the 2019-2020 General Appropriations Act:</b> Incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; deleting a provision providing for the carrying forward of undisbursed funds allocated for the Schools of Hope Revolving Loan Program; creating the Community School Grant Program within the Department of Education, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2019; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2019</p>	<p>SB 2502 by Appropriations</p>	<p>Filed: 03/22/19 References: Appropriations: <b>FAVORABLE; 21Y, 0N</b>  SENATE: <b>Passed (Vote: 40 Yeas / 0 Nays)</b> HOUSE: <b>Passed (Vote: 113 Yeas / 1 Nay)</b>  SENATE: <b>Conference Committee Report Adopted (326660); Passed as amended by Conference Committee Report (Vote: 40 Yeas / 0 Nays)</b> HOUSE: <b>Conference Committee Report adopted (326660); Passed (Vote: 102 Yeas / 2 Nays)</b>  06/21/19 Approved by Governor; Chapter No. 2019-116</p>

<p><b>Public Safety:</b> Creates &amp; revises numerous provisions relating to public safety including increases in threshold amounts for certain theft offenses; elimination or reduction of length of driver license revocation for certain offenses; creates &amp; revises provisions relating to expungement &amp; sealing of records; revises provisions relating to inmate transitional assistance; revises provisions relating to probation violations; revises provisions relating to crime victim assistance. Effective Date: October 1, 2019</p>	<p>HB 7125 by Judiciary</p>	<p>Filed: 04/05/19 References: Judiciary: <b>FAVORABLE; 17Y, 0N</b> Appropriations: <b>FAVORABLE; 26 Y, 0N</b></p> <p>HOUSE: <b>Passed (Vote: 112 Yeas / 1 Nay)</b> SENATE: <b>Passed (Vote: 39 Yeas / 1 Nay)</b></p> <p>06/28/19 Approved by Governor; Chapter No. 2019-167</p>	
<p><b>Criminal Justice Data Transparency:</b> Revises &amp; provides data required to be collected &amp; reported to FDLE by specified entities; requires FDLE to publish data received from reporting agencies by specified date; imposes penalties on reporting agencies for noncompliance; declares information that is confidential &amp; exempt upon collection by reporting agency remains confidential &amp; exempt when reported to FDLE; requires development &amp; use of certain uniform forms and tables. Effective Date: upon becoming a law</p>	<p>HB 7109 by Criminal Justice Subcommittee</p>	<p>Filed: 03/22/19 References: Criminal Justice: <b>FAVORABLE; 15Y, 0N</b> Appropriations: <b>FAVORABLE; 29Y, 0N</b> Judiciary: <b>FAVORABLE; 17Y, 0N</b> Senate Rules:</p> <p>HOUSE: <b>Passed (Vote: 113 Yeas / 1 Nay)</b> SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Risk Protection Orders:</b> Redefining the term "petitioner" to include individuals who have a biological or legal parent-child relationship with, who are a legal guardian of, or who are a sibling of a respondent, etc. Effective Date: 7/1/2019</p>	<p>SB 7106 by Education</p>	<p>Filed: 04/05/19 References: Education: <b>FAVORABLE; 7Y, 1N</b> Rules: <b>TEMPORARILY POSTPONED</b></p> <p>SENATE <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>The bill proposes to also allow family members who have a biological or legal parent-child relationship with an individual to file petitions for risk protection orders.</p> <p>Current law only allows law enforcement agencies or officers to petition the court for these orders and there are no filing fees. Based on CCOC data, since March 2018 when this process became effective, through February 2019, 1,550 petitions have been filed by law enforcement officers statewide. If Clerks were to receive a \$195 reimbursement per case, based on a typical civil filing fee, for the associated work required, Clerks would have received \$302,250.</p> <p>It could be assumed that these numbers will continue to increase, perhaps significantly, as law enforcement continues to utilize this tool and with the authorization for family members to access the court for these types of petitions.</p>
<b>COUNTY BUDGET RELATED BILLS</b>	<b>BILLS/SPONSORS</b>	<b>LEGISLATIVE HISTORY</b>	<b>COMMENTS</b>
<p><b>Budgets of County Constitutional Officers:</b> Provides criteria for submission of tentative &amp; final budgets by county constitutional officers; requires tentative budget of county constitutional officer to be posted on county's website; provides criteria for submission of tentative &amp; final budgets by property appraiser &amp; tax collector; requires tentative &amp; final budgets to be posted on website of property appraiser or tax collector. Effective Date: July 1, 2019</p>	<p>HB 267 by Sabatini</p>	<p>Filed: 01/15/19 References: Local, Fed &amp; Vet Affairs Sub; <b>FAVORABLE; 12Y, 0N</b> Ways &amp; Means Committee; <b>FAVORABLE; 16Y, 0N</b> State Affairs Committee: <b>TEMPORARILY POSTPONED</b></p> <p>HOUSE <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill requires property appraisers to submit a tentative budget for their offices to the Board of County Commissioners (BOCC) for the ensuing fiscal year on or before June 1 of each year, and also requires all county constitutional officers' tentative and final budgets to be detailed and include a separate line item for proposed expenditures for each program, division, or unit within the office, and must include an identification of existing and proposed reserves. Finally, the tentative budget must be posted on the county's official website at least two days before the public hearing and must be identified separately from the tentative budget of the county as a whole, in order to clearly demarcate the constitutional officers' budgets.</p>
	<p>SB 696 by Hutson</p>	<p>Filed: 02/04/19 References: Community Affairs: <b>TEMPORARILY POSTPONED</b> Finance and Tax: Appropriations:</p> <p>SENATE <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>Clerks of Court do not anticipate any significant operational, policy, or fiscal impact with the proposed bill, as Clerks are already statutorily required to annually prepare and submit detailed court and county-related budgets; nor is the requirement to display the tentative budget on the county's website problematic.</p>

JUDGE / COURT-RELATED BILLS / COURT COSTS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Early Childhood Courts:</b> Authorizing circuit courts to create early childhood court programs; providing requirements and guidelines for the Office of the State Courts Administrator when hiring community coordinators and a statewide training specialist; authorizing the office to provide funding to circuit courts that choose to establish a coordination system in lieu of creating a community coordinator position, etc. Effective Date: 7/1/2019</p>	<p>SB 90 by Book</p>	<p>Filed: 11/27/18 References: Children, Families, and Elder Affairs: <b>Favorable;7Y,0N</b> Approps Sub Crim/ Civ Justice: <b>FAVORABLE; 8Y, 0N</b></p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>HB 139 by Payne</p>	<p>Filed: 12/27/18 References: Civil Justice Subcommittee: Appropriations Committee: Judiciary Committee:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Marchman Act:</b> Revises provisions &amp; terminology relating to petitions for involuntary assessment &amp; stabilization &amp; involuntary services for substance abuse impaired persons. Effective Date: July 1, 2019</p>	<p>HB 313 by Gottlieb</p>	<p>Filed: 1/17//19 References: Childr, Fam &amp; Seniors Sub: <b>FAVORABLE W CS; 14Y, 0N</b> Justice Approps Sub: Health &amp; Human Services Committee:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>SB 960 by Farmer, Jr.</p>	<p>Filed: 02/12/19 References: Judiciary: Child, Fam, and Elder Affairs: Appropriations:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	



<p><b>Uniform Interstate Depositions and Discovery Act:</b> Designating the "Uniform Interstate Depositions and Discovery Act"; requiring a party to submit a foreign subpoena to a clerk of court in this state for the issuance of a subpoena in this state; requiring the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed; requiring that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure, etc. Effective Date: 7/1/2019</p>	<p>SB 7006 by Judiciary</p>	<p>Filed: 01/15/19 References: Submitted as Committee bill by Judiciary: 6Y, 0N Rules: FAVORABLE WITH CS: 15Y, 0N  SENATE FLOOR: Passed (Vote: 37 Yeas / 0 Nays) HOUSE FLOOR: Passed (Vote: 115 Yeas / 0 Nays)  04/26/19 Approved by Governor; Chapter No. 2019-13</p>	
	<p>HB 783 by Rep. Gregory</p>	<p>Filed: 02/13/19 References: Civil Justice Subcommittee: FAVORABLE; 15Y, 0N Justice Approps Subcommittee: FAVORABLE; 9Y, 0N Judiciary Committee: FAVORABLE; 15Y, 0N  HOUSE LAID ON TABLE; REFER TO SB 7006</p>	
<p><b>Timely Administration of Justice:</b> Provides that certain actions in circuit and county court are governed by summary procedure; provides that an award of fees under this section must be upheld if specified criteria are met. Effective Date: July 1, 2019</p>	<p>HB 623 by Leek</p>	<p>Filed: 02/01/19 References: Civil Justice Subcommittee: TEMPORARILY POSTPONED Justice Appropriations Sub: Judiciary Committee:  HOUSE Indefinitely postponed and withdrawn from consideration</p>	
	<p>SB 1292 by Stargel</p>	<p>Filed: 02/21/19 References: Judiciary: Approps Sub on Crim &amp; Civil Justice: Appropriations:  SENATE Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Security in Trial Court Facilities:</b> Requires each sheriff to coordinate with specified entities to develop comprehensive plan for security of trial court facilities; specifies that sheriffs &amp; chief judges retain certain authority; specifies that sheriffs &amp; their deputies, employees, &amp; contractors are officers of court under specified circumstances. Effective Date: July 1, 2019</p>	<p>HB 639 by Perex</p>	<p>Filed: 02/04/19 References: Criminal Justice Sub: FAVORABLE WITH CS; 14Y, 0N Justice Approps Sub: FAVORABLE; 11Y, 0N Judiciary Committee: FAVORABLE; 17Y, 0N Judiciary:  HOUSE: Passed (Vote: 112 Yeas / 0 Nays) SENATE Indefinitely postponed and withdrawn from consideration</p>	
	<p>SB 762 by Gruters</p>	<p>Filed: 02/06/19 References: Judiciary: FAVORABLE; 6Y, 0N Infra &amp; Security - FAVORABLE; 8Y, 0N Approps Sub on Crim &amp; Civil Justice: FAVORABLE; 8Y, 0N Appropriations:  SENATE Indefinitely postponed and withdrawn from consideration</p>	

<p><b>Community Courts:</b> Authorizes community court programs; provides program criteria; provides for program advisory committees; requires data reporting; requires support from specified agencies; specifies funding requirements. Effective Date: July 1, 2019</p>	<p>HB 919 by McClain</p>	<p>Filed: 02/19/19 References: Crim Justice Sub: <b>FAVORABLE; 13Y, 0N</b> Justice Approps Sub: <b>FAVORABLE; 10Y, 0N</b> Judiciary Committee:  HOUSE Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Courts:</b> Specifying that certain exemptions from court-related fees and charges apply to certain entities; requiring the court to waive any court costs or filing fees for certain proceedings involving public guardians; providing that a certain examination report related to annual guardianship plans may be prepared by a physician assistant or an advanced practice registered nurse, etc. Effective Date: 7/1/2019</p>	<p>SB 1188 by Gruters</p>	<p>Filed:02/19/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Children, Families, and Elder Affairs: <b>AGENDA 04/08/19, 12:30 pm, 412 K</b> Rules: <b>FAVORABLE; 6Y, 0N</b>  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>HB 1167 by Fernandez-Barquin</p>	<p>Filed: 02/28/19 References: Civil Justice Subcommittee: Justice Appropriations Subcommittee: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>State Court System Administration:</b> Requires security background investigations for foreign language court interpreters &amp; mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments. Effective Date: 7/1/2019 (Previously PCB CJS3)</p>	<p>HB 7081 by Civil Justice Subcommittee, Rep. DiCeglie</p>	<p>Filed 03/15/19 References: Justice Approps Sub: <b>FAVORABLE; 8Y, 0N</b> Judiciary Committee: <b>FAVORABLE; 17Y, 0N</b>  <b>HOUSE: Passed (Vote: 110 Yeas / 0 Nays)</b> <b>SENATE: Passed (Vote: 40 Yeas / 0 Nays)</b>  06/07/19 Approved by Governor; Chapter No. 2019-98</p>	
<p><b>County Court Judges:</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; revising the number of county court judges in certain counties, etc. Effective Date: July 1, 2019</p>	<p>HB 5011 by Appropriations Committee</p>	<p>Filed: 03/21/19 Appropriations: <b>FAVORABLE; 18Y, 0N</b>  <b>HOUSE: Passed (Vote: 112 Yeas / 0 Nays)</b> <b>SENATE: Passed (Vote: 36 Yeas / 0 Nays)</b>  06/07/19 Approved by Governor; Chapter No. 2019-95</p>	

JUROR BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Jury Service:</b> Authorizes certain students in specified schools to be excused from jury service upon request. Effective Date: July 1, 2019</p>	<p>HB 277 by Bell</p>	<p>Filed: 1/15/19 References: Civil Justice Subcommittee; Education Committee; Judiciary Committee:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	<p>To the list of persons disqualified or excused from jury duty under s. 40.013, F.S., this bill would add a person between the age of 18 and 21, who is actively enrolled as a full-time high school or college student in Florida, as eligible to be excused from jury duty if requested.</p>
	<p>SB 760 by Harrell</p>	<p>Filed: 02/06/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Education: Rules:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>While Clerks of Court would be required to update jury summons to include this new excusal from jury service, Clerks do not anticipate any significant operational, policy, or fiscal impact due to the proposed bill.</p>
CRIMINAL BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Theft:</b> Increasing threshold amounts for certain theft offenses; revising the list of items the theft of which constitutes theft of the third degree; providing that the value of taken property is based on fair market value at the time of the taking; revising the circumstances under which an offense of retail theft constitutes a felony of the second degree, etc. Effective Date: 10/1/2019</p>	<p>SB 406 by Brandes</p>	<p>Filed: 1/22/19 References: Criminal Justice:<b>FAVORABLE, 5Y, 0N</b> Approps Sub Crim/ Civ Justice: <b>FAVORABLE; 7Y, 1N</b> Appropriations:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill seeks to raise the threshold amount for third degree felony theft offenses from \$300 to \$1,500 in ss. 812.014 and 812.015, related to grand theft and retail theft. The bill also requires OPPAGA to perform a study of the appropriateness of the threshold amounts included in these sections every 5 years. The report that is submitted to the Governor, Senate, and House will include options for amending the threshold amounts if the study finds that such amounts are inconsistent with current trends. OPPAGA is also required to consult with EDR and other interested entities in conducting the study.</p>
<p><b>Theft Offenses:</b> Increases threshold amounts for certain theft offenses; revises circumstances under certain offenses by person with prior convictions constitute a higher degree felony. Effective Date: July 1, 2019</p>	<p>HB 589 by Donalds</p>	<p>Filed: 01/29/19 References: Criminal Justice Sub: <b>FAVORABLE W CS; 10Y, 3N</b> Justice Approps Sub: <b>FAVORABLE; 9Y, 0N</b> Judiciary Committee: <b>FAVORABLE; 14Y, 2N</b></p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill raises the felony theft threshold from \$300 to \$1,000 for grand theft and retail theft; raises from \$100 to \$500 the first degree petit theft misdemeanor threshold; removes juvenile offenses from being considered as priors for petit theft as a third offense for a felony charge; and requires a third petit theft offense within three years to be tried as a felony offense.</p>
<p><b>Public Safety:</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; increasing the number of circuit judges in certain judicial circuits; increasing threshold amounts for certain theft offenses; expanding the scope of unlawful acts by a person infected with a sexually transmissible disease; prohibiting certain lewd or lascivious acts in the presence of county correctional personnel, etc. Effective Date: Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2019</p>	<p>SB 642 by Brandes</p>	<p>Filed: 01/31/19 References: Criminal Justice: <b>FAVORABLE; 5Y, 0N</b> Approps Sub on Crim &amp; Civil Justice: <b>FAVORABLE; 8Y, 0N</b> Appropriations: <b>FAVORABLE; 17 Y, 2N</b></p> <p><b>SENATE Read Second Time; Substituted for HB 7125; Laid on Table, Refer to HB 7125</b></p>	<p>A sweeping criminal justice package aimed at reducing the prison population and corrections spending won unanimous support this week in the Senate Criminal Justice Committee. The legislation, known as the Florida First Step Act, is modeled after federal changes passed and signed into law by President Donald Trump last year. The measure would allow judges to downward depart from mandatory minimums when sentencing certain nonviolent drug traffickers. It would also among other things lessen penalties for some violations of probation and would create programs to help returning citizens. The bill (CS/SB 642) is sponsored by state Sen. Jeff Brandes, a St. Petersburg Republican.</p>

<p><b>General Savings Provisions:</b> Providing for the retroactive application of amendments, reenactments, or repeals of criminal statutes, unless otherwise provided by law, etc. Effective Date: 7/1/2019</p>	<p>SB 704 by Rouson</p>	<p>Filed: 02/05/19 References: Criminal Justice: Approps Sub on Crim / Civil Justice: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill is intended to implement Amendment 11, passed in November, which eliminated an 1800s-era constitutional "Savings Clause" provision that banned the Legislature from applying criminal justice and sentencing changes retroactively. Sen. Rouson was the author and sponsor of the Amendment while part of the CRC.</p> <p>In contrast to SB 1656, however, this bill would make all sentencing changes retroactive, except for those that deal with capital punishment as a result of a unanimous jury verdict and a jury's findings of aggravating circumstances.</p>
<p><b>Sentencing and Incarceration:</b> Designates act the "Florida First Step Act"; requires DOC to provide inmates with community reentry resource directory; provides requirements for directory; authorizes prison entrepreneurship program &amp; award of gain-time for completion; authorizes transfer of inmate to administrative probation in certain circumstances; provides for alternative sanctioning program for probationers or offenders on community control who commit technical violations; requires sentence below statutory minimum for certain drug trafficking offenses in certain circumstances. Effective Date: July 1, 2019</p>	<p>HB 705 by Donalds</p>	<p>Filed: 02/07/19 References: Criminal Justice Subcommittee: Justice Approps Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Probation Violations:</b> Requires probation officer to determine whether probationer or offender on community control may remain in alternative sanctioning program after committing technical violation; defines low-risk and moderate-risk level technical violations; establishes permissible sanctions for such probation violations; establishes eligibility criteria; requires each judicial circuit to establish alternative sanctioning program. Effective Date: July 1, 2019</p>	<p>HB 963 by Fernandez-Barquin</p>	<p>Filed: 02/20/19 References: Crim Justice Sub: <b>FAVORABLE: 13Y, 0N</b> Justice Approps Sub: <b>FAVORABLE; 9Y, 0N</b> Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Criminal Judgments:</b> Requiring that judgments of guilty or not guilty of a felony be in a written record, rather than in writing, or an electronic record with the judge's electronic signature, recorded by the clerk of the circuit court; requiring that for an electronic record of a judgment of guilty, the fingerprints of a defendant be electronically captured and a certain certification be included, etc. Effective Date: 7/1/2019</p>	<p>SB 1186 by Baxley</p>	<p>Filed: 02/19/19 References: Criminal Justice: <b>FAVORABLE; 4Y, 0N</b> Judiciary: <b>NOT CONSIDERED</b> Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Criminal Justice:</b> Prohibiting the arrest, charge, prosecution, or penalization under specified provisions of a person acting in good faith who seeks medical assistance for an individual experiencing, or believed to be experiencing, an alcohol-related overdose; authorizing each county to establish a supervised bond program with the concurrence of the chief judge of the judicial circuit, the county's chief correctional officer, the state attorney, and the public defender; authorizing the Department of Corrections to extend the limits of the place of confinement to allow an inmate to participate in supervised community release, subject to certain requirements, as prescribed by the department by rule, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2019, this act shall take effect October 1, 2019</p>	<p>SB 1334 by Brandes</p>	<p>Filed: 02/22/19 References: Criminal Justice: <b>FAVORABLE; 4Y, 0N</b> Judiciary: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Criminal History Records:</b> Revising the requirements of petitioning for expunction of a criminal history record to include a sworn statement that the petitioner seeks the expunction of one or more criminal history records for which no charging document was filed or issued, for which all related charges were dismissed before trial, for which if a charging document was filed or issued in a case, it was dismissed or nolle prosequi by the prosecutor or was dismissed by a court, or for which a judgment of acquittal or a verdict of not guilty was rendered, etc. Effective Date: 7/1/2019</p>	<p>SB 1578 by Taddeo</p>	<p>Filed: 03/01/19 References: Criminal Justice: Judiciary: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Amendment of Criminal Statutes:</b> Specifying that the reenactment or amendment of a criminal statute operates prospectively and does not affect or abate specified circumstances; providing that a reference to any other chapter, part, section, or subdivision of the Florida Statutes in a criminal statute or a reference within a criminal statute constitutes a general reference under the doctrine of incorporation by reference, etc. Effective Date: Upon becoming a law</p>	<p>SB 1656 by Lee</p>	<p>Filed: 03/01/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Criminal Justice: <b>FAVORABLE; 3Y, 1N</b> Rules: <b>FAVORABLE; 16 Y. 0 N</b>  <b>SENATE: Passed (Vote: 38 Yeas / 1 Nay)</b> <b>HOUSE: Passed (Vote: 110 Yeas / 4 Nays)</b>  06/07/19 Approved by Governor; Chapter No. 2019-63</p>	<p>These bills are intended to implement Amendment 11, passed in November, which eliminated an 1800s-era constitutional "Savings Clause" provision that banned the Legislature from applying criminal justice and sentencing changes retroactively. These bills, which have been reported as a priority of Attorney General Ashley Moody, would "clarify" what voters approved and require that lawmakers sign off on the retroactive application of any new sentencing laws. Without the legislation, there will be "chaos" in the state court's system as thousands of defendants try to appeal sentences, according to AG Moody and Senate sponsor Tom Lee.</p>
<p><b>Criminal Statutes:</b> Specifying that the reenactment or amendment of a criminal statute operates prospectively and does not affect or abate specified circumstances; providing that a reference to any other chapter, part, section, or subdivision of the Florida Statutes in a criminal statute or a reference within a criminal statute constitutes a general reference under the doctrine of incorporation by reference, etc. Effective Date: Upon becoming a law (Formerly PCB CRJ 19-02 -- Criminal Statutes)</p>	<p>HB 7069 by Criminal Justice Subcommittee, Rep. Fernandez-Barquin</p>	<p>Filed: 03/08/19 References: Criminal Justice Subcommittee: <b>FAVORABLE; 10Y, 4N</b> Judiciary: <b>FAVORABLE; 11Y, 4N</b>  <b>HOUSE Laid on Table</b></p>	

<p><b>Criminal Justice:</b> Requires certain defendants sentenced for primary offense of possession of controlled substance to be sentenced to nonstate prison sanction; authorizes defendant to move sentencing court to depart from mandatory minimum term of imprisonment or mandatory fine; revises principle of Criminal Punishment Code relating to prisoner's required minimum term of imprisonment; revises provisions relating to incentive gain-time; provides that certain persons convicted of noncapital offense &amp; sentenced for term of life qualify for conditional release. Effective Date: October 1, 2019</p>	<p>HB 1133 by Valdes</p>	<p>Filed: 02/27/19 References: Criminal Justice Sub: Justice Approps Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>SB 1446 by Rouson</p>	<p>Filed: 02/27/19 References: Criminal Justice: Judiciary: Appropriations:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Criminal Justice:</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; increasing the number of circuit judges in certain judicial circuits; revising the circumstances under which an offense of retail theft constitutes a felony of the second or third degree, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect October 1, 2019</p>	<p>SB 7072 by Appropriations</p>	<p>Filed: 03/04/19 References: Appropriations: <b>FAVORABLE; 21Y, ON</b> Approps Sub Crim/Civ Justice: <b>FAVORABLE; 6Y, ON</b> Appropriations: <b>FAVORABLE; 20 Y, ON</b>  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This proposed committee bill would raise the felony theft threshold from \$300 to \$700 for grand theft and retail theft. The bill also requires these thresholds to be adjusted every 2 years according to the Consumer Price Index. EDR shall calculate the thresholds, rounded to the nearest \$50, and publish the amounts by July 1 of every second year, with the amounts taking effect on October 1 of that year.</p>
CONCEALED WEAPONS BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Regulation of Concealed Weapons Licenses:</b> Transferring the concealed weapons licensing program of the Division of Licensing of the Department of Agriculture and Consumer Services to the Department of Law Enforcement by a type two transfer; creating the Concealed Weapons Licensing Program in the Department of Law Enforcement; redesignating the Department of Law Enforcement as the entity responsible for regulating, and collecting payments and fees from, concealed weapons licensing, etc. Effective Date: 1/1/2020</p>	<p>SB 108 by Stewart</p>	<p>Filed: 11/29/18 References: Judiciary; Commerce and Tourism: Infrastructure and Security: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Firearms:</b> Removes provisions authorizing seizure of firearms from persons in certain circumstances; removes prohibition on firearms ownership or possession until removal of firearm possession &amp; firearm ownership disability; removes prohibition on persons younger than 21 years of age purchasing firearms; eliminates waiting period for purchases of firearms other than handguns; removes ban on bump-fire stocks; removes provisions providing for risk protection orders. Effective Date: upon becoming a law 01/07/19</p>	<p>HB 175 by Hill</p>	<p>Filed: 01/07/19 References: <b>WITHDRAWN PRIOR TO INTRODUCTION</b></p>	
	<p>HB 6073 by Hill</p>	<p>Filed: 03/05/19 References: Crim Justice Sub: Justice Approps Sub: Judiciary:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Home Safety:</b> Prohibiting a person who owns a firearm from keeping it in a residence if he or she knows or has reason to know that another person also residing in that residence is prohibited from owning, possessing, purchasing, or receiving a firearm; requiring that on a certain date and annually thereafter each clerk of the court report to the Office of State Courts Administrator specified information, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2019</p>	SB 764 by Berman	<p>Filed: 02/06/19 References: Judiciary: Criminal Justice: Rules:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills propose to allow a family or household member, as defined by the bill, to petition the court for a risk protection order. These bills also require each Clerk, beginning January 31, 2020, and each January 31 thereafter, to report to OSCA certain information related to risk protection orders for the previous calendar year. Beginning April 1, 2020, and by each April 1 thereafter, OSCA shall compile and publish this information on its website by category, by county, and by court.</p> <p>Current law only allows law enforcement agencies or officers to petition the court for these orders and there are no filing fees. Based on CCOC data, since March 2018 when this process became effective, through February 2019, 1,550 petitions have been filed by law enforcement officers statewide. If Clerks were to receive a \$195 reimbursement per case, based on a typical civil filing fee, for the associated work required, Clerks would have received \$302,250. It could be assumed that these numbers will continue to increase, perhaps significantly, as law enforcement continues to utilize this tool and with the authorization for family members to access the court for these types of petitions.</p> <p>In addition, Clerks already report monthly to OSCA via SRS data related to risk protection orders, including data related to the number of petitions filed, hearings held, and the manner of disposition of risk protection order petitions and hearings.</p>
	HB 923 by Stark	<p>Filed: 02/19/19 References: Crim Justice Sub: Justice Approps Sub: Judiciary Committee:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Firearms:</b> Authorizing a law enforcement officer acting in accordance with certain provisions to serve and execute a court order on any day and at any time; authorizing a law enforcement officer acting in accordance with certain provisions to use reasonable physical force to gain entry to the premises or any dwelling on such premises and take custody of the person subject to the court order; requiring the assigning of serving and executing the court order to a law enforcement officer with certain training, when practicable, etc. Effective Date: 7/1/2019</p>	SB 788 by Book	<p>Filed: 02/06/19 References: Judiciary: Criminal Justice: Rules:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<b>ETHICS, ELECTIONS &amp; VOTER BILLS</b>	<b>BILLS/SPONSORS</b>	<b>LEGISLATIVE HISTORY</b>	<b>COMMENTS</b>
<p><b>Voter Registration Maintenance:</b> Requires supervisors of elections to enter into agreements with clerks of circuit courts to receive specified information; requires supervisors of elections to compare certain information with statewide voter registration system; requires DHSMV to furnish monthly to DOS list of persons who identified themselves as aliens; requires DOS to compare such list with statewide voter registration system &amp; provide names of registered voters who are aliens to supervisor of elections of county in which voter is registered. Effective Date: July 1, 2019</p>	HB 131 by Mariano	<p>Filed: 12/20/18 References: Oversight, Transp &amp; Public Mngt Sub: <b>FAVORABLE; 9Y, 1N</b> Transp &amp; Tourism Approps Sub: <b>FAVORABLE; 12Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 19Y, 2N</b></p> <p><b>HOUSE: Passed (Vote: 71 Yeas / 40 Nays)</b> <b>Now in Senate</b> <b>SENATE: Indefinitely postponed and withdrawn from consideration</b></p>	
	SB 230 by Gruters	<p>Filed: 1/03/19 References: Ethics &amp; Elections: <b>FAVORABLE; 4Y, 3N</b> Infrastructure &amp; Security: <b>FAVORABLE; 5Y, 3N</b> Appropriations:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Ethics Reform:</b> Repeals provisions relating to state, state university, &amp; community college employee lobbyists; prohibits certain public officers &amp; employees from soliciting specified employment &amp; contractual relationships; revises lobbyist registration, compensation report, principal designation cancellation, &amp; investigation requirements. Effective Date: July 1, 2019</p>	<p>HB 1 By Sabatini</p>	<p>Filed: 02/01/19 References: Pub Integ&amp;Ethics Com: <b>FAVORABLE; 17Y, 0N</b> Over Trans &amp; Pub Mngmt Sub: <b>FAVORABLE; 12Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 20 Y, 0N</b></p> <p>HOUSE: <b>Passed (Vote 117 Yeas / 0 Nays)</b> SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>In general, this bill addresses public officer and employee conduct regarding solicitation and negotiation of conflicting and potentially conflicting income producing relationships, addresses post-service lobbying restrictions for certain elected and appointed officers, and revises executive branch lobbyist registration requirements.</p>
<p><b>Financial Disclosure:</b> Requiring the Commission on Ethics to procure and test an electronic filing system by a certain date; requiring certain forms to be filed electronically beginning on a specified date; providing that the commission is not liable for the release of certain information under certain circumstances; requiring the commission to redact certain information under certain circumstances, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law (Previously PIE1)</p>	<p>SB 1702 by Baxley</p>	<p>Filed: 03/01/19 References: Ethics and Elections: <b>TEMPORARILY POSTPONED</b> Gov Oversight and Accountability: Rules:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>Of priority interest, the bill would create s. 106.114 Elected Official Advertising and, of note, would prohibit a governmental entity, a person acting on behalf of a governmental entity, or an elected official from using or authorizing the use of an elected official's name, image, likeness, official uniform, badge, or other symbol of office in a public service announcement between the time the elected official qualifies as a candidate for re-election or election to another public office and the date of the general election for which the candidate qualified, if such announcement is paid with public funds or if the time or space for such announcement is donated by the media. This provision does not apply to charitable events sponsored by 501(c)(3) organizations or bona fide news events, such as public debates broadcast by a licensed broadcaster.</p>
<p><b>Financial Disclosure:</b> Requires Commission on Ethics to procure &amp; test electronic filing system; provides requirements for system; provides duties of units of government, commission, &amp; persons required to file specified form; requires forms to be electronically filed; prohibits information from being included in filings; provides that commission is not liable for release of information; requires commission to redact information; requires commission to include information in instructions for electronic filing; requires information be delivered electronically; revises schedule to State Constitution. Effective Date: upon becoming a law (Formerly PCB PIE 19-01 -- Electronic filing of financial disclosures)</p>	<p>SB 7040 by Ethics &amp; Elections (Similar to HB 7021 below)</p>	<p>Filed: 02/04/19 References: Ethics and Elections: <b>FAVORABLE; 7Y, 0N</b> Gov Overs &amp; Accountability: <b>FAVORABLE; 5Y, 0N</b> Appropriations: <b>FAVORABLE; 19Y, 0N</b></p> <p><b>SENATE Read Third Time; Substituted for HB 7021; Laid on Table, Refer to HB 7021</b></p>	<p>In general, this bill intends to modernize and streamline the financial disclosure filing process by providing for mandatory electronic filing of financial disclosure. As such, the Florida Commission on Ethics is required to procure and test an electronic financial disclosure filing system that must meet certain minimum requirements; for example, the system must allow disclosures to be completed and submitted online and to be accessible and searchable for the public.</p> <p>Of priority interest to Clerks and Comptrollers and certain staff members, the bill makes the following changes:</p> <ul style="list-style-type: none"> <li>• Filers required to file FORM 6 will be required to file their forms electronically beginning January 1, 2022</li> <li>• Filers required to file FORM 1 will be required to file electronically beginning January 1, 2023</li> <li>• Removes the ability for FORM 6 filers to submit a copy of their most recent federal income tax return to show income</li> <li>• Provides a method for attorneys or CPAs to complete the electronic forms, but requires the person filing the forms to submit</li> <li>• Provides that the Commission may not request, and a filer may not provide, a social security number, bank account, debit, charge, or credit card number, personal identification number, or any other personal or account information that is protected by state and federal law. If a filer does inadvertently provide this information, it will not be subject to confidentiality; however, a filer may provide written notice to the Commission specifying the information that was inadvertently included and the Commission shall then redact that information.</li> </ul>
<p><b>Financial Disclosure:</b> Requires Commission on Ethics to procure &amp; test electronic filing system; provides requirements for system; provides duties of units of government, commission, &amp; persons required to file specified form; requires forms to be electronically filed; prohibits information from being included in filings; provides that commission is not liable for release of information; requires commission to redact information; requires commission to include information in instructions for electronic filing; requires information be delivered electronically; revises schedule to State Constitution. Effective Date: upon becoming a law (Formerly PCB PIE 19-01 -- Electronic filing of financial disclosures)</p>	<p>HB 7021 by Public Integrity &amp; Ethics Committee (Similar to SB 7040 above)</p>	<p>Filed: 02/05/19 References: Public Integrity &amp; Ethics Committee: <b>FAVORABLE, 17Y, 0N</b> Appropriations: <b>FAVORABLE; 28Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 20Y, 0N</b></p> <p>HOUSE: <b>Passed (Vote: 117 Y / 0N)</b> SENATE: <b>Passed (Vote: 37 Yeas / 0 Nays)</b></p> <p>06/07/19 Approved by Governor; Chapter No. 2019-97</p>	<p>In general, this bill intends to modernize and streamline the financial disclosure filing process by providing for mandatory electronic filing of financial disclosure. As such, the Florida Commission on Ethics is required to procure and test an electronic financial disclosure filing system that must meet certain minimum requirements; for example, the system must allow disclosures to be completed and submitted online and to be accessible and searchable for the public.</p> <p>Of priority interest to Clerks and Comptrollers and certain staff members, the bill makes the following changes:</p> <ul style="list-style-type: none"> <li>• Filers required to file FORM 6 will be required to file their forms electronically beginning January 1, 2022</li> <li>• Filers required to file FORM 1 will be required to file electronically beginning January 1, 2023</li> <li>• Removes the ability for FORM 6 filers to submit a copy of their most recent federal income tax return to show income</li> <li>• Provides a method for attorneys or CPAs to complete the electronic forms, but requires the person filing the forms to submit</li> <li>• Provides that the Commission may not request, and a filer may not provide, a social security number, bank account, debit, charge, or credit card number, personal identification number, or any other personal or account information that is protected by state and federal law. If a filer does inadvertently provide this information, it will not be subject to confidentiality; however, a filer may provide written notice to the Commission specifying the information that was inadvertently included and the Commission shall then redact that information.</li> </ul>



<p><b>Government Accountability:</b> Specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner, may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying that any person who willfully fails or refuses to provide access to an employee, officer, or agent of an entity under audit is subject to a penalty; revising the definition of the term "financial audit"; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls, etc. Effective Date: 7/1/2019</p>	<p>SB 7014 by Governmental Oversight &amp; Accountability</p>	<p>Filed: 01/28/19 References: Gov Over. &amp; Accountability: <b>FAVORABLE 5Y, 0N</b> Community Affairs: <b>FAVORABLE W CS; 5Y, 0N</b> Rules: <b>AGENDA - 03/13/19, 10:00 am, 110 S</b>  SENATE: <b>Passed (Vote: 40 Yeas / 0 Nays)</b> HOUSE: <b>Passed (Vote: 113 Yeas / 0 Nays)</b>  Approved by Governor; Chapter No. 2019-15</p>	<p>This bill is very similar to ethics bills that have been filed in previous sessions. Of specific interest to Clerks, the bill would:</p> <ul style="list-style-type: none"> <li>• amend s. 28.35 to require CCOC to report quarterly to the Legislature on any Clerk who has not met workload performance standards and provide a copy of corrective action plans. CCOC would have no more than 45 days after the end of the preceding quarter to submit this information; and</li> <li>• amend s. 218.391(2)(c) to exclude from the membership of an audit committee established under this subsection an employee, chief executive officer, or chief financial officer of the county, municipality, special district, district school board, charter school, or charter technical career center. The bill also adds new subsection (9) related to the auditor selection process if an entity fails to select an auditor in accordance with the requirements of this statute.</li> </ul> <p>In addition, the bill would:</p> <ul style="list-style-type: none"> <li>• Amend s. 11.45(1) to define "abuse," "fraud," and "waste," and includes tourist development councils and county tourism promotion agencies in the current definition of "Local governmental agency"; and amends (3) to include tourist development councils and county tourism promotion agencies in the scope of the Auditor General's authority for audits and other engagements;</li> <li>• Amends s. 129.03, Preparation and adoption of (county) budget, to require that the tentative county budget must remain on a county's official website for at least 45 days following the public hearing, and that the final adopted budget must remain on the website for at least two years. Similarly, s. 129.06 is amended to require that an amended county budget must remain on the county's official website for at least two years;</li> <li>• Amends s. 215.86, Management systems and controls, to require each state agency and the judicial branch to establish internal controls designed to prevent fraud, waste, and abuse, as defined by the bill. A similar requirement is made of local governmental entities in s. 218.33; and</li> <li>• Amends s. 218.32, to allow DFS to request additional information from a local governmental entity in preparation of the verified report. The requested information must be provided to DFS within 45 days; if the local governmental entity does not comply, DFS shall notify the Legislative Auditing Committee, which may take action.</li> </ul>
<p><b>Government Accountability:</b> Specifies that Governor, Commissioner of Education, or designee may notify Legislative Auditing Committee of entity's failure to comply with auditing &amp; financial reporting requirements; revises provisions relating to audits; requires entities to maintain budget documents on entities' websites; specifies applicable standards as to employee background screening &amp; investigations of Florida College System &amp; State University System personnel. Effective Date: July 1, 2019</p>	<p>HB 7035 by Oversight, Transparency &amp; Public Management Subcommittee, Rep. Fischer</p>	<p>Filed: 02/06/19 References: Over., Transp. &amp; Pub Mngmt Sub: <b>FAVORABLE; 13Y, 0N</b> Pub Integ &amp; Ethics Committee: <b>FAVORABLE; 16Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 19Y, 0N</b>  <b>HOUSE READ 2N TIME, LAID ON TABLE, REFER TO SB 7014</b></p>	

<p><b>Local Government Financial Reporting:</b> Requires county &amp; municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments &amp; final budgets to remain posted on each entity's official website for specified period of time; requires EDR to create form by specified date. Effective Date: upon becoming a law</p>	<p>HB 861 by Roach</p>	<p>Filed: 02/15/19 References: Loc, Fed &amp; Vet Affairs Sub: <b>FAVORABLE; 13Y, 1N</b> Approps Committee: <b>FAVORABLE; 29 Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 20Y, 0N</b> SENATE Community Affairs: Governmental Oversight and Accountability: Rules:  HOUSE: <b>Passed (Vote: 115 Yeas / 1 Nays)</b> SENATE: <b>Passed (Vote: 38 Yeas / 1 Nays)</b>  HOUSE Refused to concur, Requested Senate to recede SENATE Received from Messages; Recede from 1 Amendment (300314); <b>Passed (Vote: 37 Yeas / 1 Nay)</b>  05/23/19 Approved by Governor; Chapter No. 2019-56</p>	
	<p>SB 1616 by Baxley</p>	<p>Filed: 03/01/19 References: Community Affairs: <b>FAVORABLE; 4Y, 1N</b> Gov Oversight &amp; Accountability: <b>FAVORABLE; 5Y, 0N</b> Rules: <b>FAVORABLE; 16 Yeas, 0 Nays</b>  <b>SENATE Read Second Time; Substituted for HB 0861; Laid on Table, Refer to HB 0861</b></p>	
<p><b>Voting Rights Restoration:</b> Requires uniform statewide voter registration application to be designed to elicit specified information from applicant so certain felons are not required to reveal certain information; provides for termination of voting disabilities arising from certain felony convictions; requires DOS to identify registered voters &amp; take specified actions; prohibits person from being charged or convicted for certain violations; provides that voting disqualification arising from certain felony convictions shall terminate upon completion of all terms of sentence. Effective Date: upon becoming a law (Previously CRJ3)</p>	<p>HB 7089 by Criminal Justice Subcommittee</p>	<p>Filed: 03/15/19 References: Crim Justice Sub: <b>FAVORABLE; 10 Y, 5 N</b> Judiciary: <b>FAVORABLE; 12Y, 6N</b> Senate Rules:  HOUSE: <b>Passed (Vote: 71 Yeas / 45 Nays)</b> SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Voting Rights Restoration:</b> Revising terminology regarding voting rights restoration to conform to the State Constitution; requiring the voting disqualification of certain felons to be removed and voting rights restored pursuant to s. 4, Art. VI of the State Constitution; requiring the Department of Corrections to inform inmates and offenders of voting rights restoration pursuant to s. 4, Art. VI of the State Constitution, in addition to executive clemency and civil rights restoration, etc. Effective Date: Upon becoming a law</p>	<p>SB 7086 by Criminal Justice</p>	<p>Filed: 03/20/19 References: Criminal Justice: <b>FAVORABLE; 3Y, 2N</b> Judiciary: <b>FAVORABLE; 3Y, 2N</b> Rules: <b>FAVORABLE; 11 Yeas, 6 Nays</b>  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Election Administration:</b> Requiring the Secretary of State to provide signature matching training to certain persons; revising the voter threshold necessary to require the reporting of certain precinct-level results by ballot; authorizing certain individuals to serve as witnesses during the ballot duplication process; revising requirements for vote-by-mail ballot instructions; providing a penalty for certain supervisors who willfully violate the Florida Election Code, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2019</p>	<p>SB 7066 by Ethics &amp; Elections</p>	<p>Filed: 02/28/19 References: Ethics &amp; Elections: <b>FAVORABLE; 6Y, 0N</b> Rules: <b>FAVORABLE; 15Y, 1N</b>  SENATE: <b>Passed (39 Yeas / 1 Nay)</b> HOUSE: <b>Passed (101 Yeas, 13 Nays)</b>  06/28/19 Approved by Governor; Chapter No. 2019-162</p>	



FAMILY LAW / GUARDIANSHIP / ALIMONY / WILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Adoption Assistance for Children within the Child Welfare System:</b> Requires that court costs for all adoptive parents who adopt children in custody of DCF be waived rather than reimbursed by department. Effective Date: July 1, 2019</p>	<p>HB 609 by DuBose</p>	<p>Filed: 01/31/19 References: Child, Fam &amp; Sen Sub: Justice Approps Sub: Health &amp; Human Serv Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills provide for the waiver of "court costs" for an adoptive parent that adopts a youth in the custody of the Department of Children and Families (DCF). According to DCF data, between SFY 2012-13 and SFY 2016-17, DCF averaged 3,382 finalized adoptions annually (it is unknown, though, if all of these adoptions are considered "children in the custody of the department" as specified in the bill).</p> <p>Assuming that the intent of the term "court costs" includes filing fees as well as costs for copies, oaths, etc., that the average number of adoptions per year of children in the custody of DCF is 3,382, and none of the adoptive parents are determined to be indigent, then the maximum fiscal impact would be \$1,014,600 (3,382*\$300 filing fee for ch. 39 state agency adoption). Note that costs for oaths, copy fees, etc., would be in addition to this. Based on the statutory distribution of the \$300 filing fee, this would result in an almost \$660,000 annual revenue loss for Clerks statewide (3,382*195=\$659,490). Note that costs for oaths, copy fees, etc., would be in addition to this.</p> <p>There will also be an impact to the State Courts Revenue Trust Fund; the Department of Financial Services Administrative Trust Funds (DFS) for CCOC, the DFS budget reviews and Clerk education; and the Court Education Trust Fund because of the statutory distribution of the remaining portion of the filing fee.</p>
<p><b>Guardianships and Protective Proceedings:</b> Provides directive to DLR to create part IX of ch. 744, F.S., entitled "Florida Guardianship &amp; Protective Proceedings Jurisdiction Act"; provides that foreign country is to be treated as state; authorizes court of this state to communicate with court of another state &amp; to request court of another state to conduct certain activities; provides that witness located in another state may be deposed or testify by certain means; provides factors for court to consider when determining significant connection with another state; provides that court has special jurisdiction to undertake certain activities; provides when court has exclusive &amp; continuing jurisdiction over proceeding &amp; when court can decline jurisdiction; requires notice to all parties; provides rules for when petition for appointment of guardian is filed in this state &amp; another state; provides for transfer of guardianship; provides procedures for accepting transfer of guardianship into this state; provides that part modifies, limits, &amp; supersedes certain federal laws. Effective Date: July 1, 2019</p>	<p>HB 677 by Duggan</p>	<p>Filed: 02/06/19 References: Civil Justice Subcommittee: Justice Approps Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Guardianship:</b> Applying provisions relating to the determination of venue in proceedings for the appointment of a guardian to minors; requiring that a court dismiss a petition for determination of incapacity if all members of the examining committee conclude that the person is not incapacitated, unless a certain motion is filed within a specified period, etc. Effective Date: Upon becoming a law</p>	<p>SB 1338 by Rodriguez (J)</p>	<p>Filed: 02/22/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Children, Families, and Elder Affairs: <b>FAVORABLE; 7Y, 0N</b> Rules: <b>FAVORABLE; 17Y, 0N</b>  SENATE: <b>Passed (Vote: 40 Yeas / 0 Nays)</b> HOUSE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Parental Consent for Abortion:</b> Creating the "Parental Consent for Abortion Act"; prohibiting a physician from performing an abortion on a minor unless the physician has been presented with consent from the minor's parent or guardian, as appropriate; providing an exception for a medical emergency; authorizing a minor to petition any circuit court in which the minor resides for a waiver of consent required to obtain an abortion, etc. Effective Date: 7/1/2019</p>	<p>SB 1774 by Stargel</p>	<p>Filed: 03/01/19 References: Health Policy: <b>FAVORABLE; 5Y, 4N</b> Judiciary: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	

MISCELLANEOUS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Restoration of Rights:</b> Designates act "Economic Redemption and Restoration of Constitutional Rights Act"; authorizes person suffering from legal disability due to criminal conviction to apply for relief; provides exceptions. Effective Date: July 1, 2019</p>	<p>HB 177 by Daniels</p>	<p>Filed: 01/07/19 References: Criminal Justice Sub: Justice Approp Sub: Judiciary:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Electronic Legal Documents:</b> Authorizes online notarizations; specifies requirements &amp; standards for performance of such online notarizations; requires DOS to adopt rules by specified date. Effective Date: January 1, 2020</p>	<p>HB 409 by Perez</p>	<p>Filed: 1/22/19 References: Civil Justice Sub: <b>FAVORABLE; 14Y, 2N</b> Transp&amp;Tourism Approp Sub: <b>FAVORABLE; 10Y, 1N</b> Judiciary: <b>FAVORABLE; 17Y, 1N</b></p> <p><b>HOUSE: Passed (Vote: 87 Yeas / 28 Nays)</b> <b>SENATE: Passed (Vote: 39 Yeas / 0 Nays)</b></p> <p>06/07/19 Approved by Governor; Chapter No. 2019-71</p>	
<p><b>Electronic Legal Documents:</b> Revising provisions relating to use of the office of notary public; authorizing online notarizations; specifying registration and qualification requirements for online notaries public; prescribing online notarization procedures; specifying the manner by which an online notary public must verify the identity of a principal or a witness, etc. Effective Date: Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon becoming a law, this act shall take effect January 1, 2020</p>	<p>SB 548 by Brandes</p>	<p>Filed: 01/28/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Gov Oversight and Accountability: <b>FAVORABLE; 5Y, 0N</b> Rules: <b>FAVORABLE; 14 Y, 1 N</b></p> <p><b>SENATE Read Second Time; Substituted for HB 0409; Laid on Table, Refer to HB 0409</b></p>	
<p><b>Underground Facility Damage Prevention and Safety:</b> Changes number of days notice an excavator must provide to free-access notification system before beginning any excavation or demolition; creates underground facility damage prevention review panel; provides membership, term limits, &amp; duties of review panel; specifies civil penalties which review panel may assess; provides review process through DOAH for infractions not resolved by review panel; provides penalty for person who removes or damages permanent underground facility markers; authorizes member operators to place permanent markers for certain purposes. Effective Date: July 1, 2019</p>	<p>HB 263 By Payne</p>	<p>Filed: 01//14/19 References: Energy &amp; Utilities Subcommittee; Gov Ops &amp; Techn Approps Sub; Commerce Committee:</p> <p><b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>HB 848 by Broxson</p>	<p>Filed: 02/07/19 References: Innov, Industry, &amp; Tech: Infrastructure and Security: Rules:</p> <p><b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Mental Health:</b> Authorizing public defenders and regional counsel to have access to persons held in a facility licensed under chapter 394 or chapter 397; requiring that respondents with a serious mental illness be afforded essential elements of care and placed in a continuum of care regimen; authorizing the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state's case in chief; revising the requirements for when a person may be taken to a receiving facility for involuntary examination, etc. Effective Date: 7/1/2019</p>	<p>SB 818 by Book</p>	<p>Filed: 02/06/19 References: Child, Families, and Elder Affairs: <b>FAVORABLE; 6Y, 0N</b> Judiciary: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>School Bus Safety:</b> Authorizes school district to install cameras on school buses; authorizes DHSMV, county, or municipality to authorize traffic infraction enforcement officer to issue &amp; enforce citation for failing to stop for school bus; requires notification to be sent to owner of vehicle involved in violation; prohibits receiving commission or remuneration based on use of camera; requires payment of citation unless certain information is established in affidavit; provides penalties for submitting false affidavit; requires annual reports to DHSMV, Governor, &amp; Legislature; provides hearing procedures; authorizes appeal of final order; revises &amp; provides disposition of civil penalties. Effective Date: October 1, 2019</p>	<p>HB 849 by Slosberg</p>	<p>Filed: 02/14/19 References: Transportation &amp; Infrastructure Sub: PreK-12 Approps Sub: State Affairs Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Electronic Payment of Governmental Fees:</b> Requiring clerks of the circuit court to provide an electronic option for payment of court-related fines and other fees; requiring an agency subject to ch. 119, F.S., to provide an electronic option for payment of fees associated with a public records request, etc. Effective Date: 1/1/2020</p>	<p>SB 1114 by Taddeo</p>	<p>Filed: 02/15/19 References: Judiciary: Approps Sub Crim&amp; Civil Justice: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Tobacco Products:</b> Revises shipping documentation requirements for specified sales of tobacco products; removes tobacco offenses from driver license penalties for persons under age 18; revises prohibited age related to sale, delivery, gift, possession, &amp; purchase of tobacco products; provides &amp; revises penalties. Effective Date: October 1, 2019</p>	<p>HB 1041 by Duran</p>	<p>Filed: 02/22/19 References: Bus&amp; Prof Sub: Criminal Justice Sub: Commerce Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Tobacco and Nicotine Products:</b> Citing this act as the "Tobacco 21 Act"; preempting the establishment of the minimum age for the sale or delivery of tobacco products, nicotine products, or nicotine dispensing devices to the state; revising the age under which it is unlawful to smoke in, on, or near school property; defining the terms "the minimum age for purchase" and "any person under the minimum age for purchase"; providing that it is unlawful to sell or deliver tobacco products to persons under the minimum age for purchase, etc. Effective Date: 10/1/2019</p>	<p>SB 1618 by Simmons</p>	<p>Filed: 03/01/19 References: Health Policy: <b>FAVORABLE; 9Y, 1N</b> Innov, Industry, &amp;Tech: <b>FAVORABLE; 8Y, 2N</b> Rules: <b>FAVORABLE; 14Y, 2N</b>  <b>SENATE: Passed (Vote: 33 Yeas / 6 Nays)</b> <b>HOUSE: Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Cannabis:</b> Providing that possession of a personal use quantity of cannabis or a cannabis accessory by an adult is a civil violation; providing for fines or community service; providing that such possession by a minor is a civil violation; prohibiting state or local penalties or obligations other than specified penalties or obligations concerning possession of personal use quantities of cannabis or cannabis accessories; prohibiting additional state or local penalties or obligations for having cannabinoids or cannabinoid metabolites in body tissue or fluid, etc. Effective Date: 7/1/2019</p>	<p>SB 1714 by Bracy</p>	<p>Filed: 03/01/19 References: Judiciary: Criminal Justice: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>SB 1289 by Smith (C)</p>	<p>Filed: 03/01/19 References: Criminal Justice Subcommittee: Justice Approps Subcommittee: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Information Technology Reorganization:</b> Transfers powers, duties, functions, records, offices, personnel, pending issues &amp; contracts, administrative authority, administrative rules, &amp; funds from AST to DMS by a type two transfer; establishes Division of State Technology within DMS; specifies reporting requirements for executive branch agencies &amp; judicial branch through statewide travel management system; requires each state agency to adopt formal procedures for cloud-computing options; creates Florida Cybersecurity Task Force. Effective Date: July 1, 2019</p>	<p>SB 1570 by Hooper</p>	<p>Filed: 02/28/19 References: Gov Over and Accountability: <b>FAVORABLE; 4Y, 0N</b> Approps Sub on Ag, Envi, &amp; Gen Gov: <b>FAVORABLE; 10Y, 0N</b> Appropriations: <b>FAVORABLE; 17Y, 0N</b>  <b>SENATE Read Second Time; Substituted for HB 5301; Laid on Table, Refer to HB 5301</b></p>	<p>Of priority interest, this bill amends s. 112.061, to create the Statewide Travel Management System that all executive branch state agencies and the judicial branch must use for the purposes of travel authorization and reimbursement. Such reports to the system must include public officer and employee travel information, including name and position title; purpose of travel; dates and location of travel; mode of travel; confirmation from the head of the agency or designee authorization, if required; and total travel cost.</p> <p>As currently drafted, this Statewide Travel Management System does not appear to apply to Clerks of Court, other constitutional officers, or their employees. However, we will continue to track this as a priority issue for the duration of session.</p>
	<p>HB 5301 by Government Operations &amp; Technology Appropriations Subcommittee</p>	<p>Filed: 03/15/19 References: Gov Ops &amp; Tech Approps Sub: <b>FAVORABLE; 11N, 0N</b> Appropriations: <b>FAVORABLE; 24Y, 0N</b>  <b>HOUSE: PASSED (VOTE: 112Y, 0N)</b> <b>SENATE: Passed (Vote: 39 Yeas / 0 Nays)</b>  06/24/19 Approved by Governor; Chapter No. 2019-118</p>	
<p><b>Mental Health:</b> Requires service providers to disclose information from clinical record relating to threats; revises deadlines for submission of documentation regarding involuntary examinations; revises purpose of civil commitment of sexually violent predators; revises responsibilities of DOE &amp; Statewide Office for Suicide Prevention; revises criteria for designation as Certified Suicide Prevention School. Effective Date: July 1, 2019</p>	<p>HB 361 by Silvers</p>	<p>Filed: 01/18/2019 References: Child, Fam, &amp; Sen Sub: <b>FAVORABLE; 15Y, 0N</b> Appropriations: <b>FAVORABLE; 29Y, 0N</b> Health&amp;Human Services: <b>FAVORABLE; 18Y, 0N</b>  <b>HOUSE Laid on Table</b></p>	

MOTOR VEHICLE BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Traffic Infraction Detectors:</b> Repeals provisions relating to Mark Wandall Traffic Safety Program &amp; authorization to use traffic infraction detectors; repeals provisions relating to distribution of penalties, transitional implementation, &amp; placement &amp; installation; conforms cross-references &amp; provisions to changes made by act. Effective Date: July 1, 2022</p>	<p>HB 6003 by Sabatini</p>	<p>Filed: 12/20/18 References: Transportation &amp; Infrastructure Sub: <b>FAVORABLE 12Y;1N</b> Appropriations Committee: State Affairs Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Traffic Infraction Detectors;</b> Repealing provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; amending provisions relating to distribution of proceeds, enforcement by traffic infraction enforcement officers using such detectors, procedures for disposition of citations, preemption of additional fees or surcharges, compliance, amount of penalties, registration and renewal of license plates, and points assessed for certain violations, to conform provisions to changes made by the act, etc. Effective Date: 7/1/2019</p>	<p>SB 306 by Brandes</p>	<p>Filed: 01/11/19 References: <b>WITHDRAWN PRIOR TO INTRODUCTION</b></p>	
<p><b>Traffic Infraction Detectors;</b> Repealing provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; repealing provisions relating to the authorization to use traffic infraction detectors, etc. Effective Date: 7/1/2022</p>	<p>SB 622 by Brandes</p>	<p>Filed: 01/30/19 References: Infra &amp; Security: <b>TEMPORARILY POSTPONED</b> Approps Sub Transp, Tour, Econ Dvlpmt: Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Motor Vehicle Insurance:</b> Citing this act as the "Responsible Roadways Act"; providing that motor vehicle liability policies issued or renewed after a specified date may not include personal injury protection; increasing the minimum required limits of bodily injury and property damage liability coverages for proof of financial responsibility; providing that, under certain third-party claims, a motor vehicle liability insurer is not liable beyond available policy limits if it meets certain conditions; repealing provisions which comprise the Florida Motor Vehicle No-Fault Law, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2021</p>	<p>HB 733 by Grall</p>	<p>Filed: 02/08/19 References: Insurance &amp; Banking Sub: Transp &amp; Infrastructure Sub: Commerce Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Motor Vehicle Insurance:</b> Repealing provisions which comprise the Florida Motor Vehicle No-Fault Law; increasing the minimum required limits of bodily injury and property damage liability coverages for proof of financial responsibility; providing that, under certain third-party claims, a motor vehicle liability insurer is not liable beyond available policy limits if it meets certain conditions; repealing provisions which comprise the Florida Motor Vehicle No-Fault Law, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2021</p>	<p>SB 896 by Brandes</p>	<p>Filed: 02/08/19 References: Infrastructure and Security: Banking and Insurance: Appropriations:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Motor Vehicle Insurance;</b> Repealing provisions which comprise the Florida Motor Vehicle No-Fault Law; revising the motor vehicle insurance coverages that an applicant must show to register certain vehicles with the Department of Highway Safety and Motor Vehicles; revising minimum liability coverage requirements for motor vehicle owners or operators; revising the minimum net worth requirements to qualify certain persons as self-insurers; specifying persons whom medical payments coverage must protect, etc. APPROPRIATION: \$83,651.00 Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2020</p>	<p>SB 1052 by Lee</p>	<p>Filed: 02/14/19 References: Infra &amp; Security: <b>FAVORABLE; 8Y, 0N</b> Banking and Insurance: <b>FAVORABLE; 5Y, 3N</b> Appropriations:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	



PUBLIC RECORDS / PUBLIC MEETINGS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Public Records and Public Meetings:</b> Providing an exception to the expiration of certain public records and public meetings exemptions under specified circumstances; prohibiting the disclosure of the personal identifying information of an alleged victim of sexual harassment or sexual misconduct, or information that could assist an individual in determining the identity of such alleged victim, in any portion of a proceeding conducted by the Commission on Ethics, a commission on ethics and public trust, or a county or a municipality that has established a local investigatory process which is open to the public; providing for future legislative review and repeal; providing statements of public necessity, etc. Effective Date: Upon becoming a law</p>	<p>SB236 by Book</p>	<p>Filed: 01/04/19 References: Criminal Justice: <b>FAVORABLE, 4Y, 0N</b> Gov. Over&amp;Account: <b>FAVORABLE, 4Y, 0N</b> Rules: <b>FAVORABLE; 16 Yeas, 0 Nays</b></p> <p>SENATE: <b>Passed (Vote: 39 Yeas / 0 Nays)</b> HOUSE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill amends s. 119.071(2)(n), to keep confidential complaints, referrals, and reports that allege sexual harassment or sexual misconduct and any related records until an agency determines it won't investigate; takes disciplinary action and determines it will take no further action; or a probable cause finding is made. From there, the records are available to the public, but the personal identifying information or any information that could assist someone in determining the identity of the victim remains exempt and confidential even in the event that the complaint, referral, or report containing the information becomes public record, though the information may be disclosed to another governmental entity in the furtherance of the agency's official duties or to the parties to the allegation and their attorneys. Similarly, the general public meetings portion of this bill makes items confidential until an agency takes disciplinary action and determines it will take no further action, or a probable cause finding is made. Thereafter, meetings must be conducted in such a way that the identity of the victim can't be ascertained.</p> <p>Because it amends Chapter 119, this bill is marked as a priority for tracking purposes this session.</p>
<p><b>Public Records/Civilian Personnel Employed by a Law Enforcement Agency:</b> Expanding exemptions from public records requirements for agency personnel information by defining the term "home addresses" for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; providing for legislative review and repeal of the exemptions; providing statements of public necessity, etc. Effective Date: 7/1/2019</p>	<p>SB 248 by Hooper</p> <hr/> <p>HB 203 by Zika</p>	<p>Filed: 01/07/19 References: Criminal Justice: <b>FAVORABLE, 4Y, 0N</b> Gov. Over&amp;Account: <b>FAVORABLE W CS; 4Y, 0N</b> Rules: <b>FAVORABLE; 16Y, 0N</b></p> <p>HOUSE FLOOR: <b>Passed (Vote: 116 Yeas / 0 Nays)</b> SENATE FLOOR: <b>Passed (Vote: 39 Yeas / 1 Nay)</b></p> <p>04/26/19 Approved by Governor; Chapter No. 2019-12</p> <hr/> <p>Filed: 01/09/19 References: Criminal Justice Sub: <b>FAVORABLE - 15Y, 0N</b> Over.,Trans., Public Mngmt Sub: <b>FAVORABLE WITH CS: 13Y, 0N</b> Judiciary: <b>FAVORABLE; 17Y, 0N</b></p> <p>HOUSE LAID ON TABLE; REFER TO SB 248</p>	<p>In general, the effect of these bills is to provide a definition of "home address" for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members. The bill also clarifies that a current exemption applies to any active or former civilian personnel employed by a law enforcement agency and their spouses and children. And, finally, the bill reenacts and removes the scheduled repeal of a number of existing public records exemptions.</p> <p>Clerks do not anticipate any significant operational, policy, or fiscal impact with the proposed bill, as the onus remains on the qualifying individual to request and identify the documents to be redacted, and the bill does not provide for retroactive applicability; i.e., the qualifying individual will need to make an additional request to identify those documents that contain information that, under the bill, is now subject to redaction. Clerks do anticipate some additional workload, if there is an increase in the number of individuals seeking to take advantage of the exemption, and due to the definition of "home address" and the expansion of what information will now qualify as subject to redaction. As such, there is expected to be some necessary adjustment to redaction software.</p>



<p><b>Public Meetings:</b> Specifies that certain boards &amp; commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties. Effective Date: July 1, 2019</p>	<p>HB 265 by Newton</p>	<p>Filed: 01/14/19 References: Oversight, Trans &amp; Pub Mngnt Sub; Pub Integ &amp; Ethics Com; State Affairs Committee</p> <p><b>HOUSE</b> Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Public Records:</b> Prohibits agency that receives request to inspect or copy record from responding to such request by filing civil action against individual or entity making request. Effective Date: July 1, 2019</p>	<p>HB 407 by Rodrigues</p>	<p>Filed: 1/22/19 References: Oversight, Transp &amp; Pub Mngmt Sub: <b>FAVORABLE; 7Y, 4N</b> Civil Justice Sub: <b>FAVORABLE; 14Y, 0N</b> State Affairs Committee: <b>FAVORABLE; 18Y, 0N</b> Gov Oversight &amp; Account: Rules:</p> <p><b>HOUSE: Passed (114 Yeas, 0 Nays)</b> <b>SENATE: Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Public Records:</b> Prohibiting an agency that receives a request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request, etc. Effective Date: 7/1/2019</p>	<p>SB 602 by Perry</p>	<p>Filed: 1/29/19 References: Gov Over and Accountability: <b>FAVORABLE; 5Y, 0N</b> Judiciary: Rules:</p> <p><b>SENATE</b> Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Public Records:</b> Requires custodian of public records to respond to request to inspect or copy records in specified manner. Effective Date: July 1, 2019</p>	<p>HB 479 by Polo</p>	<p>Filed: 1/22/19 References: Oversight, Transp &amp; Pub Mngmt Sub: Local, Fed&amp;Veterans Affairs Sub: State Affairs Committee:</p> <p><b>HOUSE</b> Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Public Meetings:</b> Specifying that a board or commission of any entity created by general or special law is subject to public meetings requirements; specifying that such a board's or commission's adoption of an ordinance or a code is not binding unless public meetings requirements are met; revising notice requirements applicable to public meetings of such a board or commission, etc. Effective Date: 7/1/2019</p>	<p>SB 518 by Rader</p>	<p>Filed: 1/24/19 References: Gov Oversight and Accountability: Community Affairs: Rules:</p> <p><b>SENATE</b> Indefinitely postponed and withdrawn from consideration</p>	

<p><b>Public Records/Victim of Mass Violence</b>; Defining the term "killing of a victim of mass violence"; expanding an existing exemption from public records requirements for a photograph or a video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or a video or audio recording held by an agency which depicts or records the killing of a victim of mass violence; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: Upon becoming a law</p>	<p>HB 7017 By Oversight transparency &amp; Public Mngmt Sub (Formerly PCB OTM8)</p>	<p>Filed: 02/06/19 References: Overs, Transp &amp; Pub Mngmt Sub: <b>FAVORABLE; 13Y, 0N</b> Criminal Justice: <b>FAVORABLE; 10Y, 3N</b> State Affairs: <b>FAVORABLE; 21Y, 0N</b>  <b>HOUSE Laid on Table</b></p>	<p>These bills expand the current public records exemption for photographs, video, and audio recordings that depict the killing of a law enforcement officer who was acting in their official duties to also apply the exemption to such records that depict or record the killing of a victim of mass violence. "Killing of a victim of mass violence" is defined to mean all acts or events that relate to the death of a person, not including the perpetrator, in which three or more people are killed.</p> <p>These bills make a change to Chapter 119 and are of priority interest to Clerks as the records custodian.</p>
<p><b>Pub. Rec./Photographs or Video or Audio Recordings that Depict or Record Killing of Victim of a School Shooting or Victim of a Mass Shooting</b>; Expands exemption from public records requirements for photograph or video or audio recording held by agency that depicts or records killing of law enforcement officer to include photograph or video or audio recording held by agency that depicts or records killing of victim of school shooting or killing of victim of mass shooting; provides for future legislative review &amp; repeal of exemption; provides statement of public necessity. Effective Date: upon becoming a law</p>	<p>SB 186 by Lee</p>	<p>Filed: 01/28/19 References: Criminal Justice: <b>FAVORABLE; 5Y, 0N</b> Governmental Over &amp; Account: <b>FAVORABLE; 4Y, 0N</b> Rules: <b>FAVORABLE; 17Y, 0N</b>  SENATE: <b>Passed (Vote: 40 Yeas / 0 Nays)</b> HOUSE: <b>Passed (Vote: 108 Yeas / 6 Nays)</b> SENATE: <b>Received from Messages; Concurred in House amendment (8047); Passed (Vote: 40 Yeas / 0 Nays)</b>  05/23/19 Approved by Governor; Chapter No. 2019-46</p>	
	<p>SB 577 by Brown</p>	<p>Filed: 01/28/19 References: <b>HOUSE WITHDRAWN PRIOR TO INTRODUCTION</b></p>	

<p><b>Pub. Rec./Judicial Assistants:</b> Provides exemption from public records requirements for certain identifying &amp; location information of current &amp; former judicial assistants &amp; their spouses &amp; children; provides for future legislative review &amp; repeal of exemption; provides statement of public necessity. Effective Date: July 1, 2019</p>	<p>HB 635 by Fetterhoff</p>	<p>Filed: 02/04/19 References: Civil Justice Sub: <b>FAVORABLE; 15Y, ON</b> Over, Trans &amp; Pub Mngmt Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills would amend s. 119.071(4), F.S., Agency Personnel Information, to provide a new public records exemption for the home addresses, dates of birth, and telephone numbers of current or former judicial assistants; and for that of the spouses and children of such personnel, as well as the spouses' and children's places of employment and the names and locations of the children's schools and day care facilities.</p>
	<p>SB 746 by Wright</p>	<p>Filed: 02/05/19 References: Judiciary: <b>FAVORABLE; 6Y, ON</b> Gov Over &amp; Account:<b>FAVORABLE; 5Y, ON</b> Rules: <b>FAVORABLE; 16 Yeas, 0 Nays</b>  <b>SENATE: Passed (Vote: 40 Yeas / 0 Nays)</b> <b>HOUSE: Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills are marked as a priority as they make a change to Chapter 119 and may cause an increase in requests to Clerks' offices to redact such information from their non-court records and documents.</p>
<p><b>Public Records/Mental, Emotional, and Behavioral Disorders/Substance Use Disorder:</b> Providing an exemption from public records requirements for petitions for involuntary assessment and stabilization, court orders, related records, and personal identifying information regarding persons with potential mental, emotional, and behavioral disorders; providing for future legislative review and repeal of the exemption; expanding the exemption from public records requirements for petitions for involuntary treatment, court orders, related records, and personal identifying information regarding substance abuse impaired persons to include a respondent's name; revising the date for the future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: 7/1/2019</p>	<p>SB 786 by Book</p>	<p>Filed: 02/06/19 References: Child, Families, and Elder Affairs: Gov Over and Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Public Records/Mental Health Treatment and Services:</b> Providing an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: 7/1/2019</p>	<p>SB 838 by Powell</p>	<p>Filed: 02/07/19 References: Child, Fam, and Elder Affairs: <b>FAVORABLE; 7Y, ON</b> Gov Over &amp; Account: <b>FAVORABLE; 5Y, ON</b> Rules: <b>FAVORABLE; 17 Yeas, 0 Nays</b>  <b>SENATE: Passed (Vote: 40 Yeas / 0 Nays)</b> <b>HOUSE: Passed (Vote: 112 Yeas / 0 Nays)</b>  05/23/19 Approved by Governor; Chapter No. 2019-51</p>	<p>These bills create s. 394.464, F.S., and seek to make all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court under the Baker Act confidential and exempt, and prohibit the Clerk from publishing personal identifying information on a court docket or in a publicly accessible file. This exemption is retroactive and prospective from July 1, 2019.</p> <p>These bills stipulate that pleadings and other documents made confidential and exempt under this section may be disclosed by the Clerk, upon request, to certain entities, and require anyone in receipt of such information to maintain it as confidential and exempt. This section does not prevent the Clerk from submitting information to FDLE for entry into the MECOM system.</p> <p>Note FCCC's Best Practice on Confidential Judicial Records, which provides that court records are governed only by Rule 2.420, Fla. R. Jud. Admin. When a similar bill was passed in 2017 related to the Marchman Act, it was noted that an amendment to Rule 2.420 would need to be proposed and considered in order to include this information in the "List of 22." Presumably, if this bill were to pass, this statutory change would also have to be reviewed and approved by the appropriate Rules Committee, and ultimately the Supreme Court, in order for it to be considered an automatic exemption.</p>

<p><b>Criminal History Records;</b> Requiring the Criminal Justice Information Program to administratively seal the criminal history records of a minor upon notification by the clerk of the court under specified circumstances, etc. Effective Date: July 1, 2019, but only if SB 938 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law</p>	<p>HB 747 by Joseph</p>	<p>Filed: 2/11/19 References: Criminal Justice Sub: Justice Approps Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>SB 936 by Bracy</p>	<p>Filed: 2/11/19 References: Criminal Justice: <b>FAVORABLE WITH CS; 5Y, ON</b> Gov Over. &amp; Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Public Records/Criminal History Records;</b> Expanding an existing public records exemption to include the administrative sealing of specified criminal history records; providing for future review and repeal of the expanded exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 936 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law</p>	<p>HB 749 by Joseph</p>	<p>Filed: 2/11/19 References: Criminal Justice Subcommittee: Over, Transp &amp; Pub Mngmt Sub: Judiciary Committee:  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	
	<p>SB 938 by Bracy</p>	<p>Filed: 2/11/19 References: Criminal Justice: <b>FAVORABLE; 5Y, ON</b> Gov Over. &amp; Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Juvenile Diversion Expungement:</b> Deleting a requirement that limits diversion program expunction to programs for misdemeanor offenses, etc. Effective Date: 7/1/2019</p>	<p>SB 966 by Perry</p>	<p>Filed: 02/12/19 References: Criminal Justice: <b>FAVORABLE; 5Y, 0N</b> Judiciary: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Pub. Rec./ Petition for Certain Protective Injunctions:</b> Provides exemption from public records requirements for information used to identify petitioner or respondent in petition for certain protective injunctions, &amp; any related affidavit, notice of hearing, &amp; temporary injunction, until respondent has been personally served; provides statement of public necessity. Effective Date: July 1, 2019</p>	<p>HB 6065 by Altman</p>	<p>Filed: 03/04/19 References: Criminal Justice Subcommittee: Justice Appropriations Subcommittee: Judiciary Committee  <b>HOUSE Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills create a temporary public records exemption in new subparagraph (1)(k)3. to s. 119.0714, F.S., to provide that all information contained in a petition for an injunction against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking, and any affidavits, notice of hearing, and temporary injunction filed with the court, is confidential and exempt until the respondent has been personally served with a copy of the petition for injunction, affidavits, notice of hearing, and temporary injunction.</p> <p>Presumably, this temporary public records exemption would be lifted upon notification of service on the respondent by the Sheriff.</p> <p>Note FCCC's Best Practice on Confidential Judicial Records, which provides that court records are governed only by Rule 2.420, Fla. R. Jud. Admin. When legislation was passed in 2017 creating three new statutory exemptions to Florida's public records laws, it was noted that an amendment to Rule 2.420 would need to be proposed and considered in order to include this information in the "List of 22." Presumably, if this bill were to pass, this statutory change would also have to be reviewed and approved by the appropriate Rules Committee, and ultimately the Supreme Court, in order for it to be considered an automatic exemption.</p>
	<p>SB 980 by Harrell</p>	<p>Filed: 02/12/19 References: Judiciary: <b>FAVORABLE; 6Y, 0N</b> Gov Over &amp; Accountability: <b>FAVORABLE; 5Y, 0N</b> Rules: <b>FAVORABLE; 16Y, 0N</b>  <b>SENATE Read Second Time; Substituted for HB 0845; Laid on Table, Refer to HB 0845</b></p>	
	<p>HB 845 by Hage</p>	<p>Filed: 02/14/19 References: Criminal Justice Subcommittee: <b>FAVORABLE; 12Y, 0N</b> Over, Transp &amp; Pub Mngmt Sub: <b>FAVORABLE; 12Y, 0N</b> Judiciary Committee: <b>FAVORABLE; 14 Y, 0N</b> SENATE Judiciary: Governmental Oversight &amp; Accountability: Rules:  <b>HOUSE: Passed (VOTE: 114 Y / 0N)</b> <b>SENATE:Passed (Vote: 39 Yeas / 0 Nays)</b>  05/14/19 Approved by Governor; Chapter No. 2019-39</p>	

<p><b>Public Records:</b> Removes or revises numerous provisions relating to exemptions from public records requirements for trade secrets. Effective Date: upon becoming a law if HB 761 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law</p>	<p>HB 759 by Rep. Massullo</p>	<p>Filed: 02/13/19 References: Over, Transp &amp; Pub Mngmt Sub: <b>FAVORABLE; 14Y, ON</b> Commerce Committee: <b>FAVORABLE; 24Y, ON</b> State Affairs Committee: <b>FAVORABLE; 20Y, ON</b> SENATE Commerce and Tourism: Governmental Oversight and Accountability: Rules:  HOUSE: <b>Passed (Vote: 113 Yeas / 1 Nay)</b> SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	<p>These bills repeal most public record exemptions for trade secrets in current law, all associated processes for designating a trade secret, and most references to trade secrets contained in definitions for proprietary business information.</p> <p>The bills specify that any contract or agreement, or an addendum thereto, to which an agency or an entity subject to public record laws is a party, is a public record, except that confidential or exempt information contained therein may be redacted prior to release of the contract or agreement, or an addendum thereto, if the specific statutory exemption is identified. In addition, the following information related to any contract or agreement, or an addendum thereto, with an agency or an entity subject to public record laws is not confidential or exempt:</p> <ul style="list-style-type: none"> <li>- The parties to the contract or agreement, or an addendum thereto.</li> <li>- The amount of money paid, any payment structure or plan, expenditures, incentives, bonuses, fees, or penalties.</li> <li>- The nature or type of the commodities or services purchased.</li> <li>- Applicable contract unit prices and deliverables.</li> </ul> <p>These bills are marked as a priority as they make a change to Chapter 119, and as they may relate to any contract or agreements that Clerks' offices enter into.</p>
<p><b>Public Records/Criminal Investigative Information:</b> Expanding an existing public records exemption by redefining the term "active" to include an ongoing, good faith reinvestigation that previously resulted in the conviction of the accused person; providing for future review and repeal of the expanded exemption; providing a statement of public necessity, etc. Effective Date: 7/1/2019</p>	<p>SB 1130 by Bean</p>	<p>Filed: 02/18/19 References: Criminal Justice: Gov Over &amp; Accountability: Rules:  SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Public Records/Photograph, Video, or Audio Recording that Depicts or Records the Killing of a Person :</b> Expanding an exemption from public records requirements for a photograph or video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or video or audio recording held by an agency which depicts or records the killing of a person; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: Upon becoming a law</p>	<p>SB 1146 by Bean</p>	<p>Filed: 02/18/19 References: Criminal Justice: Gov Over &amp; Accountability: Rules:  SENATE: <b>Indefinitely postponed and withdrawn from consideration</b></p>	

<p><b>Public Records/Exemption Claim Investigation by a Property Appraiser's Office:</b> Providing an exemption from public records requirements for information obtained by a property appraiser's office during an investigation of an exemption claim until the office has taken specified actions; providing for future legislative review and repeal; providing a statement of public necessity, etc. Effective Date: 7/1/2019</p>	<p>SB 1176 by Baxley</p>	<p>Filed: 02/18/19 References: Community Affairs: Gov Over &amp; Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	
<p><b>Public Records/Minor's Petition to Waive Consent/Abortion:</b> Providing a public records exemption for information that could identify a minor which is contained in a record held by the court relating to the minor's petition to waive consent requirements to obtain an abortion; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity, etc. Effective Date: On the same date that SB 1774 or similar legislation takes effect if such legislation is adopted in the same legislative session or an extension thereof and becomes a law</p>	<p>SB 1778 by Stargel</p>	<p>Filed: 03/01/19 References: Health Policy: <b>FAVORABLE; 8Y, 1N</b> Gov Oversight and Accountability: Rules:  <b>SENATE Indefinitely postponed and withdrawn from consideration</b></p>	<p>This bill seeks to expand the existing public records exemption for any identifying information of a minor contained in a judicial record relating to a minor's petition to waive parental notice requirements to obtain an abortion to also exempt any such identifying information of a minor contained in a petition to waive parental consent requirements. The bills effective dates are predicated on the passage of other linked bills.</p> <p>Note FCCC's Best Practice on Confidential Judicial Records, which provides that court records are governed only by Rule 2.420, Fla. R. Jud. Admin. When legislation was passed in 2017 creating three new statutory exemptions to Florida's public records laws, it was noted that an amendment to Rule 2.420 would need to be proposed and considered in order to include this information in the "List of 22." Presumably, if this bill were to pass, this statutory change would also have to be reviewed and approved by the appropriate Rules Committee, and ultimately the Supreme Court, in order for it to be considered an automatic exemption.</p>
<p><b>Pub. Rec./Voters and Voter Registration:</b> Provides exemption from public records requirements for telephone numbers &amp; email addresses of voter registration applicants &amp; voters; provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; provides for future legislative review &amp; repeal; provides for retroactive application; provides statements of public necessity. Effective Date: July 1, 2019</p>	<p>HB 281 by Stevenson</p>	<p>Filed: 1/15/19 References: Oversight, Transparency &amp; Public Management Subcommittee: <b>FAVORABLE 12 Y, 0 N</b> Public Integrity &amp; Ethics Committee: <b>FAVORABLE 16 Y, 0 N</b> State Affairs: <b>FAVORABLE; 21 Y, 0N</b>  HOUSE: <b>Passed (Vote: 110 Yeas / 0 Nays)</b> SENATE: <b>Passed (Vote: 40 Yeas / 0 Nays)</b>  HOUSE: <b>Concurred with Amendment as Amended (113608); Passed (Vote: 111 Yeas / 1 Nay)</b> SENATE: <b>Concurred in House amendment as amended (113608); Passed (Vote: 38 Yeas / 0 Nays)</b> HOUSE: <b>Concurred with Amendment (177606); Passed (Vote: 106 Yeas / 2 Nays)</b>  05/23/19 Approved by Governor; Chapter No. 2019-55</p>	





TAX BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Taxation:</b> Authorizing the Department of Revenue to change the methodology for statistical and analytical reviews for certain assessment purposes if it first makes specific determinations concerning natural disasters in counties; reducing the tax levied on rental or license fees charged for the use of real property; revising the timing of distribution of moneys to certain counties impacted by a reduction in ad valorem tax revenue resulting from certain tax abatements related to specified hurricanes; allowing insurance premium tax credit amounts to be applied retroactively to installment payments for purposes of determining penalty amounts, etc. Effective Date: July 1, 2019</p>	<p>HB 7123 by Ways &amp; Means Committee</p>	<p>Filed: 04/11/19 References: Appropriations: FAVORABLE; 18Y, 0N</p> <p>HOUSE: Passed (Vote: 69 Yeas / 44 Nays) SENATE: Passed (Vote: 38 Yeas / 2 Nays)</p> <p>HOUSE: Refused to Concur with Amendment (203950), requests Senate to recede; Passed (Vote: 81 Yeas / 25 Nays) SENATE: Concurred in House amendments to Senate amendment (636739, 743867); Receded from 1 amendment (203950); Passed (Vote: 23 Yeas / 17 Nays)</p> <p>05/15/19 Approved by Governor; Chapter No. 2019-42 06/10/19 Bill to be Discussed During the Office of EDR's Post-Session Revenue Estimating Impact Conference, 06/12/19, 9:00 am, 117 K (No Votes Will Be Taken)</p>	<p>Of interest to Clerks, this bill:</p> <ul style="list-style-type: none"> <li>Amends s. 28.241(6), F.S., to change the distribution of the monies paid by an attorney appearing pro hac vice. Currently, the Clerk collects the \$100, with \$50 deposited into GR and \$50 into the State Courts Revenue Trust Fund (SCRTF). Effective January 1, 2020, the entire \$100 will be remitted for deposit into the SCRTF.</li> <li>Effective January 1, 2020, this bill amends s. 318.14(9), F.S., to provide an 18 percent reduction off the top of the civil penalty for a noncriminal traffic infraction for persons who elect to attend driver improvement school. This returns this language to pre-2009 language.</li> <li>Effective January 1, 2020, amends s. 318.15(1)(b), F.S., to provide that if a person elects to attend driver improvement school and has paid the reduced civil penalty, pursuant to s. 318.14(9), F.S., and subsequently fails to attend driver improvement school, the person must pay the Clerk the amount of the 18-percent reduction they received and the \$18 processing fee.</li> <li>Amends s. 741.01(3), F.S., to change the distribution of the additional fee for issuance of a marriage license. Currently, the Clerk collects the \$25, with \$12.50 remitted to GR and \$12.50 remitted to the SCRTF. Effective January 1, 2020, the entire \$25 will be remitted for deposit into the SCRTF.</li> </ul>
<p><b>Taxation:</b> Specifying a requirement for the Department of Revenue in reviewing assessment rolls in certain counties in assessment years following a natural disaster; authorizing the department to use the best information available to estimate levels of assessment; providing sales tax exemptions for specified disaster preparedness supplies during a certain timeframe; providing sales tax exemptions for certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a certain timeframe, etc. APPROPRIATION: \$237,000.00 Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2019</p>	<p>SB 1412 by Gruters</p>	<p>Filed: 02/26/19 References: Commerce and Tourism: FAVORABLE; 5Y, 0N Finance and Tax: FAVORABLE; 7Y, 0N Appropriations: FAVORABLE; 19Y, 0N</p> <p>SENATE Read Second Time; Substituted for HB 7123; Laid on Table, Refer to HB 7123</p>	
<p><b>Taxation Transparency:</b> Renames certain fees &amp; assessments as taxes; renames certain surcharges as surtaxes; renames certain fees as surtaxes; requires municipalities, counties, &amp; special districts to rename certain levies &amp; assessments as specified taxes. Effective Date: January 1, 2020</p>	<p>HB 7053 by Ways &amp; Means Committee</p>	<p>Filed: 03/06/19 References: Approps Committee: FAVORABLE; 21Y, 9N State Affairs Committee: FAVORABLE; 14Y, 6N</p> <p>HOUSE Indefinitely postponed and withdrawn from consideration</p>	
<p><b>Taxation Transparency:</b> Renaming certain fees as taxes; requiring counties to rename certain levies as specified taxes; requiring special districts to rename certain assessments as specified taxes; authorizing the Department of Revenue to adopt emergency rules; providing for expiration of such authority, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2020</p>	<p>HB 7104 by Finance &amp; Tax</p>	<p>Filed: 04/01/19 References: Finance &amp; Tax: TEMPORARILY POSTPONED</p>	

TRAFFIC BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Use of Wireless Communications Devices While Driving:</b> Revises short title &amp; legislative intent; prohibits operation of motor vehicle while holding or touching wireless communications device; provides exceptions; requires law enforcement officer to record certain information on citation; requires law enforcement agencies to provide such information to DHSMV; requires report to Governor &amp; Legislature; removes requirement that enforcement be accomplished only as secondary action. Effective Date: October 1, 2019</p>	<p>HB 107 by Toledo</p>	<p>Filed: 12/17/18 References: Transport &amp; Infra Sub: <b>FAVORABLE; 13Y, 0N</b> State Affairs: <b>FAVORABLE; 20Y, 0N</b></p> <p>HOUSE: ( 104 Yeas / 9 Nays) SENATE: <b>Passed (Vote: 33 Yeas / 5 Nays)</b></p> <p>05/17/19 Approved by Governor; Chapter No. 2019-44</p>	<p>These bills expand and authorize the enforcement of a ban on the use of a wireless communications device while driving as a primary offense. Currently, only texting while driving is enforceable as a secondary offense. Of priority interest and impact to Clerks, the bills also require that all penalties collected for a violation of the ban be remitted for deposit into the Emergency Medical Services Trust Fund (EMSTF).</p> <p>The EMSTF currently receives 7.2% of the fines for these types of traffic infractions, with the Clerk receiving 6.1% (5.6% + .5%) of the fine amount if the ticket is written in the city and 56.9% (56.4% + .5%) of the fine amount if the ticket is written in the county or by a state law enforcement agency. The impact to the Clerk of the change in distribution would be to lose the percentage of the paid fine.</p> <p>The proposed fine redistribution will result in Clerks no longer receiving a portion of the penalty, while still being responsible for the work associated with these activities. Additionally, if use of a wireless communications device while driving is made a primary offense, the number of violations is likely to increase significantly, which will have an impact on Clerk workload. Clerks will be doing more work, with no related revenue to offset the workload increase. Clerks do not have a position on the underlying policy decision, but to reduce the fiscal impact to Clerks, Clerks would recommend that the current fine distribution remain unchanged.</p>
	<p>HB 45 by Slosberg</p>	<p>Filed: 11/26/18 References: <b>WITHDRAWN PRIOR TO INTRO</b></p>	
	<p>SB 76 by Simpson</p>	<p>Filed: 11/20/18 References: Infra &amp; Security: <b>FAVORABLE WITH CS: 8Y, 0N</b> Innov, Ind,&amp;tech: <b>FAVORABLE W CS; 9Y, 0N</b> Judiciary: <b>FAVORABLE; 5Y, 1N</b> Rules: <b>FAVORABLE; 15Y, 0N</b></p> <p><b>SENATE Read Third Time; Substituted for HB 0107; Laid on Table, Refer to HB 0107</b></p>	
<p><b>Driver License Reinstatement Days:</b> Requires each judicial circuit to establish Driver License Reinstatement Days program for reinstating suspended or revoked driver licenses; requires participation by certain entities; provides event scheduling requirements; authorizes waiver of certain fees; provides program eligibility requirements; requires clerks of court &amp; DHSMV to verify information necessary for driver license reinstatement. Effective Date: July 1, 2019</p>	<p>HB 943 by LaMarca</p>	<p>Filed: 02/20/19 References: Crim Justice Sub: <b>FAVORABLE; 12Y, 0N</b> Appropriations: <b>FAVORABLE; 28Y, 0N</b> Judiciary Committee:</p> <p><b>HOUSE indefinitely postponed and withdrawn from consideration</b></p>	

VICTIMS BILLS	BILLS/SPONSORS	LEGISLATIVE HISTORY	COMMENTS
<p><b>Human Trafficking;</b> Requiring the owner or operator of a public lodging establishment to train certain employees and create certain policies relating to human trafficking by a specified date; requiring the Department of Children and Families, in consultation with the Department of Law Enforcement and the Attorney General, to establish a certain direct-support organization; requiring that the criminal history record of a person who is convicted of, or enters a plea of guilty or nolo contendere to, soliciting, inducing, enticing, or procuring another to commit prostitution, lewdness, or assignation be added to the Soliciting for Prostitution Registry, etc. Effective Date: 7/1/2019</p>	<p>SB 540 by Book</p>	<p>Filed: 1/25/19 References: Criminal Justice: <b>FAVORABLE WITH CS; 4Y, 0N</b> Community Affairs: <b>FAVORABLE WITH CS; 5Y, 0N</b></p> <p><b>SENATE Read Second Time; Substituted for HB 0851; Laid on Table, Refer to HB 0851</b></p>	
	<p>HB 851 by Fitzenhagen</p>	<p>Filed: 02/14/19 References: Criminal Justice Sub: <b>FAVORABLE; 14Y, 0N</b> Appropriations Committee: <b>FAVORABLE; 28Y, 0N</b> Judiciary Committee: <b>FAVORABLE; 18Y, 0N</b></p> <p>HOUSE: <b>Passed (Vote: 112 Yeas / 0 Nays)</b> SENATE: <b>Passed (Vote: 36 Yeas / 0 Nays)</b></p> <p>HOUSE: <b>Passed (Vote: 112 Yeas / 0 Nays)</b> SENATE: <b>Concurred in House amendment to Senate amendment (638435); Passed (Vote: 36 Yeas / 0 Nays)</b></p> <p>HOUSE: <b>Concurred with Amendment as Amended (589144); Passed (Vote: 108 Yeas / 1 Nay)</b> SENATE: <b>Concurred in House amendment to Senate amendment (638435); Passed (Vote: 36 Yeas / 0 Nays)</b></p> <p>06/26/19 Approved by Governor; Chapter No. 2019-152</p>	<p>In general, these bills require the creation and implementation of human trafficking awareness training for employees of public lodging establishments and law enforcement officers. Additionally, the bills require FDLE to create the Soliciting for Prostitution Registry and requires certain criminal history records to be included in the registry.</p> <p>Of priority interest, the bill requires Clerks to forward the criminal history record of a person convicted of soliciting, inducing, enticing, or procuring another to commit prostitution, lewdness, or assignation [s. 796.07(2)(f)] to FDLE for inclusion in the Soliciting for Prostitution Registry upon the person's conviction. Presumably, this data transmission would be completed in the same way that Clerks currently transmit disposition information to FDLE, pursuant to s. 943.052(2).</p>

**From:** hebertj@gtlaw.com <hebertj@gtlaw.com>

**Sent:** Thursday, May 02, 2019 6:03 PM EDT

**To:** angel.colonneso@manateeclerk.com <angel.colonneso@manateeclerk.com>; avick@citrusclerk.org <avick@citrusclerk.org>; BaggettF@gtlaw.com <BaggettF@gtlaw.com>; allman@flclerks.com <allman@flclerks.com>; BevisA@gtlaw.com <BevisA@gtlaw.com>; bWASHINGTON@madisonclerk.com <bWASHINGTON@madisonclerk.com>; CTimmann@martinclerk.com <CTimmann@martinclerk.com>; Cvancura@martinclerk.com <Cvancura@martinclerk.com>; chrishart@flclerks.com <chrishart@flclerks.com>; ellsperrmann@marioncountyclerk.org <ellsperrmann@marioncountyclerk.org>; determanng@gtlaw.com <determanng@gtlaw.com>; spencerdc@flcjn.net <spencerdc@flcjn.net>; dsunshine@flclerks.com <dsunshine@flclerks.com>; Gwen Marshall <GMarshall@leoncountyfl.gov>; hebertj@gtlaw.com <hebertj@gtlaw.com>; jasonharrell@flclerks.com <jasonharrell@flclerks.com>; jwerty@flccoc.org <jwerty@flccoc.org>; connellk@unionclerk.com <connellk@unionclerk.com>; kburke@co.pinellas.fl.us <kburke@co.pinellas.fl.us>; Ken Kent <KAKent@leoncountyfl.gov>; kmadok@monroe-clerk.com <kmadok@monroe-clerk.com>; krenspie@flclerks.com <krenspie@flclerks.com>; kdunaway@flclerks.com <kdunaway@flclerks.com>; lroth@clerk.org <lroth@clerk.org>; lgivens@flaglerclerk.com <lgivens@flaglerclerk.com>; nfingerhut@mypalmbeachclerk.com <nfingerhut@mypalmbeachclerk.com>; pchilders@escambiaclerk.com <pchilders@escambiaclerk.com>; poneil@pascoclerk.com <poneil@pascoclerk.com>; richard@REHerring.com <richard@REHerring.com>; ssanders@flclerks.com <ssanders@flclerks.com>; ssullivan@flclerks.com <ssullivan@flclerks.com>; sbock@mypalmbeachclerk.com <sbock@mypalmbeachclerk.com>; sdecker@mypalmbeachclerk.com <sdecker@mypalmbeachclerk.com>; Smidtl@gtlaw.com <Smidtl@gtlaw.com>; Stacey Allen <SAAllen@leoncountyfl.gov>; stacybutterfield@polk-county.net <stacybutterfield@polk-county.net>; greent@clayclerk.com <greent@clayclerk.com>; tiffany.moorerussell@myorangeclerk.com <tiffany.moorerussell@myorangeclerk.com>; tbexley@flaglerclerk.com <tbexley@flaglerclerk.com>; trainaj@gtlaw.com <trainaj@gtlaw.com>

**Subject:** FLOOR AMENDMENT FILED: SB 7066 by Rules re: Election Administration - In Senate Returning Messages

AMENDMENTS	SPONSOR	FILED	LAST FLOOR ACTION	FORMAT
704217 - Amendment Remove lines 972-974 and insert:	Diamond	5/1/2019 12:44 PM	House: Adopted 5/1/2019	<a href="#">PDF</a>
L 766844 - S Amend. to H Amend. (704217) Delete lines 5 - 11 and insert:	Brandes	5/2/2019 5:18 PM		<a href="#">Web Page</a> <a href="#">PDF</a>
L 399974 - S Amend. to S Amend. to H Amend. (766844) Delete lines 297 - 337 and insert:	Thurston	5/2/2019 5:56 PM		<a href="#">Web Page</a> <a href="#">PDF</a>

## CS/SB 7066: Election Administration

GENERAL BILL by Rules ; Ethics and Elections

Election Administration; Requiring the Secretary of State to provide signature matching training to certain persons; revising the voter threshold necessary to require the reporting of certain precinct-level results by ballot; requiring sufficient nonpermitting parking for voters at certain early voting locations; authorizing certain individuals to serve as witnesses during the ballot duplication process; revising requirements for vote-by-mail ballot instructions; providing a penalty for certain supervisors who willfully violate the Florida Election Code, etc.

**Effective Date:** Except as otherwise expressly provided in this act, this act shall take effect July 1, 2019

**Last Action:** 5/1/2019 Senate - In returning messages

**Bill Text:** [Web Page](#) | [PDF](#)

**Jesse Hebert**  
Assistant Director of Legislative Services

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**From:** FCCC <info@flclerks.com>  
**Sent:** Monday, June 17, 2019 5:05 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Florida Court Clerks & Comptrollers Weekly Update 06-17-2019

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**June 17, 2019**

Welcome Session keynote Joshua Seth will present, "Thinking Differently: The Magic of Creative Innovation," on Tuesday, June 25, 2019, at 8 a.m., EDT.

## 2019 Summer Conference begins in one week

Conference attendees will receive a Know-Before-You-Go message with conference information later this week. Conference info is available on the [2019 Summer Conference webpage](#).

Conference Keynotes —The 2019 Summer Conference sessions will kick off with high energy, motivational keynotes to inspire you to greater engagement, strengthen your commitment to creating connections with others, and build confidence and empowerment by focusing on success and resiliency.

Welcome Session keynote Joshua Seth will present, "Thinking Differently: The Magic of Creative Innovation," on Tuesday, June 25, 2019, at 8 a.m., EDT. In this unforgettable presentation, Seth uses mind-blowing interactive psychological illusions as metaphors to demonstrate the principles that allow us to think differently, collaborate creatively, and achieve the impossible. As Joshua says, "when we all put our minds together and creatively innovate, we can embrace change and make the impossible possible."

Seth, a Florida resident, is a world-touring psychological illusionist, motivational speaker, best-selling author, and celebrity voice actor. He has presented at some of the world's most innovative companies including Pfizer, Uber, Deloitte, and Disney. As a world-touring psychological illusionist, he has performed live in more than 40 countries, and had five TV specials in South Korea and Japan. He is the author of the best-selling book, *Finding Focus in a Changing World: How to Make the Impossible Possible by Thinking Differently*.

Day two of the 2019 Summer Conference will begin with keynote speaker Shannon Miller presenting, "Gaining Confidence through the Gold Medal Mindset," on Wednesday, June 26, at 8:30 a.m., EDT. Confidence doesn't come over night, it takes consistent work and mental toughness. Shannon Miller will teach you how to turn your life experiences into the confidence you need to live a bold, empowered life.

A seven-time Olympic medalist in gymnastics, Shannon Miller is an entrepreneur and cancer survivor. After retiring from competition with an astounding 59 international and 49 national competition medals, she earned undergraduate degrees in marketing and entrepreneurship from the University of Houston, and a law degree from Boston College. Her inspirational memoir, *It's Not About Perfect: Competing for My Country and Fighting for My Life*, was written to encourage and empower others to break through and overcome their own personal challenges.

## 2019 Summer Conference Fun Run/Walk

Get your morning started with an energizing Fun Run/Walk to Polk County! Join the Honorable Stacy M. Butterfield, CPA (Polk), FCCC President-Elect, on the final day of the Summer Conference, Thursday, June 27, 2019, at 6:30 a.m., EDT, for a 1-mile Fun Run/Walk from the Omni ChampionsGate Golf Course Commons to the Soccer Fields behind the hotel, just over the Polk County line.

FL-LEON-19-1045-A, 19-1046-A-000260

Complimentary registration for the Fun Run/Walk will be held during the Summer Conference on-site registration, Monday, June 24, from 10 a.m. – 5 p.m., Tuesday, June 25, from 7 a.m. – 5 p.m., and Wednesday, June 26, from 7 a.m. – 5 p.m. The first 40 registrants will receive a free Fun Run/Walk t-shirt.

## Professional Photo Opportunity for Clerks during Summer Conference

FCCC invites Clerks and Comptrollers to update their professional photograph during the 2019 Summer Conference. Photos will be taken on the Monday prior to the start of the Summer Conference. It only takes five minutes to take a high-quality, professional photograph. Click this [link](#) to select and sign up with your preferred time.

WHEN: Monday, June 24, 2019  
8 a.m. - 3 p.m., EDT and 5 - 6 p.m., EDT

WHERE: Riviera Conference Room, Omni ChampionsGate

If you are unable to update your photograph on Monday, June 24, 2019, please contact [Samadhi Jones](#) via call or text at (850) 508-5555. An alternate date and time can be set up for your photograph. Also, if you have already signed up for a time slot but need to make changes, please contact Samadhi Jones.

## E-Filing Authority Annual Meeting scheduled in conjunction with Summer Conference

All Clerks are invited to attend the Florida Courts E-Filing Authority's annual meeting scheduled for Tuesday, June 25, 2019, at 10:20 a.m., EDT, in conjunction with the Florida Court Clerks & Comptrollers' Summer Conference at the Omni ChampionsGate in Orlando. The annual meeting is held once a year in order to share with the members the year's accomplishments and provide the annual report, which will be presented by the Honorable Tim Smith (Putnam), Chair.

The Florida Courts E-Filing Authority is made up of the 67 Clerks of the Court and The Honorable John Tomasino, Clerk of the Supreme Court, in representation of all appellate Clerks. The governance model and the distributed system has set this system, and Florida's Clerks, apart from their peers in other states. Nationally, the Florida Courts E-Filing Portal is regarded as a premier model for electronic filing in the court systems.

## Legislature sends Governor state budget and implementing bill, other bills for his consideration

The Florida Senate last Friday sent Governor Ron DeSantis the Legislature's \$91.1 billion proposed budget for state fiscal year 2019-2020, [SB 2500](#), and the implementing bill, [SB 2502](#). The governor has until June 29 to take action on these bills. The Legislature also sent a number of other bills for the governor's signature last week, including [CS/SB 7066 Election Administration](#), which includes lawmakers' implementing language for Amendment 4 related to voting restoration.

This activity comes on the heels of the governor signing 40 bills into law during the week of June 3. Included among those bills were five of priority interest to Clerks and Comptrollers:

- [CS/SB 1656 Criminal Statutes](#), effective upon becoming a law, implements the changes to the Savings Clause made by Amendment 11, which passed last November during the 2018 General Election
- [CS/HB 7021 Financial Disclosure](#), which is also effective upon becoming a law, requires the Florida Ethics Commission to procure and test an electronic filing system for financial disclosures by January 1, 2022
- [HB 5011 Courts](#), effective July 1, 2019, establishes two new circuit court judges (one in the 9<sup>th</sup> and one in the 12<sup>th</sup>) and two new county court judges (one each in Citrus and Flagler counties)
- [CS/HB 7081 State Court System Administration](#), also effective July 1, 2019, allows criminal judgments to be recorded electronically and implements the provisions of Amendment 6 related to judicial retirement
- [CS/CS/HB 409 Electronic Legal Documents](#), effective January 1, 2020, authorizes remote notarization and the use of electronic wills in Florida

A full list of bills that have been sent to the Governor—along with the due date for his action—may be accessed [via this link](#). As a reminder, Clerks will be alerted when additional bills are signed by the Governor.

Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual *Legislation of Interest* document, and related advisories, once all final bill action has been taken. For information on bills that are effective upon becoming a law, please reference [Advisory Bulletin 19-34](#). Advisory bulletins addressing bills effective July 1, 2019, and October 1, 2019, and later are forthcoming.

Should you have any questions, please contact [Jason Harrell](#), [Kimberly Renspie](#), or [Sara Sanders](#) at the association.

## Receiving Driver School Completion Certificates in the E-Portal/Clerk Processing webinars to be held this week

The Florida Court Clerks & Comptrollers is pleased to announce a webinar training for Clerks' staff who handle basic traffic school completions. This session will cover how the new electronic completion certificates will be handled in the Florida Courts E-Filing Portal and what Clerks may expect to see when working the review queue and docketing.

Carolyn Weber, E-Portal Program Manager, CiviTek, will conduct the webinar training.

There are two opportunities to attend the webinar. Please see dates and registration information below:

- Tuesday, June 18, 2019, 2-3 p.m., EDT [Register](#)
- Thursday, June 20, 2019, 2-3 p.m., EDT [Register](#)

For questions or more information, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com)

## 2019 Statewide Court Operations Regional Trainings announced

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Court Operations Regional Trainings have been scheduled for July. The 2019 Statewide Court Operations Regional Trainings will feature a review and discussion of the following key topics: Reporting Mental Health to FDLE and State Agencies; Paper Document Retention and Destruction; Unclaimed Funds; Orders Modifying Sentences; and Risk Protection Orders. All trainings are from 10 a.m. – 3 p.m., EDT, include a working lunch, and qualify for 5 CPE hours.

### Leon County Court Operations Regional Training [Register](#)

Wednesday, July 17, 2019  
Florida Court Clerks & Comptrollers  
3544 Maclay Boulevard South  
Tallahassee, Florida 32312

### Volusia County Court Operations Regional Training [Register](#)

Wednesday, July 24, 2019  
Hard Rock Hotel Daytona Beach  
918 North Atlantic Avenue  
Daytona Beach, Florida 32118

### Palm Beach County Court Operations Regional Training [Register](#)

Thursday, July 25, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Pinellas County Court Operations Regional Training [Register](#)

Friday, July 26, 2019  
Pinellas County Supervisor of Elections

13001 Starkey Road  
Largo, Florida 33773

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## 2019 Statewide Technology Regional Trainings announced

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Training will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

### Walton County Technology Regional Training [Register](#)

Wednesday, September 4, 2019 (CDT)  
Hilton Sandestin Beach Golf Resort & Spa  
4000 Sandestin Boulevard South  
Miramar Beach, Florida 32550

### Palm Beach County Technology Regional [Register](#)

Wednesday, September 11, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Orange County Technology Regional Training [Register](#)

Thursday, September 12, 2019  
Embassy Suites Lake Buena Vista Resort  
8100 Lake Street  
Orlando, Florida 32836

### Duval County Technology Regional Training [Register](#)

Friday, September 13, 2019  
DoubleTree Jacksonville Riverfront  
1201 Riverplace Boulevard  
Jacksonville, Florida 32207

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## Franklin Clerk announces she won't seek re-election

Currently in her fourth term, the Honorable Marcia M. Johnson (Franklin) has announced she will not be  seeking re-election.

Clerk Johnson's career began in the Clerk's office in 1974 at age 17, when then-Clerk Bobby Howell, hired her, and she went on to work for two more clerks, Pal Rivers and Kendall Wade. Clerk Johnson was elected as Clerk in 2004.

Johnson said she is determined to complete her current term with the same work ethic she has displayed since being elected in 2004. "I believe I have served the public well, and I will focus on providing quality services until my last day in office" she said. "I am grateful to the citizens who put their faith in me and grateful for my wonderful staff who work very hard to help all our citizens, and I think 2020 is the time to retire and allow someone else to have a career."

Click [here](#) to read more about Clerk Johnson's announcement.

## Lee Clerk's Cape Coral office location hours restored to five days a week



The Honorable Linda Doggett (Lee) has announced her Cape Coral Branch office is restoring hours to five days a week starting Monday, July 1, 2019. The government center branch location, which has limited Clerk services, will be open from 8 a.m. to 5 p.m., Monday through Friday.

Customers may visit the office to pay traffic fines, court case fees, probation, and other municipal and county infractions. These payment services are also available online via the Clerk’s website. Official records, such as mortgages, deeds, liens, and notices of commencement, may also be recorded at the office.

“The restored service hours will provide added convenience to our customers in Cape Coral,” Doggett said. “This is a result of an increase in court-related revenues and the long awaited approval from our legislature to allow us to use some of those revenues to fund critical operations.”

## 2019 Summer Conference

June 25-27  
Omni  
ChampionsGate

Get the latest information here!  
[2019 Summer Conference Website](#)

Meeting	Location	Date	Time
<a href="#">Receiving Driver School Completion Certificates in the E-Portal/Clerk Processing Webinar</a>	WebEx	June 18	2 p.m.
Legislative Committee	WebEx	June 19	10 a.m.
<a href="#">Receiving Driver School Completion Certificates in the E-Portal/Clerk Processing Webinar</a>	WebEx	June 20	2 p.m.
FCCC Board of Directors	Orlando	June 24	10 a.m.
CCOC Executive Council	Orlando	June 24	2 p.m.
2019 Summer Conference	Orlando	June 25-27	
Trial Court Budget Commission	Orlando	June 25	8:00 a.m.
Florida Courts E-Filing Authority Board	Orlando	June 25	10:20 a.m.
Florida Bar Annual Convention	Boca Raton	June 26-29	
FDLE CJJIS Council Meeting	Orlando	July 8	12 p.m.
<a href="#">Court Ops Regional Training</a>	Tallahassee	July 17	10 a.m.
<a href="#">Court Ops Regional Training</a>	Daytona Beach	July 24	10 a.m.
<a href="#">Court Ops Regional Training</a>	West Palm Beach	July 25	10 a.m.
<a href="#">Court Ops Regional Training</a>	Largo	July 26	10 a.m.
FDLE CJIS Symposium	Orlando	July 9-11	
FCTC	Naples	August 8-9	
New Clerk Academy	Marco Island	August 19-23	
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 Technology Regional Training</a>	Mirimar Beach	September 4	10 a.m.
<a href="#">2019 Technology Regional Training</a>	West Palm Beach	September 11	10 a.m.

<a href="#">2019 Technology Regional Training</a>	Orlando	September 12	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
Legislative Update	WebEx	September 20	10 a.m.

## Maintaining user logins for [www.flclerks.com](http://www.flclerks.com)

As your office encounters staff changes, or if you have staff members who need logins to the [www.flclerks.com](http://www.flclerks.com) site, please contact Allison Newman [anewman@flclerks.com](mailto:anewman@flclerks.com) at FCCC. We can assist with updating the users in your county by removing any accounts that are no longer needed.



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**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Florida Court Clerks & Comptrollers Weekly Update 07-01-2019

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**July 1, 2019**

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*The Honorable Stacy M. Butterfield, CPA (Polk), is sworn in as FCCC President by former Polk County Clerk and Comptroller Richard Weiss (left) at the FCCC 2019 Summer Conference in Orlando.*

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*Florida Sheriffs Association President Sheriff Mark Hunter of Columbia County, accepts the 2018-2019 FCCC Partner of the Year Award during the 2019 FCCC Summer Conference.*

## **The Honorable Stacy M. Butterfield, CPA, installed as FCCC President**

The Honorable Stacy M. Butterfield, CPA (Polk), was installed as the Florida Court Clerks & Comptrollers President during the 2019 Summer Conference at the Omni ChampionsGate in Orlando last week. President Butterfield was sworn in by former Polk County Clerk and Comptroller Richard Weiss, and will take over for the Honorable Sharon R. Bock, Esq. (Palm Beach), who served as FCCC President during 2018-2019.

During her acceptance speech, President Butterfield identified points of commonality from her extensive conversations with Clerks: “a desire to build stability and consistency throughout the association, as well as among Clerks’ offices across the state;” and, “to unify and engage with a collaborative, respectful and enthusiastic spirit.” She pointed to the unity of Clerks as essential to the group’s advancement.

President Butterfield stated her FCCC theme for the year will be “Building Confidence.” Specifically, she cited a focus on Building Confidence:

- in our successes, supporting resiliency and momentum for achievements
- in each other by working together
- in the FCCC Professional Team, a competent and innovative group of professionals working under the tremendous leadership of CEO Chris Hart to support Clerks, and
- to approach issues with a “we can do it” and “start with yes” attitude, displaying the ingenuity, reliability and innovation of Florida’s Clerks and Comptrollers.

Before passing the baton of FCCC leadership to Clerk Butterfield, Clerk Bock named the Florida Sheriffs Association (FSA) FCCC Partner of the Year in honor of the FSA’s work toward the passage of Amendment 10. The passage of Amendment 10 enshrined Florida’s constitutional officers — Clerks, Sheriffs, Property Appraisers, Tax Collectors, and Supervisors of Elections — as elected officials in the state constitution.

Clerk Bock named the Honorable Linda Doggett (Lee) the 2018-2019 Clerk of the Year. Clerk Bock acknowledged Clerk Doggett’s leadership in the development and maintenance of the association’s strategic plan; DIY initiatives that are practical, useful and focused on customer convenience; and her role representing Clerks on the Florida Supreme Court’s Access to Justice Commission.

Clerk Bock presented several awards acknowledging the special efforts of Clerks and Comptrollers during 2018-2019. The Honorable Angela Vick (Citrus) received the 2018-2019 FCCC Vision Award. The Honorable John Crawford (Nassau) received the 2018-2019 FCCC Mission Award. The Honorable JD Peacock II (Okaloosa) received the 2018-2019 FCCC Values Award. The 2018-2019 Board Governance Award was presented to each of the District Directors:

The Honorable Alex Alford (Walton), The Honorable Kathleen E. Brown (Liberty), The Honorable Kellie Hendricks

Connell, CPA (Union), The Honorable Angela Vick (Citrus), The Honorable Tiffany Moore Russell, Esq. (Orange), The Honorable Ken Burke, CPA (Pinellas) and The Honorable Linda Doggett (Lee). The Honorable Tom Bexley (Flagler) received the 2018-2019 FCCC New Legislative Approach Award, and the Honorable Tim Smith (Putnam) received the 2018-2019 FCCC Optimizing Technology Award.

## Governor DeSantis continues bill action

Over the past couple of weeks, Governor Ron DeSantis has continued his executive action, signing or vetoing most of the remaining bills from the 2019 Regular Session of the Florida Legislature. Only one bill from the 2019 session remains on the Governor's desk awaiting his action, [CS/CS/CS/HB 385 Transportation](#). The Governor has until Thursday, July 11, 2019, to sign or veto this bill, else it will pass into law without his action. To access a full list of bills that have been sent to the Governor—along with his action—[please click here](#).

Included among the bills that have been recently signed are five of priority interest to Clerks and Comptrollers:

- [SB 2500 Appropriations](#), effective July 1, 2019, sets the state appropriation levels for all agencies that are funded by the state budget for an annual period beginning July 1, 2019, and ending June 30, 2020
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- [CS/SB 7066 Election Administration](#), effective July 1, 2019, amends the Florida Election Code and implements the provisions of Amendment 4 related to voting restoration, which was approved during the 2018 General Election
- [CS/HB 7125 Administration of Justice](#), effective October 1, 2019, provides comprehensive criminal justice reform, including updates to the criminal justice data transparency initiative
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Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual *Legislation of Interest* document and related advisories. For information on bills that are effective upon becoming a law and July 1, 2019, please reference [Advisory Bulletin 19-34](#) and [Advisory Bulletin 19-48](#). An advisory bulletin addressing bills effective October 1, 2019, and later is forthcoming.

Should you have any questions, please contact [Jason Harrell](#), [Kimberly Renspie](#), or [Sara Sanders](#) at the association.

[Click image to view video](#)

Congratulations to the Honorable Paula S. O'Neil, Ph.D., Pasco County Clerk & Comptroller, for retiring after serving as Clerk for nearly 11 years. Clerk O'Neil has upheld the ideals of a true public servant, demonstrating a commitment to excellence, integrity, and continual improvement.

[Click the image above to view a video tribute.](#)

## First Amendment Foundation President Barbara Petersen to Retire

After 25 years of serving as President of Florida's First Amendment Foundation (FAF), Barbara Petersen has announced her plans to retire at the end of this year.

Before joining FAF, she was staff attorney for the Joint Committee on Information Technology of the Florida Legislature, where she worked exclusively on public records legislation and issues. During her years at FAF, Petersen has also served as chair of Florida's Commission on Open Government Reform and on Governor Jeb Bush's Task Force on Privacy and Technology. Petersen has received many awards during her span as President, including the prestigious American Library Association's 2018 Eileen Cooke Award honoring those who champion access to government information and the public's right to know.

Petersen served as president of the board of directors of the National Freedom of Information Coalition and currently serves on its board, as well as the boards of the Florida Society of News Editors and the Florida Center for Investigative

FL-LEON-19-1045-A, 19-1046-A-000268

Reporting. A passionate advocate of the public's right to oversee its government, during her tenure at FAF she has provided open government training to thousands of government officials, public employees, citizen organizations, and reporters across Florida.

Under Petersen's leadership, FAF worked with Governor Charlie Crist in the creation of the Office of Open Government in the Executive Office of the Governor and has written dozens of friend of the court briefs supporting citizens and the media, including two cases before the United States Supreme Court.

Petersen intends to stay involved in FAF and like causes in retirement. Petersen's replacement will be announced sometime this fall as will details of her retirement celebration.

## 2019 Property Tax Oversight Informational Bulletin 19-02 posted

The Department of Revenue (DOR) has posted informational bulletin [PTO 19-02](#), Assessment of agricultural equipment unable to be used for at least 60 days due to the effects of Hurricane Michael. The Florida Legislature passed [chapter 2019-42](#), Laws of Florida, in the 2019 regular legislative session. The bulletin is on DOR's website in the [Revenue Law Library](#).

Please send any questions to [DORPTO@floridarevenue.com](mailto:DORPTO@floridarevenue.com).

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## 2019 Statewide Court Operations Regional Trainings announced

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Court Operations Regional Trainings have been scheduled for July. The 2019 Statewide Court Operations Regional Trainings will feature a review and discussion of the following key topics: Reporting Mental Health to FDLE and State Agencies; Paper Document Retention and Destruction; Unclaimed Funds; Orders Modifying Sentences; and Risk Protection Orders. All trainings are from 10 a.m. – 3 p.m., EDT, include a working lunch, and qualify for 5 CPE hours.

### Leon County Court Operations Regional Training [Register](#)

Wednesday, July 17, 2019  
Florida Court Clerks & Comptrollers  
3544 Maclay Boulevard South  
Tallahassee, Florida 32312

### Volusia County Court Operations Regional Training [Register](#)

Wednesday, July 24, 2019  
Hard Rock Hotel Daytona Beach  
918 North Atlantic Avenue  
Daytona Beach, Florida 32118

### Palm Beach County Court Operations Regional Training [Register](#)

Thursday, July 25, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Pinellas County Court Operations Regional Training [Register](#)

Friday, July 26, 2019  
Pinellas County Supervisor of Elections  
13001 Starkey Road  
Largo, Florida 33773

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## 2019 Statewide Technology Regional Trainings announced

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Training will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

### Walton County Technology Regional Training [Register](#)

Wednesday, September 4, 2019 (CDT)  
Hilton Sandestin Beach Golf Resort & Spa  
4000 Sandestin Boulevard South  
Miramar Beach, Florida 32550

### Palm Beach County Technology Regional [Register](#)

Wednesday, September 11, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Orange County Technology Regional Training [Register](#)

Thursday, September 12, 2019  
Embassy Suites Lake Buena Vista Resort  
8100 Lake Street  
Orlando, Florida 32836

### Duval County Technology Regional Training [Register](#)

Friday, September 13, 2019  
DoubleTree Jacksonville Riverfront  
1201 Riverplace Boulevard  
Jacksonville, Florida 32207

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## Clerks' Comptroller Repository updated

The Comptroller Subcommittee enhanced the Comptroller Repository with new policies provided by members of the Comptroller-Finance Information Advisory Group, comprised of key Clerks' finance staff.

The FCCC [Comptroller Repository](#) is located on the FCCC non-public website under Resources>Comptroller Repository. The new information is in addition to other Comptroller- Financial Information developed last year. The additional website links and downloadable documents include three new areas under the [Policies: Clerks Website Links and Documents](#) section:

- External Auditor Selection Process and Procurement Guidelines
- Investment Policies (Relative to s. 218.415, F.S.)
- Financial Reports, Policies and Web Sites for CAFRs, PAFRs & Comptroller reports

If you have any questions or need assistance, please contact [Alex Nicholas](#).

## Don't become a victim of the Gift Card/MoneyPak scam

The Lee Clerk's office recently shared a warning regarding a recent scam. Read more about this potential scam in the [Lee County media release](#).

## begin this month!

Look for registration information in this Weekly Update

Meeting	Location	Date	Time
FDLE CJJIS Council Meeting	Orlando	July 8	12 p.m.
FDLE CJIS Symposium	Orlando	July 9-11	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board - Phase 1</a>	Tallahassee	July 9	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 2</a>	Tallahassee	July 9	2:30 p.m.
<a href="#">Court Ops Regional Training</a>	Tallahassee	July 17	10 a.m.
<a href="#">Court Ops Regional Training</a>	Daytona Beach	July 24	10 a.m.
<a href="#">Court Ops Regional Training</a>	West Palm Beach	July 25	10 a.m.
<a href="#">Court Ops Regional Training</a>	Largo	July 26	10 a.m.
FCTC	Naples	August 8-9	
New Clerk Academy	Marco Island	August 19-23	
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 Technology Regional Training</a>	Miramar Beach	September 4	10 a.m.
<a href="#">2019 Technology Regional Training</a>	West Palm Beach	September 11	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Orlando	September 12	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
Legislative Update	WebEx	September 20	10 a.m.

## Maintaining user logins for [www.flclerks.com](http://www.flclerks.com)

As your office encounters staff changes, or if you have staff members who need logins to the [www.flclerks.com](http://www.flclerks.com) site, please contact Allison Newman [anewman@flclerks.com](mailto:anewman@flclerks.com) at FCCC. We can assist with updating the users in your county by removing any accounts that are no longer needed.



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**Sent:** Monday, July 08, 2019 5:08 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Florida Court Clerks & Comptrollers Weekly Update 07-08-2019

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[View this email in your browser](#)

**July 8, 2019**

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*The Honorable Sharon R. Bock, Esq. (Palm Beach), left, presents the Honorable Linda Doggett (Lee) with the 2018-2019 Clerk of the Year Award during the FCCC 2019 Summer Conference in Orlando.*

## **Lee Clerk named 2018-19 Clerk of the Year**

The Honorable Linda Doggett (Lee) was awarded the Clerk of the Year Award during the FCCC 2019 Summer Conference at the Omni ChampionsGate in Orlando on June 26, 2019 by the Honorable Sharon R. Bock (Palm Beach). Clerk Bock acknowledged Clerk Doggett's leadership in the development and maintenance of the association's strategic plan; DIY initiatives that are practical, useful and focused on customer convenience; and, her role representing Clerks on the Florida Supreme Court's Access to Justice Commission.

Clerk Doggett received the award for her efforts to lead the development and maintenance of the association's technology strategic plan. She represents Clerks on the Florida Supreme Court's Access to Justice Commission and led efforts to provide new do-it-yourself systems to Floridians seeking court services.

"It's an honor to be recognized by my colleagues for my efforts to enhance access to justice," Clerk Doggett said. "However, the true honor is being able to make a positive difference in the lives of the citizens of Lee County and the whole State of Florida."

Clerk Doggett's extensive education and experience in information systems and technology provides her a unique perspective of the future of our justice system. Since being first elected in 2012, she has elevated the Lee Clerk's office through her commitment to adopting new technologies designed to improve efficiencies and provide greater transparency and accessibility to citizens.

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A total of 494 attendees took part in the conference that proved to be a great learning experience for Clerks and staff. In addition, 93 exhibitors took part in this year’s conference. Featured tracks included Courts, Executive, HR/Administration, and Technology.

Presentations from the 2019 Summer Conference will be available on the website by August 2.

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*Nikki Alvarez-Sowles, Esq. (left) is sworn in as Clerk Ad Interim by the Honorable Paula O’Neil, Ph.D. (right) during the the FCCC 2019 Summer Conference in Orlando. Clerk Alvarez-Sowles is accompanied by her husband Kevin Sowles and her son and daughter (far left).*

## **Nikki Alvarez-Sowles appointed Pasco Clerk Ad Interim**

Nikki Alvarez-Sowles, Esq., who has served as the Chief Operating Officer (COO) for the Pasco County Clerk and Comptroller’s since 2010, was appointed by Sixth Judicial Circuit Chief Judge Anthony Rondolino, who issued his administrative order on Tuesday, June 25, 2019. The Honorable Paula O’Neil, Ph.D., performed a swearing in ceremony during the 2019 FCCC Summer Conference at the Omni ChampionsGate in Orlando.

The appointment is ad interim – pending Gov. Ron DeSantis’ decision regarding a permanent successor to fill the balance of the retiring Clerk O’Neil’s term (through the end of 2020). Clerk Alvarez-Sowles will become Pasco’s eighth Clerk & Comptroller, its second by appointment.

“Chief Judge Rondolino knows the Office will be in great hands with Clerk Alvarez- Sowles leading it,” Clerk O’Neil said. “It’s a great day in the history of Pasco County.”

As COO, Alvarez-Sowles guided the adoption of numerous taxpayer-friendly initiatives which improved customer service, boosted efficiency, drove down costs, and enhanced transparency.

[Click here](#) to read more about Nikki Alvarez-Sowles, Esq., Clerk Ad Interim.

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*Senator Jeff Brandes (left) speaks to Clerks during the 2019 Summer Conference at the Omni ChampionsGate in Orlando.*

## **Senator Jeff Brandes named FCCC Legislator of the Year**

On June 25, FCCC honored Senator Jeffrey P. “Jeff” Brandes as Legislator of the Year for his support of Clerks’ priority bills during the 2019 Legislative Session. He was presented with the award during the President’s Reception.

## Additional Summer Conference Highlights

2018-2019 FCCC President Sharon R. Bock, Esq., recognized special contributions of FCCC professional team members on June 25 during the Summer Conference welcome session. Clerk Bock's first presentation, the Empowering Our Collective Potential Award, was given to FCCC CEO Chris Hart.

"His goal from Day One has been to empower Clerks and through his leadership," Clerk Bock said regarding Hart. "I truly believe we as Clerks are stronger, more confident, and in more control of our collective destiny."

In keeping with her presidential theme, which evolved during her presidency, Clerk Bock also acknowledged the hard work of the Legislative Affairs team of Jason Harrell, Kimberly Renspie and Sara Sanders, by awarding them the Turning Our Collective Potential Into Action Award. For the 2019 Legislative Session, the team fulfilled the Clerks' goal to strengthen the association's legislative position. Jason, Sara and Kimberly developed and advocated for a dedicated Clerk bill, the Clerks Serve Florida Act; they attended more than 50 meetings with legislators and legislative staff; they submitted more than 20 formal bill analyses with the CCOC; they tracked 902 bills, and worked 15 amendments. As a result, they limited negative fiscal impact to Clerks among 2019 bills that were filed, and the team was successful in securing policy provisions that will improve Clerk revenue over the next three years. Clerk Bock presented the Realizing Our Collective Potential Award to Melvin Cox and Melissa Bennefield for their instrumental roles in the association's technological accomplishments, citing their leadership in driving accessibility of DIY forms, upgrades to the Portal, and programming the CCIS matrix.

## Speaker evaluations from the 2019 Summer Conference

The Florida Court Clerks & Comptrollers would like to thank those who were able to attend the 2019 Summer Conference. The FCCC professional team hopes that you found the conference informative and had a great learning experience. Attendees' feedback is important to FCCC and provides valuable insight into how the association can better serve the Clerks' and Comptrollers' offices. If you have not already done so, please take a minute to fill out the evaluations for those sessions you may have attended by clicking the below links:

### [2019 Summer Conference Evaluation](#)

#### **Tuesday, June 25, 2016**

- [Welcome Session and Keynote](#)
- [Vulnerable Adults/Risk Protection Orders/MECOM](#)
- [Generations in the Workplace](#)
- [The Impact of Non-ADA Compliant Websites](#)
- [2019 Legislative Update](#)
- [Star Employees: Recruitment and Retention](#)
- [Auditing Wireless Networks](#)
- [Sharks in the Water: Current Threats in Clerks' Offices](#)
- [Successful Onboarding](#)
- [Vulnerability Assessments](#)

#### **Wednesday, June 26, 2019**

- [Opening Session and Keynote](#)
- [Sharks in the Water: Current Threats in Clerks' Offices \(Repeat Session\)](#)
- [Things We Do Differently](#)
- [Team Building/Team Engagement](#)
- [Statewide Systems and IT Strategic Plan](#)
- [Pathway to Paperless](#)
- [Employment Issues](#)
- [Rule 2.420 – Meet the Needs of Those We Serve Without Delay Part II](#)
- [Managing Employees Under the FMLA and ADA](#)
- [Technology Roundtable](#)

Thursday, June 27, 2019

[Case Counting: Are You Counting Your Cases Like Every Other Clerk?](#)  
[Best Practices for Employees Discipline and Termination](#)  
[Civil Citations and the Clerk](#)

Thank you for providing your feedback.

## TCBC holds in-person meeting in Orlando

The Trial Court Budget Commission (TCBC) held a regular, in-person meeting on Tuesday, June 25, 2019, in Orlando, to receive an update on FY 2018-19 and FY 2019-20 budgets for the state courts system, discuss the courts' legislative budget request (LBR) for FY 2020-21, and address other issues of interest. The full agenda and materials may be accessed [via this link](#).

The association would like to thank the Honorable JD Peacock II (Okaloosa), CCOC Executive Council Chair, and John Dew, CCOC Executive Director, for attending the meeting on behalf of Clerks of Court and for providing the following meeting summary.

At the meeting, the TCBC reported that there is sufficient funding for the remainder of FY 2018-19, and there will be a balance in the courts' trust fund going into FY 2019-20, which can be carried forward into the next fiscal year. The group also discussed the additional monies that were provided by the 2019 Florida Legislature to address staff retention, and the current work with the firm, Evergreen Solutions LLC, to review current employee pay, in order to update pay and classification policies. The TCBC approved new positions for law clerks and judicial assistants to help staff the four new judge positions funded by the 2019 Legislature (see HB 5011 Courts, [Chapter 2019-95, Laws of Florida](#)), and approved funding for the Office of State Courts Administrator's (OSCA) Office of Information Technology for continued support of an Integrated Case Management System.

For the FY 2020-2021 LBR, the TCBC approved the following items as the top three priorities:

- [Timely resolution of cases](#), which includes funding for 49 law clerks, 58 case managers, 41 FTEs for operations/administrative support, and 9 FTEs for mediation/online dispute resolution, totaling a request of approximately \$12.8 million;
- [Court Interpreting Services](#), totaling a request of approximately \$5.8 million; and
- [Furnishings and Equipment](#), which includes new or renovated courthouse furnishings and a digital court reporting equipment refresh, totaling a request of approximately \$297,000.

A summary of these recommendations may be accessed [via this link](#).

Judge Ronald Ficarrotta, who serves as a member of both CCOC and TCBC, reported that Clerks are expected to have additional budget authority in the coming fiscal year, due to higher revenues and the ability to use carry forward dollars from the Clerks of the Court Trust Fund. Judges and Clerks look forward to continuing to work together to assure sufficient funding.

The next meeting of the TCBC is expected in late August 2019.

## FCCC announces Improving Human Performance webinar

The Florida Court Clerks & Comptrollers is pleased to announce the Improving Human Performance webinar scheduled on Tuesday, July 16, 2019 from 10-11 a.m., EDT.

Poor performance, low productivity, lost work time, accidents, reduced profits, and high turnover are only a few of the negative effects of disengaged employees. Employees that are simply showing up and going through the motions can cause problems company-wide. Do the managers and supervisors in your organization utilize a one-size-fits-all approach to leadership?

This presentation will touch on five key areas that allow leaders to be more effective by helping them acclimate to the specific circumstances and variables that they inevitably experience, and ultimately lead to a higher level of performance and productivity.

Attendees will learn the difference between two of the most long-standing and proven leadership styles that deliver improved results. By understanding the strengths and weaknesses of these two approaches to developing people and environment, attendees will be able to maximize their influence and capitalize on the abilities team members possess.

Randy Anderson has a true passion for teaching the hows and whys of engaging, equipping, and empowering people in work and life. He teaches ideas and strategies that he learned from working for and managing in organizations ranging from five to 35,000 employees. Over the last 30 years, Mr. Anderson has developed and taught these principles to tens of thousands of people in all sizes of organizations from front line to back office, to upper management.

This webinar will include a Q&A session and attendees will receive 1 DBPR CPE credit (pending approval) and 1 SHRM PDC credit (pending approval). Clerks and Comptrollers also qualify for 1 CPE credit hour.

[Click here](#) to register.

For questions, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## FCCC Leadership Orientation hotel room reservation deadline

Please note that the deadline to reserve a room for the FCCC 2019 Leadership Orientation scheduled for August 7-8, 2019 at the Naples Grande, is Monday, July 15, 2019. This orientation is intended for FCCC Board and committee chairs and vice chairs.

To reserve a room call the hotel at (844) 210-5931, and provide the code **GFCCC19** for the reserved room block. Please note the hotel is currently sold out for the night of Tuesday, August 6, 2019. If you are in need of a hotel room for the night of August 6, [please click here to reserve your stay at a nearby hotel](#).

## Governor DeSantis continues bill action

Over the past couple of weeks, Governor Ron DeSantis has continued his executive action, signing or vetoing most of the remaining bills from the 2019 Regular Session of the Florida Legislature. Only one bill from the 2019 session remains on the Governor's desk awaiting his action, [CS/CS/CS/HB 385 Transportation](#). The Governor has until Thursday, July 11, 2019, to sign or veto this bill, else it will pass into law without his action. To access a full list of bills that have been sent to the Governor—along with his action—[please click here](#).

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forthcoming.

Should you have any questions, please contact [Jason Harrell](#), [Kimberly Renspie](#), or [Sara Sanders](#) at the association.

## 2019 Court & Records Regional Trainings begin this month

The 2019 Court & Records Regional Trainings (previously named the 2019 Court Operations Regional Trainings) will begin in July. Please note that if you have already registered, you do not need to register again, as only the title of the training has changed.

The 2019 Statewide Court & Records Regional Trainings will feature a review and discussion of the following key topics: Reporting Mental Health to FDLE and State Agencies; Paper Document Retention and Destruction; Unclaimed Funds; Orders Modifying Sentences; and Risk Protection Orders. All trainings are from 10 a.m. – 3 p.m., EDT, include a working lunch, and qualify for 5 CPE hours.

### Leon County Court & Records Regional Training [Register](#)

Wednesday, July 17, 2019  
Florida Court Clerks & Comptrollers  
3544 Maclay Boulevard South  
Tallahassee, Florida 32312

### Volusia County Court & Records Regional Training [Register](#)

Wednesday, July 24, 2019  
Hard Rock Hotel Daytona Beach  
918 North Atlantic Avenue  
Daytona Beach, Florida 32118

### Palm Beach County & Records Regional Training [Register](#)

Thursday, July 25, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Pinellas County Court Operations Regional Training [Register](#)

Friday, July 26, 2019  
Pinellas County Supervisor of Elections  
13001 Starkey Road  
Largo, Florida 33773

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## 2019 Statewide Technology Regional Trainings announced

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Training will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

### Walton County Technology Regional Training [Register](#)

Wednesday, September 4, 2019 (CDT)  
Hilton Sandestin Beach Golf Resort & Spa  
4000 Sandestin Boulevard South  
Miramar Beach, Florida 32550

### **Palm Beach County Technology Regional [Register](#)**

Wednesday, September 11, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### **Orange County Technology Regional Training [Register](#)**

Thursday, September 12, 2019  
Embassy Suites Lake Buena Vista Resort  
8100 Lake Street  
Orlando, Florida 32836

### **Duval County Technology Regional Training [Register](#)**

Friday, September 13, 2019  
DoubleTree Jacksonville Riverfront  
1201 Riverplace Boulevard  
Jacksonville, Florida 32207

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## **Clerks' Comptroller Repository updated**

The Comptroller Subcommittee enhanced the Comptroller Repository with new policies provided by members of the Comptroller-Finance Information Advisory Group, comprised of key Clerks' finance staff.

The FCCC [Comptroller Repository](#) is located on the FCCC non-public website under Resources>Comptroller Repository. The new information is in addition to other Comptroller- Financial Information developed last year. The additional website links and downloadable documents include three new areas under the [Policies: Clerks Website Links and Documents](#) section:

- External Auditor Selection Process and Procurement Guidelines
- Investment Policies (Relative to s. 218.415, F.S.)
- Financial Reports, Policies and Web Sites for CAFRs, PAFRs & Comptroller reports

If you have any questions or need assistance, please contact [Alex Nicholas](#).

## **2019 Property Tax Oversight Informational Bulletin 19-02 posted**

The Department of Revenue (DOR) has posted informational bulletin [PTO 19-02](#), Assessment of agricultural equipment unable to be used for at least 60 days due to the effects of Hurricane Michael. The Florida Legislature passed [chapter 2019-42](#), Laws of Florida, in the 2019 regular legislative session. The bulletin is on our website in the [Revenue Law Library](#).

Please send any questions to [DORPTO@floridarevenue.com](mailto:DORPTO@floridarevenue.com).

**Statewide Court  
&  
Records  
Regional  
Trainings  
begin this month!**



Look for registration information in this Weekly Update

Meeting	Location	Date	Time
FDLE CJIS Symposium	Orlando	July 9-11	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board - Phase 1</a>	Tallahassee	July 9	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 2</a>	Tallahassee	July 9	2:30 p.m.
<a href="#">Improving Human Performance webinar</a>	WebEx	July 16	10 a.m.
<a href="#">Court Ops Regional Training</a>	Tallahassee	July 17	10 a.m.
FCCC Executive Committee	WebEx	July 18	10 a.m.
Article V Revenue Estimating Conference	Tallahassee	July 18	1:30 p.m.
<a href="#">Court Ops Regional Training</a>	Daytona Beach	July 24	10 a.m.
<a href="#">Court Ops Regional Training</a>	West Palm Beach	July 25	10 a.m.
<a href="#">Court Ops Regional Training</a>	Largo	July 26	10 a.m.
Florida Sheriffs Association Summer Conference	Tampa	July 28-31	
FCCC Leadership Orientation	Naples	August 7-8	
FCTC	Naples	August 8-9	
Board of Directors	WebEx	August 19	10 a.m.
New Clerk Academy	Marco Island	August 19-23	
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 Technology Regional Training</a>	Miramar Beach	September 4	10 a.m.
<a href="#">2019 Technology Regional Training</a>	West Palm Beach	September 11	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Orlando	September 12	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
Legislative Update	WebEx	September 20	10 a.m.

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**August 5, 2019**

## Registration for the 2019 Fall Conference continues

Registration continues for the Florida Court Clerks & Comptrollers' 2019 Fall Conference, scheduled for October 2-4, 2019, at the Tradewinds, St. Pete Beach.

Please note that if you have not reserved a hotel room for the 2019 Fall Conference, scheduled for October 2-4, 2019, at the Tradewinds Island Resort, St. Pete Beach, the **deadline to reserve a room is Tuesday, August 6, 2019, by 4 p.m., EDT.**

At this time reservations **can only be made** by calling the Central Group Reservations line at (800) 808-9833, from 7 a.m. – 12 a.m., EDT. You must reference the code: **FCCC19** to ensure that you receive the FCCC room rate.

Hotel reservations for Clerks are being handled separately. If the Clerk in your office needs a hotel room, please e-mail Jennifer Tedder at [jtedder@flclerks.com](mailto:jtedder@flclerks.com).

Please note that you will either be placed in a room at the Tradewinds Island Resort or the sister property, Rumfish Resort. The Rumfish Resort is an approximate 5 minute walk from the Tradewinds property.

Conference tracks featured during the 2019 Fall Conference will include Executive and Records. For more information, and to register, click on the [2019 Fall Conference web page](#).

**IMPORTANT NOTICE:** The traditional Executive Session has changed and will be held during the Pre-Conference on Tuesday, October 1, from 10:30 a.m. - 2:30 p.m., as opposed to the afternoon of the first full conference day. Lunch will also be served during this session.

For questions, please contact Jennifer Tedder at 850-577-4607 or [jtedder@flclerks.com](mailto:jtedder@flclerks.com).

## Florida Sheriffs Association names Martin Clerk Honorary Sheriff

The Florida Sheriffs Association (FSA), one of the largest and most successful state law-enforcement associations in the nation, has named the Honorable Carolyn Timmann (Martin) as Honorary Sheriff. Clerk Timmann accepted this honor on Tuesday, July 30, 2019, during the FSA Summer Conference banquet in Tampa.

"It is an honor to award Clerk Timmann the title of Honorary Sheriff," said Florida Sheriffs Association President and Columbia County Sheriff Mark Hunter. "In 2024, all 67 Florida sheriffs will be elected by the people, and that is largely due to Clerk Timmann being such an incredible champion for Florida's constitutional officers."

Clerk Timmann was presented the honorary title based on her efforts and dedication to ensure that the citizens of Florida were able to decide who their elected constitutional officers would be in all 67 counties. In 2017, Clerk Timmann was appointed to the Constitution Revision Commission and filed Proposal 13 that was eventually placed on the ballot as Amendment 10, and on November 6, 2018, Amendment 10 passed with 63% support. The elected and independent office of sheriff is now enshrined in our State Constitution for all 67 counties.

## Restoration of Voting Rights Task Force appointments announced

Governor Ron DeSantis announced the appointments to the state's new Voting Rights Task Force on Friday, August 2, 2019, which includes two Clerks of Court: the Honorable JD Peacock II (Okaloosa) and the Honorable Doug Chorvat Jr. (Hernando). This task force is a requirement within the language of Senate Bill 7066, which deals with the implementation of Amendment 4.

The bill establishes the task force within the Department of State (DOS), for the purpose of conducting a comprehensive review of DOS's process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4. The group must submit a report of its findings, conclusions, and recommendations to the President of the Senate and the Speaker of the House by November 1, 2019. The report is to include recommendations for consolidating data necessary to verify the eligibility of individuals for restoration of voting rights under Amendment 4, and for a process for informing such individuals about the custodians of information needed to verify eligibility. Following the report's submission, the workgroup is dissolved.

The governor also appointed the Honorable Chris Anderson, Supervisor of Elections in Seminole County, and the Honorable Vikki Cannon, Supervisor of Elections in Nassau County. The governor's press release can be found [here](#).

## Effective Delegation Webinar scheduled next week

The Florida Court Clerks & Comptrollers is pleased to announce the Effective Delegation Webinar scheduled for Thursday, August 15, 2019, from 10 - 11 a.m., EDT (includes Q&A). During this webinar, attendees will learn to identify their personal brand and how they are perceived by others, learn to use their brand effectively with their team and upper management, and learn effective time management skills including the art of delegation.

Attendees will qualify for 1 DBPR CPE credit hour (pending approval) and earn 1 SHRM CPE credit hour (approved). Clerks/Comptrollers qualify for 1 CPE credit hour.

Presenter Megan Richardson has spent more than ten years providing human resources guidance to numerous organizations, including some of the country's most prominent businesses. Ms. Richardson provides strategic support to multiple business units within a company by designing interviewing and onboarding strategy, managing HR compliance, consulting on organizational design and other key areas with the human resources arena.

Ms. Richardson is a seasoned trainer and consultant, who leads multi-state management courses, leadership initiatives and policy/procedural implementations. She has spoken at national, state and local conferences and is called upon as an HR expert for SHRM Jacksonville and HR Florida.

Click here to [register](#).

## 2019 Sunshine Seminar Series presented by the First Amendment Foundation announced

The [First Amendment Foundation](#), offering many opportunities to learn about Florida's Sunshine and Public Records Laws, has announced their 2019 Sunshine Seminar Series. The Foundation holds a series of Sunshine Seminars around the state, inviting the participation of government officials, journalists, and members of the general public.

Six seminars have been announced and will cover the topics of Sunshine Law Overview and Legislative Update, Discussion of Open Government, and First Amendment and Media Law Topics. These seminars are Florida Bar approved for Continuing Legal Credit and other Continuing Education Credit approval.

All seminars are scheduled from 8 a.m. – 2:30 p.m., EST. Please note the Fort Walton Beach Sunshine Seminar is scheduled from 8 a.m. – 2:30 p.m., **CST**.

**Tallahassee Sunshine Seminar**

Wednesday, November 20, 2019

FSU College of Law

425 West Jefferson Street

Tallahassee, FL 32301

[Purchase Tickets](#)

**Daytona Beach Sunshine Seminar**

Friday, November 22, 2019

Daytona Beach News Journal

901 6th Street

Daytona Beach, FL 32117

[Purchase Tickets](#)

**Sarasota Sunshine Seminar**

Tuesday, December 3, 2019

Sarasota Herald Tribune

1741 Main St

Sarasota, FL 34236

[Purchase Tickets](#)

**Fort Myers Sunshine Seminar**

Wednesday, December 4, 2019

News-Press

2442 Doctor Martin Luther King Junior Boulevard

Fort Myers, FL 33901

[Purchase Tickets](#)

**Fort Lauderdale Sunshine Seminar**

Thursday, December 5, 2019

South Florida Sun Sentinel

333 SW 12th Ave

Deerfield Beach, FL 33442

[Purchase Tickets](#)

**Fort Walton Beach Sunshine Seminar**

Wednesday, December 11, 2019

City of Fort Walton Beach Recreation Complex

132 Jet Drive NW

Walton Beach, FL 32548

[Purchase Tickets](#) (Please note this seminar is from 8 a.m. – 2 p.m., CST)

[Click here](#) to view the 2019 Sunshine Seminar Series announcement.

For more information, please call (850) 224-4555 or e-mail the [First Amendment Foundation](#).

**DHSMV provides notice of rulemaking to address Wireless Communication Device Driving Safety Programs**

[CS/HB 107 Wireless Communications While Driving, Chapter 2019-44, Laws of Florida](#), created s. 316.306, F.S., to prohibit certain use of a handheld wireless communications device while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. This section is effective October 1, 2019.

As a result of this bill, the Florida Department of Highway Safety Motor Vehicles (DHSMV) has provided the following [notice](#), proposing to create a new rule chapter to establish standards for approval and administration of Wireless Communication Device Driving Safety Programs.

As provided in the notice, if requested in writing to DHSMV, a rule development workshop will be held on August 16, 2019, 3:00 p.m., at DHSMV, 2900 Apalachee Parkway, Room B130, Tallahassee, Florida 32399. To attend the workshop by phone, call (888) 585-9008, and enter conference room number 408-193-021.

## Lake Clerk warns property owners about official-looking Recorded Deed Notices

The Honorable Gary Cooney (Lake) is alerting residents who have recorded official documents recently, such as deeds and notices of commencement, about official-looking Recorded Deed Notice's that are being mailed from companies that promise to provide a report of property data for a fee.

"These companies gather contact information from public records on recently-recorded documents, then use that information to target residents with official-looking mailers that offer services and information that are readily available and free to our customers," said Clerk Cooney.

Many of these companies pull property information from already-available resources, such as local government websites.

[Click here](#) to read the full Lake County News Release.

## Free legal help coming to Cape Coral starting in August

Cape Coral residents will now have convenient access to free legal advice for civil lawsuits, bankruptcy, evictions, and more. The new service is made possible through collaboration between the Honorable Linda Doggett (Lee), the Lee County Legal Aid Society, and the United Way House of Cape Coral.

"The Lee County Legal Aid Society attorney consultations provided at the Clerk's Self-Help Center in Fort Myers have assisted thousands of Lee County citizens resolve their legal issues," Clerk Doggett said. "I appreciate the Legal Aid Society expanding this service to Cape Coral during convenient hours. It will help thousands more get access to justice."

Citizens who wish to represent themselves in court can schedule a 15-minute meeting with an attorney starting August 1, 2019. The legal consultations will be held the first Thursday of each month from 5:30 p.m. - 7:30 p.m., EDT, and the first Saturday of each month from 9 a.m. - 12 p.m. All sessions will be held at the Cape Coral United Way House at 1105 Cultural Park Blvd.

Assistance with small claims, family law matters, and probate cases will also be provided.

## 2019 Annual Assessment & Collections Report WebEx Trainings begin this month

A WebEx training series for the 2019 Annual Assessment & Collections Report (A&C Report) has been scheduled for August and September. The series, hosted by Alex Nicholas, is scheduled for one hour and registration is required. Materials include review of the report process, key 2018 report findings and the "what, how and when" in order to ensure your report is processed timely. The 2019 online report submission period begins October 7, 2019, and the final submission deadline is December 6, 2019.

There are four scheduled WebEx trainings and each session will cover the same material. You may register for more than one session if you wish. Click on the registration links below and select the WebEx session you wish to participate in.

August 15, 2019, 2 - 3 p.m., EDT [Register](#)

August 22, 2019, 2 - 3 p.m., EDT [Register](#)

September 5, 2019, 11 a.m. - 12 p.m., EDT [Register](#)

September 25, 2019, 11 a.m. - 12 p.m., EDT [Register](#)

For questions, or if you have additional training requests, please contact [Alex Nicholas](#) at (850) 921-0808.

FL-LEON-19-1045-A, 19-1046-A-000285

## 2019 Value Adjustment Board Training

Section 194.035, Florida Statutes, requires the Department of Revenue (DOR) to provide annual training for value adjustment board special magistrates. The final 2019 Value Adjustment Board (VAB) training is available on DOR's [website](#).

In producing the 2019 training materials, DOR amended the 2018 training materials to reflect 2019 legislative changes. For the reader's benefit, the 2019 legislative changes are in blue text and are generally introduced by a "New" or "Note" label in red text.

Module 1 contains a summary of recent legislative changes. Various training modules included throughout the VAB training address these changes where appropriate. Existing rule text affected by a legislative change is in italicized, red text followed by a "Note" label in red text and a description of the legislative change.

The VAB training materials also include housekeeping items, such as updated links to online references; updated adjusted household incomes for the exemptions for low-income seniors and totally and permanently disabled persons; and corrected citations.

Please send any questions to [VABTraining@floridarevenue.com](mailto:VABTraining@floridarevenue.com).

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*The Honorable Laura Roth, Esq. (Volusia), welcomes those in attendance at the 2019 Court and Records Regional Training held at the Hard Rock Daytona on July 24, 2019.*

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*Kathy Savor, Esq., (Palm Beach), presents during the final 2019 Court and Records Regional Training in Pinellas county on July 26, 2019.*

## 2019 Court and Records Regional Trainings wrap up

This summer's Court and Records Regional Trainings wrapped up on July 26, 2019, with trainings held in Volusia, Palm Beach, and Pinellas counties, with a total of 109 attendees, representing 29 different counties for these three trainings. A training was also held in Leon County on July 17.

The association would like to thank Kathy Savor, Esq., Civil Court Services Director, Karina Rodriguez-Matzen, Self Service Administrator, and Shannon Ramsey-Chessman, Chief Operating Officer, Palm Beach; Jennifer Cates, Division Chief, Family Courts, Miami-Dade; Stacey Allen, Esq., Staff Attorney, Leon; Jean Sperbeck, Esq., General Counsel, Alachua; Antonio Jaimes, Esq., Staff Attorney, Volusia; and Kim Stenger, Civil Division Director, Polk, for presenting, as well as all those who attended and participated.

Clerks in attendance included the Honorable Laura Roth, Esq. (Volusia), the Honorable Victoria Rogers (Hardee), and the Honorable Ken Burke, CPA (Pinellas).

## 2019 Statewide Technology Regional Trainings scheduled for September

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<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>
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Article V Revenue Estimating Conference	Tallahassee	August 7	3:30 p.m.
FCTC	Naples	August 8-9	
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 1</a>	Tallahassee	August 13	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 2</a>	Tallahassee	August 13	2:30 p.m.
Legislative Committee Meeting	Orlando	August 14	10 a.m.



Florida Courts E-Filing Authority Board	WebEx	August 15	10 a.m.
<a href="#">Effective Delegation Webinar</a>	WebEx	August 15	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	August 15	2 p.m.
New Clerk Academy	Marco Island	August 19-23	
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	August 22	2 p.m.
FCCC Board of Directors	WebEx	August 27	10 a.m.
TCBC	Tampa	August 28	8:30 a.m.
August Monthly Briefing	WebEx	August 29	10 a.m.
CiviTek Board of Managers	WebEx	August 29	2 p.m.
<a href="#">2019 Technology Regional Training</a>	Miramar Beach	September 4	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 5	11 a.m.
<a href="#">2019 Technology Regional Training</a>	West Palm Beach	September 11	10 a.m.
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Legislative Update	WebEx	September 20	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 25	11 a.m.
Florida Courts E-Filing Authority Board	St. Pete Beach	October 1	9 a.m.
Executive Session	St. Pete Beach	October 1	10:30 a.m.
2019 FCCC Fall Conference	St. Pete Beach	October 2-4	

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**August 12, 2019**

## Presidential Priorities the focus of 2019 Leadership Orientation

The Honorable Stacy M. Butterfield, CPA (Polk), FCCC President, offered an in-depth look at her presidential priorities for 2019-2020 during the second annual FCCC Leadership Orientation, which was held August 7-8, 2019, in Naples. Clerks serving as 2019-2020 committee chairs and vice-chairs were invited to participate. President Butterfield originally introduced her theme, "Building Confidence," and an overview of her priorities during her inaugural speech at the FCCC's 2019 Summer Conference banquet.

"Our committees are the bedrock on which most of our work is accomplished and our successes achieved," stated President Butterfield. "...We must work together to build the confidences that are needed to take us in to the future. I look forward to a great year of working together, and furthering the unification of our efforts."

Leadership Orientation commenced with an overview of board governance, followed by scenario-based training on Robert's Rules of Order. Chris Hart, FCCC CEO, and Sean Hudson, FCCC Director of Member Services, presented information regarding FCCC structure, services, processes and tools, and elicited feedback to enhance the work of the Board of Directors and committees. The event concluded with a discussion designed to assist in prioritizing efforts throughout President Butterfield's leadership year.

Among the meeting's outcomes:

- Each meeting of the Board of Directors and Executive Committee will open with reciting the FCCC Clerk Vision statement: "To be recognized as the premier model of exceptional government," and close with reciting the Clerk Mission: "United statewide to protect the public trust."
- Committee members are encouraged to review their charter carefully, and discuss any suggestions for changes during their next committee meeting. The charters will be submitted to the Board of Directors for ratification.

For more information, please contact FCCC.

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## Registration for the 2019 Fall Conference continues

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Please note that if you have not reserved a hotel room for the 2019 Fall Conference, scheduled for October 2-4, 2019, at the Tradewinds Island Resort, St. Pete Beach, please e-mail Jennifer Tedder at [jtedder@flclerks.com](mailto:jtedder@flclerks.com). At this time, room reservations are being handled individually, based on availability.

Conference tracks featured during the 2019 Fall Conference will include Executive and Records. For more information, and to register, click on the [2019 Fall Conference web page](#).

**IMPORTANT NOTICE:** The traditional Executive Session has changed and will be held during the Pre-Conference on Tuesday, October 1, from 10:30 a.m. - 2:30 p.m., as opposed to the afternoon of the first full conference day. Lunch will also be served during this session.

For questions, please contact Jennifer Tedder at 850-577-4607 or [jtedder@flclerks.com](mailto:jtedder@flclerks.com).

## State Criminal Punishment Code Task Force announces organizational meeting in Tallahassee

Section 152 of CS/HB 7125 Administration of Justice, [Chapter 2019-167, Laws of Florida](#), establishes the Criminal Punishment Code Task Force, which will be implemented by the Department of Legal Affairs. Membership is defined in statute and includes representatives from state and criminal justice agencies. The purpose of the task force is to review, evaluate, and make recommendations regarding sentencing for and ranking of noncapital felony offenses under the Criminal Punishment Code. The task force will also include an analysis of best practices in its review.

By June 30, 2020, the task force is required to submit a report to the Governor, the Legislature, and the Supreme Court, which must include, at a minimum, the issues considered by the task force, any recommendations for legislative changes, and an analysis of the expected impact of such recommendations if enacted by the Legislature. The task force is dissolved upon submission of the report.

An organizational meeting of the task force has been noticed for Wednesday, August 14, at 1 p.m., EDT, in Tallahassee. To view the notice, [please click here](#).

[Click here](#) to view the full meeting agenda.

## Clerk Tiffany Moore Russell Appointed to Access to Justice Commission

The Florida Supreme Court issued [Administrative Order No. 19-38](#) on August 1, 2019, appointing and  re-appointing members to the Florida Commission on Access to Civil Justice.

The Honorable Tiffany Moore Russell, Esq. (Orange), was among the six members reappointed or appointed to the Access to Justice Commission. Clerk Russell will continue representation of Florida's Clerks of the Circuit Court, as she takes over the seat of the Honorable Linda Doggett (Lee), who served since the inception of the Commission in 2016.

All members were appointed for three-year terms and will remain on the Commission until June 30, 2022.

The purpose of the Florida Commission on Access to Civil Justice is to study the remaining unmet civil legal needs of disadvantaged, low-income, and moderate-income Floridians.

[Clerk Carolyn Timmann – Honorary Sheriff July 30, 2019](#)

Highlight video of the Honorable Carolyn Timmann's work on the Constitution Revision Commission.

## Florida Sheriffs Association names Martin Clerk Honorary Sheriff

The Florida Sheriffs Association (FSA), one of the largest and most successful state law-enforcement associations in the nation, has named the Honorable Carolyn Timmann (Martin) as Honorary Sheriff. Clerk Timmann accepted this honor on Tuesday, July 30, 2019, during the FSA Summer Conference banquet in Tampa.

"It is an honor to award Clerk Timmann the title of Honorary Sheriff," said Florida Sheriffs Association President and Columbia County Sheriff Mark Hunter. "In 2024, all 67 Florida sheriffs will be elected by the people, and that is largely due to Clerk Timmann being such an incredible champion for Florida's constitutional officers."

Clerk Timmann was presented the honorary title based on her efforts and dedication to ensure that the citizens of Florida were able to decide who their elected constitutional officers would be in all 67 counties. In 2017, Clerk Timmann was appointed to the Constitution Revision Commission and filed Proposal 13 that was eventually placed on the ballot as

Amendment 10, and on November 6, 2018, Amendment 10 passed with 63% support. The elected and independent office of sheriff is now enshrined in our State Constitution for all 67 counties.

## Effective Delegation Webinar scheduled this Thursday

The Florida Court Clerks & Comptrollers is pleased to announce the Effective Delegation Webinar scheduled for this Thursday, August 15, 2019, from 10 - 11 a.m., EDT (includes Q&A). During this webinar, attendees will learn to identify their personal brand and how they are perceived by others, learn to use their brand effectively with their team and upper management, and learn effective time management skills including the art of delegation.

Attendees will qualify for 1 DBPR CPE credit hour (pending approval) and earn 1 SHRM CPE credit hour (approved). Clerks/Comptrollers qualify for 1 CPE credit hour.

Presenter Megan Richardson has spent more than ten years providing human resources guidance to numerous organizations, including some of the country's most prominent businesses. Ms. Richardson provides strategic support to multiple business units within a company by designing interviewing and onboarding strategy, managing HR compliance, consulting on organizational design and other key areas with the human resources arena.

Ms. Richardson is a seasoned trainer and consultant, who leads multi-state management courses, leadership initiatives and policy/procedural implementations. She has spoken at national, state and local conferences and is called upon as an HR expert for SHRM Jacksonville and HR Florida.

Click here to [register](#).

## Restoration of Voting Rights Task Force appointments announced

Governor Ron DeSantis announced the appointments to the state's new Voting Rights Task Force on Friday, August 2, 2019, which includes two Clerks of Court: the Honorable JD Peacock II (Okaloosa) and the Honorable Doug Chorvat Jr. (Hernando). This task force is a requirement within the language of Senate Bill 7066, which deals with the implementation of Amendment 4.

The bill establishes the task force within the Department of State (DOS), for the purpose of conducting a comprehensive review of DOS's process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4. The group must submit a report of its findings, conclusions, and recommendations to the President of the Senate and the Speaker of the House by November 1, 2019. The report is to include recommendations for consolidating data necessary to verify the eligibility of individuals for restoration of voting rights under Amendment 4, and for a process for informing such individuals about the custodians of information needed to verify eligibility. Following the report's submission, the workgroup is dissolved.

The governor also appointed the Honorable Chris Anderson, Supervisor of Elections in Seminole County, and the Honorable Vikki Cannon, Supervisor of Elections in Nassau County. The governor's press release can be found [here](#).

## 2019 Sunshine Seminar Series presented by the First Amendment Foundation announced

The [First Amendment Foundation](#), offering many opportunities to learn about 

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 Florida's Sunshine and Public Records Laws, has announced their 2019 Sunshine Seminar Series. The Foundation holds a series of Sunshine Seminars around the state, inviting the participation of government officials, journalists, and members of the general public.

Six seminars have been announced and will cover the topics of Sunshine Law Overview and Legislative Update, Discussion of Open Government, and First Amendment and Media Law Topics. These seminars are Florida Bar approved for Continuing Legal Credit and other Continuing Education Credit approval.

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Wednesday, December 11, 2019

City of Fort Walton Beach Recreation Complex

132 Jet Drive NW

Walton Beach, FL 32548

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[Click here](#) to view the 2019 Sunshine Seminar Series announcement.

For more information, please call (850) 224-4555 or e-mail the [First Amendment Foundation](#).

**Collier Clerk Wins Budget Award for the 17th Consecutive Year**

The Honorable Crystal K. Kinzel (Collier) and the Clerk's Accounting Department has been awarded the  Government Finance Officers Distinguished Budget Presentation Award for the 17th consecutive year.

The award represents a significant achievement by the Clerk's office and reflects the commitment of the Clerk and staff to meeting the highest principles of governmental budgeting.

Along with the Distinguished Budget Presentation Award presented to Collier County Clerk of the Court, a Certificate of Recognition for Budget Presentation has also been presented to the Collier County Clerk of Court Accounting Department. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

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*The Honorable Lora Bell and the Washington County Clerk's office hand out school supplies to help kids prepare for the new school year.*

## Washington County helps kids prepare for the first day of school

The Honorable Lora Bell (Washington) and Washington County Clerk's employees came together Wednesday, July 30, 2019, to hand out school supplies to families preparing for the new school year. All of the supplies provided during the event were donated by Clerk staff in a continued effort to serve and give back to those in the community. Supplies including pencils, paper, crayons, pens, rulers, erasers, glue sticks, pencil sharpeners, ear buds, composition books, spiral notebooks, t-shirts, and snacks were made available to families in need.

"We all know with our own children how important it is to have them be prepared and ready to start. It's exciting and if they have everything they need, then it makes them feel better to start that first day," Clerk Bell said.

The Washington County Clerk's office is also involved in several outreach programs in the community, including the Relay for Life and Council on Aging Events for Washington County.

## DHSMV provides notice of rulemaking to address Wireless Communication Device Driving Safety Programs

[CS/HB 107 Wireless Communications While Driving, Chapter 2019-44, Laws of Florida](#), created s. 316.306, F.S., to prohibit certain use of a handheld wireless communications device while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. This section is effective October 1, 2019.

As a result of this bill, the Florida Department of Highway Safety Motor Vehicles (DHSMV) has provided the following [notice](#), proposing to create a new rule chapter to establish standards for approval and administration of Wireless Communication Device Driving Safety Programs.

As provided in the notice, if requested in writing to DHSMV, a rule development workshop will be held on August 16, 2019, 3:00 p.m., at DHSMV, 2900 Apalachee Parkway, Room B130, Tallahassee, Florida 32399. To attend the workshop by phone, call (888) 585-9008, and enter conference room number 408-193-021.

## 2019 Annual Assessment & Collections Report WebEx Trainings begin this week

A WebEx training series for the 2019 Annual Assessment & Collections Report (A&C Report) has been scheduled for August and September. The series, hosted by Alex Nicholas, is scheduled for one hour and registration is required. Materials include review of the report process, key 2018 report findings and the "what, how and when" in order to ensure your report is processed timely. The 2019 online report submission period begins October 7, 2019, and the final submission deadline is December 6, 2019.

There are four scheduled WebEx trainings and each session will cover the same material. You may register for more than one session if you wish. Click on the registration links below and select the WebEx session you wish to participate in.

August 15, 2019, 2 - 3 p.m., EDT [Register](#)

August 22, 2019, 2 - 3 p.m., EDT [Register](#)

September 5, 2019, 11 a.m. – 12 p.m., EDT [Register](#)

September 25, 2019, 11 a.m. – 12 p.m., EDT [Register](#)

For questions, or if you have additional training requests, please contact [Alex Nicholas](#) at (850) 921-0808.

## 2019 Value Adjustment Board Training

Section 194.035, Florida Statutes, requires the Department of Revenue (DOR) to provide annual training for value adjustment board special magistrates. The final 2019 Value Adjustment Board (VAB) training is available on DOR's [website](#).

In producing the 2019 training materials, DOR amended the 2018 training materials to reflect 2019 legislative changes. For the reader's benefit, the 2019 legislative changes are in blue text and are generally introduced by a "New" or "Note" label in red text.

Module 1 contains a summary of recent legislative changes. Various training modules included throughout the VAB training address these changes where appropriate. Existing rule text affected by a legislative change is in italicized, red text followed by a "Note" label in red text and a description of the legislative change.

The VAB training materials also include housekeeping items, such as updated links to online references; updated adjusted household incomes for the exemptions for low-income seniors and totally and permanently disabled persons; and corrected citations.

Please send any questions to [VABTraining@floridarevenue.com](mailto:VABTraining@floridarevenue.com).

## 2019 Statewide Technology Regional Trainings scheduled for September

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Trainings will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

### Walton County Technology Regional Training [Register](#)

Wednesday, September 4, 2019 (CDT)  
Hilton Sandestin Beach Golf Resort & Spa  
4000 Sandestin Boulevard South  
Miramar Beach, Florida 32550

### Palm Beach County Technology Regional [Register](#)

Wednesday, September 11, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Orange County Technology Regional Training [Register](#)

Thursday, September 12, 2019  
Embassy Suites Lake Buena Vista Resort  
8100 Lake Street  
Orlando, Florida 32836

### Duval County Technology Regional Training [Register](#)

Friday, September 13, 2019  
DoubleTree Jacksonville Riverfront  
1201 Riverplace Boulevard  
Jacksonville, Florida 32207



If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## Clerks' Comptroller Repository updated

The Comptroller Subcommittee enhanced the Comptroller Repository with new policies provided by members of the Comptroller-Finance Information Advisory Group, comprised of key Clerks' finance staff.

The FCCC [Comptroller Repository](#) is located on the FCCC non-public website under Resources>Comptroller Repository. The new information is in addition to other Comptroller- Financial Information developed last year. The additional website links and downloadable documents include three new areas under the [Policies: Clerks Website Links and Documents](#) section:

- External Auditor Selection Process and Procurement Guidelines
- Investment Policies (Relative to s. 218.415, F.S.)
- Financial Reports, Policies and Websites for CAFRs, PAFRs & Comptroller Reports

If you have any questions or need assistance, please contact [Alex Nicholas](#).

## Fall Conference registration continues!

Look for registration information in this Weekly Update

## Save the Date for the CCOC and FCCC Joint Summit

Meeting	Location	Date	Time
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 1</a>	Tallahassee	August 13	1 p.m.
<a href="#">DHSMV Motorist Modernization Advisory Board – Phase 2</a>	Tallahassee	August 13	2:30 p.m.
Legislative Committee Meeting	Orlando	August 14	10 a.m.
State Criminal Punishment Code Task Force	Tallahassee	August 14	1 p.m.
Florida Courts E-Filing Authority Board	WebEx	August 15	10 a.m.
<a href="#">Effective Delegation Webinar</a>	WebEx	August 15	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	August 15	2 p.m.
New Clerk Academy	Marco Island	August 19-23	
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	August 22	2 p.m.
FCCC Board of Directors	WebEx	August 27	10 a.m.
TCBC	Tampa	August 28	8:30 a.m.
August Monthly Briefing	WebEx	August 29	10 a.m.
CiviTek Board of Managers	WebEx	August 29	2 p.m.
<a href="#">2019 Technology Regional Training</a>	Miramar Beach	September 4	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 5	11 a.m.
Bylaws Committee	WebEx	September 10	2 p.m.

<a href="#">2019 Technology Regional Training</a>	West Palm Beach	September 11	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Orlando	September 12	10 a.m.
<a href="#">2019 Technology Regional Training</a>	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
Legislative Update	WebEx	September 20	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 25	11 a.m.
Florida Courts E-Filing Authority Board	St. Pete Beach	October 1	9 a.m.
Executive Session	St. Pete Beach	October 1	10:30 a.m.
2019 FCCC Fall Conference	St. Pete Beach	October 2-4	
2020 Interim Legislative Committee Week	Tallahassee	October 14-18	
CCOC and FCCC Joint Summit	Orlando	October 21-22	

## Maintaining user logins for [www.flclerks.com](http://www.flclerks.com)

As your office encounters staff changes, or if you have staff members who need logins to the [www.flclerks.com](http://www.flclerks.com) site, please contact Allison Newman [anewman@flclerks.com](mailto:anewman@flclerks.com) at FCCC. We can assist with updating the users in your county by removing any accounts that are no longer needed.



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**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Florida Court Clerks & Comptrollers Weekly Update 08-19-2019

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[View this email in your browser](#)

**August 19, 2019**

## Registration for the 2019 Fall Conference continues

Registration continues for the Florida Court Clerks & Comptrollers' 2019 Fall Conference, scheduled for October 2-4, 2019, at the Tradewinds, St. Pete Beach.

Please note that if you have not reserved a hotel room at the Tradewinds Island Resort, please e-mail Jennifer Tedder at [jtedder@flclerks.com](mailto:jtedder@flclerks.com). At this time, room reservations are being handled individually, based on availability.

Conference tracks featured during the 2019 Fall Conference will include Executive and Records. For more information, and to register, click on the [2019 Fall Conference web page](#).

**IMPORTANT NOTICE:** The traditional Executive Session has changed and will be held during the Pre-Conference on Tuesday, October 1, from 10:30 a.m. - 2:30 p.m., as opposed to the afternoon of the first full conference day. Lunch will also be served during this session.

For questions, please contact Jennifer Tedder at 850-577-4607 or [jtedder@flclerks.com](mailto:jtedder@flclerks.com).

## Registration opens today for the CCOC/FCCC Joint Summit

Registration opens today, Monday, August 19, 2019, for Compliance 20: CCOC and FCCC Joint Summit on Driver License Reinstatement Days and the future of compliance. This event is your opportunity to be involved in the mission to help individuals comply with their court orders so they can keep working, keep driving, and move on with their lives. Compliance 20 is scheduled for Monday, October 21 – Tuesday, October 22, 2019, at the [Omni ChampionsGate](#) in Orlando. Sessions are scheduled for 12 – 5 p.m., EDT, on Monday, October 21, and 8:30 a.m. – 5 p.m., EDT, on Tuesday, October 22.

Breakfast, lunch, and breaks will be provided on Tuesday, October 22; however, only breaks will be provided on Monday, October 21.

To register, please [click here](#). The registration fee is \$25.00, per person. The hotel reservation link will be provided in your Thank You Confirmation e-mail.

For further questions, please contact Kristin Frank at [kfrank@flclerks.com](mailto:kfrank@flclerks.com).

## New Clerk Academy kicks off this week

The New Clerk Academy is scheduled from August 19-23, 2019, at the JW Marriott Marco Island in Collier County. This is the third in a series of five academies for the Class of 2018, which is scheduled to conclude in 2020. The 2018 New Clerk Class is composed of the Honorable Crystal Kinzel (Collier), the Honorable Gary Cooney, Esq. (Lake), the Honorable Doug Chorvat Jr. (Hernando), and the Honorable Nichole "Nikki" Alvarez-Sowles, FL-LEON-19-1045-A, 19-1046-A-000299

Esq. (Pasco).

Informative sessions held during this training will include Office Security, Bail Bonds, Jury Management/Grand Jury, State Attorney, Public Defender, Evidence Handling and Destruction, The Life of a Criminal Trial, Leap to Clerk, Being The Leader Doesn't Make You One, Attitude is Everything/Creating a Positive Morale, Florida Open Government Requirements, Administrative Orders/Ordinances, Tools for Developing a Successful Investment Program, Clerks' Strategic Technology Initiative, Statewide Technology Issues and Mandates, Tax Deed Sales, and Communications as a Clerk.

## Presidential Priorities the focus of 2019 Leadership Orientation

The Honorable Stacy M. Butterfield, CPA (Polk), FCCC President, offered an in-depth look at her presidential priorities for 2019-2020 during the second annual FCCC Leadership Orientation, which was held August 7-8, 2019, in Naples. Clerks serving as 2019-2020 committee chairs and vice-chairs were invited to participate. President Butterfield originally introduced her theme, "Building Confidence," and an overview of her priorities during her inaugural speech at the FCCC's 2019 Summer Conference banquet.

"Our committees are the bedrock on which most of our work is accomplished and our successes achieved," stated President Butterfield. "...We must work together to build the confidences that are needed to take us in to the future. I look forward to a great year of working together, and furthering the unification of our efforts."

Leadership Orientation commenced with an overview of board governance, followed by scenario-based training on Robert's Rules of Order. Chris Hart, FCCC CEO, and Sean Hudson, FCCC Director of Member Services, presented information regarding FCCC structure, services, processes and tools, and elicited feedback to enhance the work of the Board of Directors and committees. The event concluded with a discussion designed to assist in prioritizing efforts throughout President Butterfield's leadership year.

Among the meeting's outcomes:

- Each meeting of the Board of Directors and Executive Committee will open with reciting the FCCC Clerk Vision statement: "To be recognized as the premier model of exceptional government," and close with reciting the Clerk Mission: "United statewide to protect the public trust."
- Committee members are encouraged to review their charter carefully, and discuss any suggestions for changes during their next committee meeting. The charters will be submitted to the Board of Directors for ratification.

For more information, please contact FCCC.

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## August Briefing WebEx scheduled for August 29

The Florida Court Clerks & Comptrollers August Briefing WebEx is scheduled for Thursday, August 29, 2019, at 10 a.m., EDT, and will be presented by the Honorable Stacy M. Butterfield, CPA (Polk), FCCC President. The briefing will include an overview of ongoing issues, upcoming meetings and educational events along with a status report on association operations. The update should last approximately 1 hour.

Clerks may register for this meeting by clicking on [this Florida Court Clerks & Comptrollers August Briefing link](#). Clerks may also go to the <https://flclerks.webex.com> website, select Training Center, and click on the Upcoming tab to see this and other future sessions.

## State Criminal Punishment Code Task Force holds organizational meeting in Tallahassee

The state's Criminal Punishment Code Task Force, established by CS/HB 7125 Administration of Justice, [Chapter 2019-167, Laws of Florida](#), held an organizational meeting in Tallahassee last week. A full meeting agenda may be accessed [by clicking this link](#).

FL-LEON-19-1045-A, 19-1046-A-000300

Members of the task force, which include representatives from state agencies and other criminal justice partners, were briefed on Sunshine Laws, upcoming meeting dates and locations, and the history of Florida's Criminal Punishment Code. Three subcommittees were also named during the meeting:

- Scoresheets, focused on scoring of offenses;
- Enhancements, focused on programs for habitual felony offenders, habitual violent offenders, and release reoffenders; and
- Alternatives to imprisonment, focused on specialty court programs and other alternatives to incarceration.

Additional subcommittees may be added based on member suggestions.

The task force is required by law to submit a report to the Governor, the Legislature, and the Supreme Court by June 30, 2020. During the meeting, the task force was instructed that the report should include issues considered by the task force, legislative recommendations, and an analysis of the impact of those recommendations if enacted by the Legislature.

The association would like to thank the Honorable Brent X. Thurmond, CPA (Wakulla), for attending the on behalf of Clerks of Court.

The next meeting of the task force will be held in Tampa on October 4, 2019, at 1 p.m., EDT.

## Clerk Tiffany Moore Russell Appointed to Access to Justice Commission

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The Washington County Clerk's office is also involved in several outreach programs in the community, including the Relay for Life and Council on Aging Events for Washington County.

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A WebEx training series for the 2019 Annual Assessment & Collections Report (A&C Report) has been scheduled for August and September. The series, hosted by Alex Nicholas, is scheduled for one hour and registration is required. Materials include review of the report process, key 2018 report findings and the "what, how and when" in order to ensure your report is processed timely. The 2019 online report submission period begins October 7, 2019, and the final submission deadline is December 6, 2019.

There are four scheduled WebEx trainings and each session will cover the same material. You may register for more than one session if you wish. Click on the registration links below and select the WebEx session you wish to participate in.

August 22, 2019, 2 - 3 p.m., EDT [Register](#)

September 5, 2019, 11 a.m. – 12 p.m., EDT [Register](#)

September 25, 2019, 11 a.m. – 12 p.m., EDT [Register](#)



For questions, or if you have additional training requests, please contact [Alex Nicholas](#) at (850) 921-0808.

## 2019 Statewide Technology Regional Trainings scheduled for September

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Training will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

### Walton County Technology Regional Training [Register](#)

Wednesday, September 4, 2019 (CDT)  
Hilton Sandestin Beach Golf Resort & Spa  
4000 Sandestin Boulevard South  
Miramar Beach, Florida 32550

### Palm Beach County Technology Regional [Register](#)

Wednesday, September 11, 2019  
Embassy Suites West Palm Beach  
1601 Belvedere Road  
West Palm Beach, Florida 33406

### Orange County Technology Regional Training [Register](#)

Thursday, September 12, 2019  
Embassy Suites Lake Buena Vista Resort  
8100 Lake Street  
Orlando, Florida 32836

### Duval County Technology Regional Training [Register](#)

Friday, September 13, 2019  
DoubleTree Jacksonville Riverfront  
1201 Riverplace Boulevard  
Jacksonville, Florida 32207

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## Clerks' Comptroller Repository updated

The Comptroller Subcommittee enhanced the Comptroller Repository with new policies provided by members of the Comptroller-Finance Information Advisory Group, comprised of key Clerks' finance staff.

The FCCC [Comptroller Repository](#) is located on the FCCC non-public website under Resources>Comptroller Repository. The new information is in addition to other Comptroller- Financial Information developed last year. The additional website links and downloadable documents include three new areas under the [Policies: Clerks Website Links and Documents](#) section:

- External Auditor Selection Process and Procurement Guidelines
- Investment Policies (Relative to s. 218.415, F.S.)
- Financial Reports, Policies and Websites for CAFRs, PAFRs & Comptroller Reports

If you have any questions or need assistance, please contact [Alex Nicholas](#).

**Register for the August Monthly Briefing!**

Look for registration information in this Weekly Update

Meeting	Location	Date	Time
New Clerk Academy	Marco Island	August 19-23	
Restoration of Voting Rights Work Group	Tallahassee	August 19	2 p.m.
Florida Trust Annual Seminar	St. Augustine	August 22-23	
Florida Trust Board	St. Augustine	August 22	10:30 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	August 22	2 p.m.
FCCC Board of Directors	WebEx	August 27	10 a.m.
TCBC	Tampa	August 28	8:30 a.m.
<a href="#">August Monthly Briefing</a>	WebEx	August 29	10 a.m.
CiviTek Board of Managers	WebEx	August 29	2 p.m.
2019 Technology Regional Training	Miramar Beach	September 4	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 5	11 a.m.
Restoration of Voting Rights Work Group	Tallahassee	September 6	10 a.m.
Bylaws Committee	WebEx	September 10	2 p.m.
2019 Technology Regional Training	West Palm Beach	September 11	10 a.m.
2019 Technology Regional Training	Orlando	September 12	10 a.m.
2019 Technology Regional Training	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
Restoration of Voting Rights Work Group	Tallahassee	September 16	2 p.m.
Legislative Update	WebEx	September 20	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 25	11 a.m.
Florida Courts E-Filing Authority Board	St. Pete Beach	October 1	9 a.m.
Executive Session	St. Pete Beach	October 1	10:30 a.m.
Restoration of Voting Rights Work Group	Tallahassee	October 1	2 p.m.
2019 FCCC Fall Conference	St. Pete Beach	October 2-4	
Criminal Punishment Code Task Force	Tampa	October 4	1 p.m.
2020 Interim Legislative Committee Week	Tallahassee	October 14-18	
Legislative Update	WebEx	October 18	10 a.m.
CCOC and FCCC Joint Summit	Orlando	October 21-22	
2020 Interim Legislative Committee Week	Tallahassee	October 21-25	
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Maintaining user logins for [www.flclerks.com](http://www.flclerks.com)

As your office encounters staff changes, or if you have staff members who need logins to the [www.flclerks.com](http://www.flclerks.com) site, please contact Allison Newman [anewman@flclerks.com](mailto:anewman@flclerks.com) at FCCC. We can assist with updating the users in your county by removing any accounts that are no longer needed.



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**From:** FCCC <info@flclerks.com>  
**Sent:** Tuesday, September 03, 2019 1:55 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Florida Court Clerks & Comptrollers Weekly Update 09-03-2019

CAUTION: This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[View this email in your browser](#)

**September 3, 2019**

Download the [2019-2020 President's Priorities handout](#) to learn more about  
FCCC President Stacy M. Butterfield's initiatives and objectives.

## FCCC August Briefing held Thursday

The Honorable Stacy M. Butterfield, CPA (Polk), FCCC President, hosted the Florida Court Clerks & Comptrollers August Briefing WebEx last Thursday, August 29, 2019. Clerks and staff were provided an overview of ongoing issues, upcoming meetings and educational events, along with a status report on association operations.

President Butterfield spoke to her FCCC theme for the year "Building Confidence," and discussed approaching issues with a "we can do it" and "start with yes" attitude, reiterated her 2019-2020 President's Priorities, and spoke to strengthening strategic partnerships, protecting the public trust, and optimizing technology.

Chris Hart IV, FCCC CEO, provided an update on the recently held Leadership Orientation and spoke to each committee's next steps of reviewing committee charters, priorities and objectives, and provided updates on the Rule 2.420 and Amendment 4 QRTs.

Reports were also provided on Legislative and Public Affairs, Communications, New Clerk Academy, CCOC, Florida Courts E-Filing Authority, the Florida Trust, committee meetings, state-level meetings, and upcoming events.

The full presentation is available [here](#).

## Trial Court Budget Commission holds in-person meeting in Tampa

The Trial Court Budget Commission (TCBC) held a regular, in-person meeting on Wednesday, August 28, in Tampa, to consider a number of issues including allocations for child support enforcement hearing officers and problem-solving courts for FY 2019-20; employee recruitment and retention for state courts system employees; and an update on the courts' legislative budget request (LBR) for FY 2020-21. The full agenda and materials may be accessed [via this link](#).

Of specific interest, the TCBC provided a brief status report on the upcoming change to county court jurisdiction. As a reminder, CS/CS/HB 337 Courts, [Chapter 2019-58, Laws of Florida](#), raised the county court jurisdictional threshold for civil actions from \$15,000 to \$30,000, beginning January 1, 2020, then to \$50,000, beginning January 1, 2023. In preparation for this, a joint out-of-cycle report of The Florida Bar's Civil Procedure Rules Committee, Small Claims Rules Committee, and Appellate Court Rules Committee has been filed with the Florida Supreme Court as part of case number [SC19-1354](#), which includes proposed changes to the civil cover sheet.

The bill also requires the Office of the State Courts Administrator (OSCA) to submit a report to the Governor and Legislature by February 1, 2021, making recommendations on the adjustment of county court jurisdiction. As part of this update, the TCBC reported on working with the association in the collection of the data elements required for the report's preparation.

The association would like to thank the Honorable Ken Burke, CPA (Pinellas), for attending the meeting on behalf of Clerks of Court.

Membership will be notified of the next scheduled meeting of the TCBC.

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## Registration for the 2019 Fall Conference continues

Registration continues for the Florida Court Clerks & Comptrollers' 2019 Fall Conference, scheduled for October 2-4, 2019, at the Tradewinds, St. Pete Beach.

Please note that if you have not reserved a hotel room at the Tradewinds Island Resort, please e-mail Jennifer Tedder at [jtedder@flclerks.com](mailto:jtedder@flclerks.com). At this time, room reservations are being handled individually, based on availability.

Conference tracks featured during the 2019 Fall Conference will include Executive and Records. For more information, and to register, click on the [2019 Fall Conference web page](#).

**IMPORTANT NOTICE:** The traditional Executive Session has changed and will be held during the Pre-Conference on Tuesday, October 1, from 10:30 a.m. - 2:30 p.m., as opposed to the afternoon of the first full conference day. Lunch will also be served during this session.

For questions, please contact Jennifer Tedder at 850-577-4607 or [jtedder@flclerks.com](mailto:jtedder@flclerks.com).

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## New Clerk Academy held

The New Clerk Academy was held on August 19-23, 2019, at the JW Marriott Marco Island in Collier County. This is the third in a series of five academies for the Class of 2018, which is scheduled to conclude in 2020. The 2018 New Clerk Class is composed of the Honorable Crystal Kinzel (Collier), the Honorable Gary Cooney, Esq. (Lake), the Honorable Doug Chorvat Jr. (Hernando), and the Honorable Nichole "Nikki" Alvarez-Sowles, Esq. (Pasco).

The presentations provided a blended curriculum that included sessions on security, felony court, evidence, human resources, public records, media communications, and information technology. Clerks also earned 4 CPE toward the required 8 hours of annual investment practices and 2 CPE toward the required 4 hours of annual ethics training. Additional learning opportunities covered the New Jury Management Application, and a panel discussion regarding the transition into the Clerk role. FCCC would like to thank the Honorable Angela Vick (Citrus), New Clerk Academy Subcommittee Chair, who graciously shared her expertise and time facilitating and assisting with the five-day training, as well as the other informative speakers.

The next New Clerk Academy will be held December 2-6, 2019, at the Wyndham Grand in Clearwater Beach. The final academy for the 2018 class is scheduled for April 6-10, 2020, at the Plantation on Crystal River in Citrus County. These last two remaining academies will continue to blend the eight modules outlined in the Florida Supreme Court Administrative Order pertaining to the initial certification program requirements for Clerks and Comptrollers.

## 2019 Statewide Technology Regional Trainings begin this week

The Florida Court Clerks & Comptrollers is pleased to announce the 2019 Statewide Technology Regional Trainings have been scheduled for September. The 2019 Statewide Technology Regional Training will feature an update on existing and proposed statewide technology standards under review by the FCTC, and include topics on ePortal, CCIS, eCLERC data quality, and other technology-focused initiatives. All trainings are from 10 a.m. – 2 p.m., all times local, include a working lunch, and qualify for 4 CPE hours.

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### **Duval County Technology Regional Training [Register](#)**

Friday, September 13, 2019  
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1201 Riverplace Boulevard  
Jacksonville, Florida 32207

If you are in need of a hotel reservation at one of the workshop venues, please contact [Conferences@flclerks.com](mailto:Conferences@flclerks.com).

## **Registration continues for the CCOC/FCCC Joint Summit**

Registration continues for Compliance 20: CCOC and FCCC Joint Summit on Driver License Reinstatement Days and the future of compliance. This event is your opportunity to be involved in the mission to help individuals comply with their court orders so they can keep working, keep driving, and move on with their lives. Compliance 20 is scheduled for Monday, October 21 – Tuesday, October 22, 2019, at the [Omni ChampionsGate](#) in Orlando. Sessions are scheduled for 12 – 5 p.m., EDT, on Monday, October 21, and 8:30 a.m. – 5 p.m., EDT, on Tuesday, October 22.

Breakfast, lunch, and breaks will be provided on Tuesday, October 22; however, only breaks will be provided on Monday, October 21.

To register, please [click here](#). The registration fee is \$25.00, per person. The hotel reservation link will be provided in your Thank You Confirmation e-mail.

For further questions, please contact Kristin Frank at [kfrank@flclerks.com](mailto:kfrank@flclerks.com).



## **Sessions from 2019 Summer Conference Now Available**

The educational sessions from the 2019 Summer Conference are now available on the [flclerks.com](http://flclerks.com) website. Once you sign in, the sessions can be easily accessed from the home screen by clicking the *Events* tab and selecting *2019 Summer Conference*, or click [here](#). There are 13 session videos related to the following tracks: Courts, Executive, Human Resources, Administrative, and Technology.

## **Save the Date for Clerks at the Capitol Legislative Day 2019**

Please save the date for the Florida Court Clerks & Comptrollers' Clerks at the Capitol Legislative Day, scheduled for Monday, November 4 – Tuesday, November 5, 2019, in Downtown Tallahassee. This event will give Clerks and Comptrollers the opportunity to come to Tallahassee and meet as a group prior to the 2020 Legislative Session. Please note that program details and a full schedule of events will be provided soon. Tentatively, a reception is planned for Monday evening; a kickoff event is scheduled for Tuesday morning; and Clerks and Comptrollers are urged to schedule meetings with their legislators for the late morning and afternoon of Tuesday, November 5.

While there is no fee for this event, we would ask that you please register online [by clicking here](#).

Should you need hotel accommodations for the evening of Monday, November 4, a group rate of \$119.00 per night is available at the [Courtyard Tallahassee Downtown/Capitol](#), 1018 Apalachee Parkway, Tallahassee, FL 32301. **The cut-off date for reserving rooms in the block is Tuesday, September 17, 2019.** Upon arrival, please provide your tax exemption form.

Should you have any questions regarding the Clerks at the Capitol Legislative Day event in Tallahassee, please do not hesitate to contact [Kimberly Renspie](#) at (850) 577-4632.

## 2019 Sunshine Seminar Series presented by the First Amendment Foundation announced

The [First Amendment Foundation](#), offering many opportunities to learn about 

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Florida's Sunshine and Public Records Laws, has announced their 2019 Sunshine Seminar Series. The Foundation holds a series of Sunshine Seminars around the state, inviting the participation of government officials, journalists, and members of the general public.

Six seminars have been announced and will cover the topics of Sunshine Law Overview and Legislative Update, Discussion of Open Government, and First Amendment and Media Law Topics. These seminars are Florida Bar approved for Continuing Legal Credit and other Continuing Education Credit approval.

All seminars are scheduled from 8 a.m. – 2:30 p.m., EST. Please note the Fort Walton Beach Sunshine Seminar is scheduled from 8 a.m. – 2:30 p.m., **CST**. This seminar series will be Mrs. Barbara Petersen's last series as the Foundation's President, so don't miss your chance to train with Florida's Sunshine Law expert.

### Tallahassee Sunshine Seminar

Wednesday, November 20, 2019

FSU College of Law

425 West Jefferson Street

Tallahassee, FL 32301

[Purchase Tickets](#)

### Daytona Beach Sunshine Seminar

Friday, November 22, 2019

Daytona Beach News Journal

901 6th Street

Daytona Beach, FL 32117

[Purchase Tickets](#)

### Sarasota Sunshine Seminar

Tuesday, December 3, 2019

Sarasota Herald Tribune

1741 Main St

Sarasota, FL 34236

[Purchase Tickets](#)

### Fort Myers Sunshine Seminar

Wednesday, December 4, 2019

News-Press

2442 Doctor Martin Luther King Junior Boulevard

Fort Myers, FL 33901

[Purchase Tickets](#)

### **Fort Lauderdale Sunshine Seminar**

Thursday, December 5, 2019

South Florida Sun Sentinel

333 SW 12th Ave

Deerfield Beach, FL 33442

[Purchase Tickets](#)

### **Fort Walton Beach Sunshine Seminar**

Wednesday, December 11, 2019

City of Fort Walton Beach Recreation Complex

132 Jet Drive NW

Walton Beach, FL 32548

[Purchase Tickets](#) (Please note this seminar is from 8 a.m. – 2 p.m., CST)

[Click here](#) to view the 2019 Sunshine Seminar Series announcement.

For more information, please call (850) 224-4555 or e-mail the [First Amendment Foundation](#).

## **2019 Annual Assessment & Collections Report WebEx Trainings continue this week**

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If you have any questions or need assistance, please contact [Alex Nicholas](#).

## **Statewide Regional Technology Trainings begin this week**



## Look for information in this Weekly Update

Meeting	Location	Date	Time
2019 Technology Regional Training	Miramar Beach	September 4	10 a.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 5	11 a.m.
Bylaws Committee	WebEx	September 10	2 p.m.
Court Operations Subcommittee	WebEx	September 11	9 a.m.
2019 Technology Regional Training	West Palm Beach	September 11	10 a.m.
2019 Technology Regional Training	Orlando	September 12	10 a.m.
2019 Technology Regional Training	Jacksonville	September 13	10 a.m.
2020 Interim Legislative Committee Week	Tallahassee	September 16-20	
CJJIS Council Meeting	WebEx	September 16	10 a.m.
Restoration of Voting Rights Work Group	Tallahassee	September 16	2 p.m.
FCCC Board of Directors	WebEx	September 19	10 a.m.
Strategic Technology Committee	WebEx	September 19	2 p.m.
Legislative Update	WebEx	September 20	10 a.m.
Best Practices Committee	WebEx	September 20	2 p.m.
Self Help/Pro Se Committee	WebEx	September 24	2 p.m.
<a href="#">2019 A&amp;C Report Training</a>	WebEx	September 25	11 a.m.
Florida Courts E-Filing Authority Board	St. Pete Beach	October 1	9 a.m.
Executive Session	St. Pete Beach	October 1	10:30 a.m.
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FCCC Executive Committee	WebEx	October 23	10 a.m.
Florida Trust Board Meeting	Tampa	October 24	10:30 a.m.
Monthly Briefing and Legislative Update	WebEx	October 25	10 a.m.

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From: Stacey Allen <SAAllen@leoncountyfl.gov>  
Sent: Thursday, July 18, 2019 12:16 PM EDT  
To: Ken Kent <KAKent@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
Subject: FW: A4 QRT Negotiation of Fines  
Attachment(s): "Satisfaction.doc", "120914 Collection Letter to Hamil.pdf", "Powerpoint slide regarding collection research procedure.pptx"

Please see below - if you have any input, I will share with the group.  
Thanks!

From: Matt Whyte <Matt.Whyte@ManateeClerk.com>  
Sent: Monday, July 15, 2019 3:43 PM  
To: Brooks, Jared <Jared.Brooks@myorangeclerk.com>  
Cc: Stacey Allen <SAAllen@leoncountyfl.gov>; Rebecca Lober <Rebecca.lober@brevardclerk.us>; Cyndi Andrews <c.andrews@flclerks.com>; JAS@alachuaclerk.org; achurlydavis@browardclerk.org; mhealy@leeclerk.org; CWebster@hernandoclerk.org; WareM@HillsClerk.com; GHarrell@MarionCountyClerk.org; Ksavor@MyPalmBeachClerk.com; Acoffey@pinellascounty.org; LeannParker@polk-county.net; Vmorgan@sjccoc.us; Ibaxterp@scgov.net; SDietrich@seminoleclerk.org; Ajajimes@clerk.org  
Subject: RE: A4 QRT Negotiation of Fines

All- as part of the Amendment 4 Quick Response Team, Jared and I have been tasked with working on some guidelines for Clerks to use when determining whether to negotiate civil judgments/liens for fines, court costs, and other monetary obligations. There were some emails going around in late April and early May of this year, so I'll cut and paste what I can find. Please chime in with your written policies or procedures (if you have any). You don't need to cc: everyone. If you just want to send your written policies or thoughts, opinions, or suggestions directly to Jared and me, we'll put it all together to present to the Amendment 4 QRT. Thanks! Matt

Background:

FS 938.30(9) and 938.29(3) give the Clerk the authority to enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debts or liens imposed or collected as part of any financial obligation in any criminal case, fees for court appointed counsel, and due process services.

The "lien" part is pretty straightforward from reading 938.30(6) and (8) and 938.29(2). Clerks can enforce, satisfy, compromise, subordinate, release, or otherwise dispose of those liens that arose from any financial obligation in any criminal case.

The question is what the word "debts" means as used in these statutes. Without a definition of "debts" in s. 938, it's not clear to what "debts" the statutes are referring. Since the statutes specifically

reference "liens," one would assume that "debts" means something other than "liens." Does "debts" mean financial obligations that have been ordered/imposed by the Court (ie, the \$50 per day incarceration fee) but not yet taken to judgment or made a lien? If a defendant is unable to pay, he can ask the Court to take the monetary obligations to judgment at the time of sentencing or anytime thereafter upon an appropriate showing of inability to pay. See FS 938.30(2)-(6).

Some of the feedback from May, 2019:

Marion- does not negotiate

Manatee- no written policies but will consider offers on a case-by-case basis. Recently negotiated an old Trafficking fine when contacted by an attorney offering money from a partition sale.

Volusia- no policies but will consider and negotiate on a case-by-case basis on judgments that are at least 1 year old.

Palm Beach- Palm Beach negotiates settlements on judgments for fines and costs. I have attached some of the documents and processes we use. The rest of this may be too much detail but we started doing this on large, five figure cases (such as drug trafficking) by running a report to find those cases, then narrowing our focus by looking at age of case and if the defendant had a private attorney at the time of the conviction. We then sent letters (one is attached) to the last known address of the defendant and to his attorney. Once that was completed, the local defense attorneys began contacting us on these and on cases we had not reached out on. Our local defense bar and even the PD's office continues to bring all sizes of judgments to us to negotiate even though we no longer send letters.

To reach a settlement amount, we look at the age of the case, and the amount owed. If it is a large sum, we will also do a basic public record and social media search to look for additional information regarding possible ability to pay (a PowerPoint slide is attached). Once a settlement is reached, we record a satisfaction referencing FS 938 (also attached).

Stephen Mathew (Matt) Whyte  
General Counsel/Director of Human Resources for Angelina "Angel" Colonnese  
Manatee County Clerk of the Circuit Court and Comptroller

From: Brooks, Jared [mailto:Jared.Brooks@myorangeclerk.com]  
Sent: Monday, July 15, 2019 3:04 PM  
To: Matt Whyte  
Subject: A4 QRT Negotiation of Fines

Hello Matt,

Looking forward to working with you on this topic. Alison Churly-Davis (Broward County GC) and I spoke at length about the negotiation of fines/fees so I'm sure she would be interested in participating on the subcommittee.

Jared Brooks, Esq.  
General Counsel  
Office of Tiffany Moore Russell  
Orange County Clerk of Courts



**SHARON R. BOCK**  
Clerk & Comptroller  
Palm Beach County

December 9, 2014

**VIA U.S. MAIL**

David Hamil  
1398 Summit Pines Blvd  
West Palm Beach, FL 33415

Re: State of Florida v. David Hamil,  
Case No. 2010CF0011815


Dear Mr. Hamil:

On August 23, 2012, the Court signed the attached *Order Assessing Additional Charges, Costs and Fines and Entering Judgment* in the above-referenced action.

The Clerk & Comptroller, Palm Beach County is responsible for the collection of these amounts. To date, we have not received any payments towards these fines. The total balance due at this time is \$58,551.49.

Furthermore, the judgment bears interest at the rate prescribed by law until satisfied. Please contact our office as soon as possible to discuss a settlement amount and resolve this outstanding judgment.

Sincerely,



Hampton C. Peterson  
Legal Counsel & Ethics Officer  
Clerk & Comptroller, Palm Beach County

**Hampton C. Peterson, Esq.,**  
**Legal Services**

301 North Olive Avenue  
West Palm Beach, Florida 33401

P.O. Box 229  
West Palm Beach, Florida 33402

Telephone 561-355-2983  
Facsimile 561-355-7040

/tkr  
Enclosure

cc: Scott Skier, Esq., 1655 Palm Beach Lakes Blvd., Suite 1012  
West Palm Beach, FL 33401-2211  
Email: [scott@skierlawfirm.com](mailto:scott@skierlawfirm.com)

## Ø PBC utilizes the following tools:

- Ø Full public record search, including property, civil judgments, civil and criminal cases.

  - Ø If anyone is deceased, advise Jessica.

- Ø Google, Facebook, Instagram, and LinkedIn to locate family members, friends and try and determine current location by viewing photos.

- Ø Department of Corrections to see which addressed the defendant was released to.

- Ø Contact the West Palm Beach Florida Department of Corrections Probation Office (561) 650-6827 for a print out of the last known address they have on file compared to ours and DOC.

- Ø Palm Beach County Property Appraiser to check property records on all addresses used by Defendant.

  - Ø Probation usually faxes the printouts for me.

- Ø Check Zillow and perform basic property comps on all the addresses used by Defendant

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT,  
CRIMINAL DIVISION, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

vs.

MICHAEL P. SENEROTE,

CASE NO: 2006CF009443AO2

Defendant.

\_\_\_\_\_ /

**SATISFACTION OF JUDGMENT**

The Clerk & Comptroller, Palm Beach County, is the holder and charged with the collection of the Final Judgment in the action, *State of Florida vs. Michael Senerote, Case No. 2006CF009443AO2*, Criminal Division, 15th Judicial Circuit, Palm Beach County, as recorded in the Official Record of Palm Beach County at Book 22435, Page 1889, attached as Exhibit "A."

Pursuant to Fla. Stat. 938.30 (9), the Clerk of Court has the authority to settle and satisfy any debts or liens imposed by this Final Judgment and therefore, the Clerk & Comptroller, Palm Beach County, hereby acknowledges that said Final Judgment is settled and fully paid.

DATED on April \_\_\_\_\_, 2015

\_\_\_\_\_  
Hampton C. Peterson, General Counsel  
Florida Bar No. 331384  
For Sharon R. Bock, Esq.  
Clerk & Comptroller, Palm Beach County

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by Hampton C. Peterson, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Stamp

\_\_\_\_\_  
Notary Signature



**From:** Stacey Allen <SAAllen@leoncountyfl.gov>

**Sent:** Tuesday, June 25, 2019 10:34 AM EDT

**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>

**CC:** Erika Bowen <EABowen@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Gwen Marshall <GMarshall@leoncountyfl.gov>

**Subject:** FW: Advisory - 19-048 - Bills Effective July 1, 2019

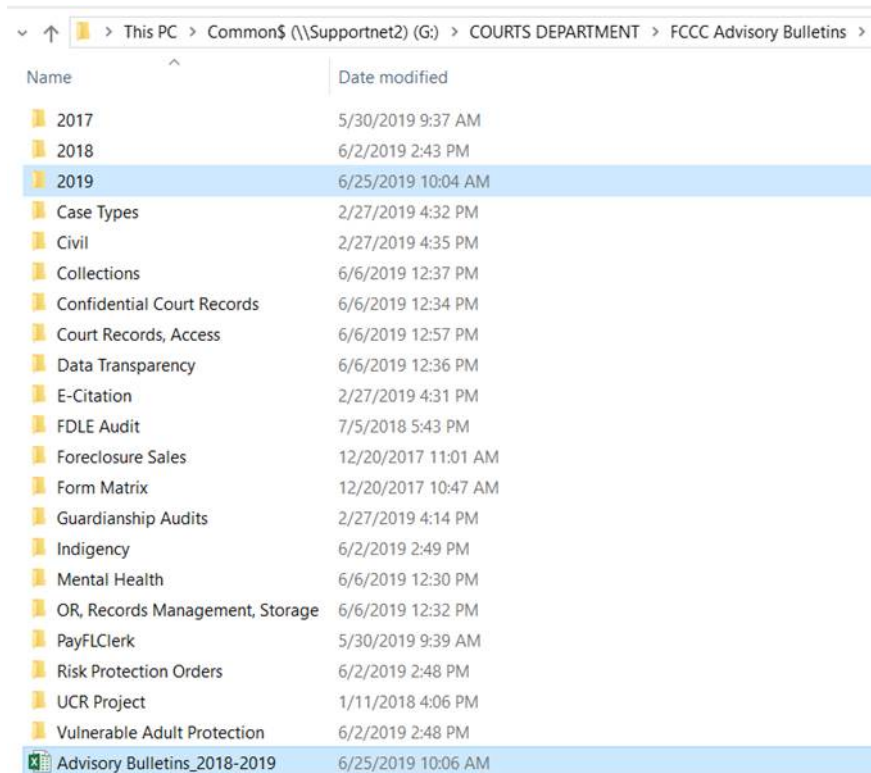
**Attachment(s):** "19bull048.docx.pdf"

I have not had a chance to review the attached, but we should factor FCCC's summary into the *priority work-flow chart* – for lack of better title! – that we are working on for Wednesday.

fyi, I have saved (w/titles) all 2019 Advisory Bulletins at the usual location,

[G: COURTS DEPARTMENT>FCCC Advisory Bulletins>2019.](#)

Ken's master list of all 2019 bulletins is updated as each one is added.



Name	Date modified
2017	5/30/2019 9:37 AM
2018	6/2/2019 2:43 PM
2019	6/25/2019 10:04 AM
Case Types	2/27/2019 4:32 PM
Civil	2/27/2019 4:35 PM
Collections	6/6/2019 12:37 PM
Confidential Court Records	6/6/2019 12:34 PM
Court Records, Access	6/6/2019 12:57 PM
Data Transparency	6/6/2019 12:36 PM
E-Citation	2/27/2019 4:31 PM
FDLE Audit	7/5/2018 5:43 PM
Foreclosure Sales	12/20/2017 11:01 AM
Form Matrix	12/20/2017 10:47 AM
Guardianship Audits	2/27/2019 4:14 PM
Indigency	6/2/2019 2:49 PM
Mental Health	6/6/2019 12:30 PM
OR, Records Management, Storage	6/6/2019 12:32 PM
PayFLClerk	5/30/2019 9:39 AM
Risk Protection Orders	6/2/2019 2:48 PM
UCR Project	1/11/2018 4:06 PM
Vulnerable Adult Protection	6/2/2019 2:48 PM
Advisory Bulletins_2018-2019	6/25/2019 10:06 AM

## Stacey Allen

Staff Attorney

Direct: (850) 606-4121

**CONFIDENTIALITY NOTICE:** Due to Florida's board public records law, most written communication to or from this organization is public record and available to the public and media upon request.

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**From:** Allison L. Newman <anewman@flclerks.com>

**Sent:** Tuesday, June 25, 2019 9:36 AM

**Subject:** Advisory - 19-048 - Bills Effective July 1, 2019

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Bills Effective July 1, 2019.**

<b>Intended audience:</b>	Clerks and Comptrollers, Staff	<b>Category:</b>	Clerk and Comptroller Administration; Courts; IT; Records; Recording
<b>Priority:</b>	High	<b>Action required:</b>	Please review the following information and share with appropriate staff.
<b>Executive Summary:</b>	The following provides a summary of those bills that are effective July 1, 2019, that may have some effect on the office operations of, or be of other interest to, Court Clerks and Comptrollers. These bills passed the 2019 Regular Session of the Florida Legislature and most have passed into law at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. In addition, this information will be compiled in the association's annual Legislation of Interest document.		
<b>Clerk outreach:</b>	No outreach needed at this time.		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com)  /FloridaClerks  /FloridaClerks

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# FCCC ADVISORY

**BILLS EFFECTIVE JULY 1, 2019**

**NO. 19-048**

**Date:** June 25, 2019

**Contact:** Sara Sanders

**Category:** Clerk and Comptroller  
Administration, Courts, IT,  
Records, Recording

**Telephone:** (850) 921-0808

**Page:** 1 of 39

**E-mail:** [ssanders@flclerks.com](mailto:ssanders@flclerks.com)

This is a list of bills that are effective July 1, 2019, that may have some effect on the office operations of, or be of other interest to, Clerks of Court and Comptrollers.

These bills passed the 2019 Session of the Florida Legislature and most have been signed into law by Governor Ron DeSantis at this point. Please make sure to read the text of the entire bill in order to assess the full impact to your operations. Additionally, monitor the Bill History page for each bill (linked) to watch its progress as it moves toward the Governor's Office. Once there, the Governor has 15 days to act—sign or veto—else the bill will pass into law without his action.

Please note that these bill summaries will also be compiled in the association's annual Legislation of Interest document. Additional information related to the 2019 legislative session may be found on the [Legislative Information page](#).

## **Board Side**

### **[CS/HB 207 Impact Fees](#)**

Effective Date: July 1, 2019

Approved: June 18, 2019

Chapter Law: [2019-106](#)

[Final Legislative Staff Bill Analysis](#)

### **Summary:**

Section 163.31801, F.S., related to local impact fees, requires that an audit of a local governmental entity's financial statements, performed by a certified public accountant pursuant to s. 218.39, F.S., and submitted to the Auditor General, include an affidavit signed by the local governmental entity's chief financial officer attesting to compliance with this section.

This bill revises the minimum requirements for the adoption of local impact fees to also:

- prohibit a local government from requiring payment of an impact fee before the issuance of a building permit for the property that is subject to the fee;

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- require an impact fee be reasonably connected to, or have a rational nexus with, the need for additional capital facilities, the expenditure of the revenues generated, and the benefits accruing to new residential or commercial construction;
- require a local government to specifically earmark revenues generated by the impact fee to acquire, construct, or improve capital facilities to benefit new users; and
- prohibit a local government from using revenues generated by the impact fee to pay existing debt or pay for previously approved projects, unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction.

The bill specifies that this section does not apply to water and sewer connection fees.

**Clerk Point:**

This bill revises the minimum requirements for the adoption of local impact fees and is provided for your information, as it relates to annual financial audit reports pursuant to s. 218.39, F.S.

**[CS/CS/SB 620 Military-Friendly Initiatives](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends statutes related to military base buffering and education for military personnel and their families, conservation easements, and creates a Blue Angels specialty license plate in Florida.

**Clerk Point:**

Of specific interest, Section 2 of the bill amends s. 197.572, F.S., to provide that conservation easements created for preventing encroachment to military base installations survive tax sales and tax deeds of such lands.

**[CS/SB 7014 Government Accountability](#) *(Also of interest to Budget/Finance and Court Side – Criminal)***

Effective Date: July 1, 2019

Approved: April 29, 2019

Chapter Law: [2019-15](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this is a comprehensive government accountability bill, containing a number of recommendations from the state's Auditor General to provide increased transparency and to ensure that good government auditing and accountability practices are maintained by state and local government entities

Of interest, the bill defines the terms “abuse,” “fraud,” and “waste” in s. 11.45, F.S., and goes on to amend multiple sections of law to require each state agency, the judicial branch, the Justice Administrative Commission, state attorneys, public defenders, criminal conflict and civil regional counsel, the Guardian Ad Litem program, local governmental entities, charter schools and school districts, Florida College System institutions and state universities to establish and maintain internal controls to prevent and detect fraud, waste, and abuse.

The bill further amends s. 11.45, F.S., to include in the current definition of “local governmental agency” tourist development councils and county tourism promotion agencies. As such, these local tourist development councils and promotion agencies will now be included in the scope of the Auditor General’s authority for audits and other engagements, pursuant to subsection (3).

The bill amends s. 129.03, F.S., to require that the tentative county budget remain on a county’s official website for at least 45 days following the public hearing to consider such budget, and that the final adopted budget remain on the website for at least two years. (Note that this language was also codified by [HB 861 Local Government Financial Reporting](#), which went into effect on May 23, 2019. See [Advisory Bulletin 19-34](#) for additional information.) Similarly, the bill amends s. 129.06, F.S., to require that an amended county budget remain on a county’s official website for at least two years.

The bill goes on to amend s. 218.32, F.S., to allow the Florida Department of Financial Services (DFS) to request additional information from a local governmental entity in preparation of the annual verified report. The requested information must be provided to DFS within 45 days. If the local governmental entity does not comply, DFS shall notify the Legislative Auditing Committee (LAC), which may take action.

The bill also provides that the Governor or Education Commissioner, or their designees, may notify the LAC of a specified entity’s failure to comply with certain auditing and financial reporting requirements. Current statute only specifies that the Auditor General, DFS, or the Division of Bond Finance of the State Board of Administration may make such notification. (See s. 11.40(2), F.S.)

**Clerk Point:**

Of specific interest to Clerks and Comptrollers, the bill:

- expands the applicability of the current first degree misdemeanor penalty in s. 11.47(3), F.S., to also include any person who willfully fails or refuses to provide access to an employee, officer, or agency of an entity subject to audit by the Auditor General or the Office of Program Policy Analysis and Government Accountability (OPPAGA);
- amends s. 28.35(2), F.S., to require the Florida Clerks of Court Operations Corporation (CCOC) to report quarterly to the Legislature on any Clerk who has not met workload performance standards and provide a copy of any corrective action plans. CCOC would have no more than 45 days after the end of the preceding quarter to submit this information.

- amends s. 218.391(2), F.S., to:
  - require that each county—charter or noncharter—establish an auditor selection committee and allows each of the elected county officers who are required to serve on the selection committee to appoint a designee [see (2)(a)];
  - exclude from the membership of an auditor selection committee an employee, chief executive officer, or chief financial officer of a county, municipality, special district, district school board, charter school, or charter technical career center; however, these individuals may serve in an advisory capacity [see (2)(c)]; and
  - add new subsection (9) to require an entity to again perform the auditor selection process to select an auditor to conduct audits for subsequent fiscal years, if an entity fails to select an auditor in accordance with statutory requirements.

## **Budget / Finance**

### **[CS/CS/HB 337 Courts](#) (Also of interest to Court Side – Civil)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-58](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill represents an important first step in moving toward a long-term solution to modernize Clerks' budget process, and helps to ensure that Clerks can continue to provide quality public services throughout Florida.

Specifically, the bill includes two key policy components that will provide much needed revenue stability:

- allows Clerks to carry forward unexpended revenues and provides budget authority on a recurring basis; and
- allows Clerks to carry forward cumulative excess and provides budget authority, with some limits.

With the policy changes authorized by this bill, there is an estimated net positive fiscal impact of approximately \$15.8 million for the upcoming budget year. This does not include any potential increase from revenue growth in the Revenue Estimating Conference (REC) estimates for the Clerks of the Court Trust Fund. While the revenues available will still be short of Clerks' projected budget needs, these changes help close the gap significantly.

The bill also codifies into Florida Statutes the [Chapter 2008-111, Laws of Florida](#), distributions to the General Revenue Fund (GR), in conformity with current practice, and raises the jurisdictional threshold of the county courts for civil actions from \$15,000 to \$30,000, beginning January 1, 2020, and to \$50,000, beginning January 1, 2023.

**Clerk Point:****Clerk Funding (sections 2 – 4 and 32)**

**Section 2.** The bill amends s. 28.35, F.S., to require the Florida Clerks of Court Operations Corporation (CCOC) to ensure that Clerks' total combined budgets do not exceed the state's REC estimated revenues from fees, service charges, costs, and fines for court-related functions; plus the total unspent budgeted funds for court-related functions carried forward from the previous fiscal year; plus the balance of funds remaining in the Clerks of the Court Trust Fund after the required transfer to GR. With this change, Clerks' court-related budgets will no longer be solely based on REC revenue estimates.

The bill also specifies that, for the purposes of this section, "unspent budgeted funds for court-related functions" means undispersed funds included in the Clerks' court-related budgets.

**Section 3.** Section 28.36, F.S., is amended to conform to the changes made by the bill to s. 28.35, F.S.

**Section 4.** The bill amends s. 28.37, F.S., to require that, no later than January 25 of each year, Clerks, in consultation with CCOC, remit to the Department of Revenue (DOR) for deposit into GR the cumulative excess of all fines, fees, service charges, and costs, including transfers from the Clerks of the Court Trust Fund, that exceed the amount needed to meet authorized budget amounts.

The bill provides that, no later than February 1, 2020, DOR shall transfer from the Clerks of the Court Trust Fund to GR the cumulative excess of all fines, fees, service charges, and costs in excess of \$10 million.

Then, no later than February 1, 2021 and February 1, 2022, DOR shall transfer from the Clerks of the Court Trust Fund to GR not less than 50 percent of the cumulative excess of all fines, fees, service charges, and costs, provided that the remaining balance in the Clerks of the Court Trust Fund may not be more than \$20 million.

No later than February 1, 2023, and each February 1 thereafter, DOR shall transfer from the Clerks of the Court Trust Fund to GR the cumulative excess of all fines, fees, service charges, and costs.

**Section 32.** The bill provides that before the 2022 legislative session, the Legislature shall review and consider the results of the analysis submitted by the Office of Program Policy Analysis and Government Accountability (OPPAGA), pursuant to section 6, line 2754, [SB 2500 Appropriations](#) (see summary below), regarding the review of Clerks' processes, for the purpose of considering an extension or reenactment of the provisions in this bill related to Clerk funding.

**Codification of Chapter 2008-111 (sections 5 - 8, 10, 12 - 22, and 24 - 30)**

This bill amends numerous sections of law related to certain fines, fees, and charges to codify into Florida Statutes the [Chapter 2008-111, Laws of Florida](#), increased distributions to GR, in conformity

with current practice. These changes are effective upon becoming a law (May 24, 2019) and apply retroactively to July 1, 2008.

**Section 30.** This section specifically provides that the changes made by the bill to ss. 27.52, 28.24, 28.2401, 28.241, 34.041, 45.035, 55.505, 61.14, 316.193, 318.14, 318.15, 318.18, 322.245, 327.35, 327.73, 379.401, 713.24, 721.83, 744.365, 744.3678, 766.104, and 938.05, F.S., are remedial and clarifying in nature.

*Court Filing Jurisdiction (sections 1, 9 - 11, and 31)*

**Section 1.** The bill amends s. 26.012, F.S., to provide that circuit courts shall have jurisdiction of appeals from county courts, except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This new language is repealed on January 1, 2023.

**Section 9.** Effective January 1, 2020, the bill amends s. 34.01, F.S., to raise the county court jurisdictional threshold for civil actions from \$15,000 to \$30,000, except for those actions within the exclusive jurisdiction of the circuit court. Then, effective January 1, 2023, the county court jurisdictional threshold is raised from \$30,000 to \$50,000, except for actions within the exclusive jurisdiction of the circuit court.

The bill also requires the Office of the State Courts Administrator (OSCA), by February 1, 2021, to report to the Governor, President of the Senate, and Speaker of the House of Representatives making recommendations on the adjustment of county court jurisdiction. The report must consider the claim value of filings in county and circuit court, case events, timeliness in processing cases, and any fiscal impact to the state as a result of the adjusted jurisdictional limits. Of specific interest, the bill requires Clerks to provide claim value data and necessary case event data to OSCA for use in the development of the report.

The bill further requires the report to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit courts and district courts of appeal, including the use of appellate panels by circuit courts.

**Section 10.** The bill amends s. 34.041, F.S., to provide that the initial filing fees and subsequent counterclaim fees for non-foreclosure cases in which the matter of controversy is over \$15,000 are assessed and distributed in the same manner as current law, regardless of whether they are filed in the county or circuit court. Note that this change is effective upon becoming a law (May 24, 2019).

**Section 11.** The bill amends s. 44.108, F.S., to prevent the \$60 mediation fee from being charged to additional participants when cases above the \$15,000 threshold move from circuit to county court.

*Miscellaneous (section 23)*

**Section 23.** The bill specifies that the attorney fees provision of [CS/CS/HB 7065 Insurance Assignment Agreements](#) is effective upon becoming a law (May 23, 2019).



**[SB 2500 Appropriations](#) *(Also of interest to Information Technology)***

Effective Date: July 1, 2019, except as otherwise provided

Approved: June 21, 2019

Chapter Law: 2019-115

**Summary:**

This bill, the General Appropriations Act (GAA), sets the state appropriation levels for all agencies that are funded by the state budget for an annual period beginning July 1, 2019, and ending June 30, 2020, totaling approximately \$90.9 billion. Note that Governor Ron DeSantis vetoed about \$131 million from the budget that was passed by the Legislature on May 4, 2019.

**Clerk Point:**

**See Section 4, line 770, page 140:** The bill appropriates \$11.7 million in Specific Appropriation 770 for reimbursement of expenditures related to circuit and county juries required by statute.

**See Section 4, line 1305, page 202:** The bill authorizes the Florida Department of Law Enforcement (FDLE) to distribute up to \$500,000 to reporting entities, including Clerks of Court, that have “legitimate financial hardships” to assist in complying with the criminal justice data collection and reporting requirements, first established by CS/CS/SB 1392, [Chapter 2018-127, Laws of Florida](#).

The bill requires FDLE to develop the criteria and process for awarding the compliance assistance funds and requires FDLE to report monthly to the Governor and the Legislature regarding the use of the funds, beginning August 1, 2019.

**See Section 6, line 2403, page 326:** The bill restates the requirement for the Department of Financial Services (DFS) to audit all court-related expenditures of the Clerks of Court, pursuant to ss. 28.241 and 28.35, F.S. This bill requires that, quarterly, DFS shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor’s Office of Policy and Budget.

DFS must submit such report on July 26, 2019, for the period beginning April 1, 2019, through June 30, 2019, and quarterly thereafter.

**See Section 6, line 2754, pages 360-361:** The bill directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to contract with an independent, third-party consulting firm to assist with a review of Clerks’ processes including:

- collection and compilation of empirical evidence based on observation of a random sample of Clerks’ offices employees;
- comparison of Clerks’ office work patterns to propose efficiency and productivity standards; and
- assessment and comparison of organizational arrangements and deployment of personnel resources among all Clerks’ offices.

Sample groups must include a broad number of large and small counties from all areas of the state. The analysis shall be submitted to the chairs of the Senate and House appropriations committees by November 15, 2019.

**See Section 7, line 3222A, page 407:** The bill appropriates \$370,000 for use by the Office of the State Courts Administrator (OSCA), in coordination with the Florida Clerks of Court Operations Corporation (CCOC) and Clerks of Court, for the operation, maintenance, and enhancement of an information technology platform that electronically transmits alert reminders and information to individuals involved in the state courts system. Such platform shall integrate with existing state, county, or other court- or justice-related information systems, as necessary. Any data collected is the property of the State of Florida or designated agency.

The bill also requires OSCA to provide a project status report, including to-date progress for each milestone and deliverable, as well as key metrics such as failures to appear, in order to assess the performance of the project. OSCA must submit this report to the chairs of the Senate and House appropriations committees and the Executive Office of the Governor's Office of Policy and Budget on July 15, 2020, for the prior fiscal year, and biannually thereafter.

**[SB 2502 Implementing the 2019-2020 General Appropriations Act](#) *(Also of interest to Board Side and Court Side)***

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 21, 2019

Chapter Law: 2019-116

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill provides the statutory authority necessary to implement and execute the General Appropriations Act (GAA) for state FY 2019-2020. The statutory changes are effective for only one year and either expire on July 1, 2020, or revert to the language as it existed before the changes made by the bill.

**Clerk Point:**

**See Section 55, pages 65-66:** This section, which expires July 1, 2020, requires the Department of Juvenile Justice (DJJ) to ensure that counties fulfill the financial responsibilities required in s. 985.6865, F.S., related to juvenile detention, and requires DJJ to report any deficiencies to the Department of Revenue (DOR). If DJJ determines that a county has not met its obligations, DOR is directed to deduct the amount owed to DJJ from the shared revenue funds provided to a county under s. 218.23, F.S., which shall be deposited in DJJ's Shared County/State Juvenile Detention Trust Fund.

This section also includes procedures to provide assurance to holders of bonds issued by counties before July 1, 2019, for which shared revenue fund distributions are pledged.

**See Sections 56 and 57, pages 66-71:** Section 56 amends s. 27.40, F.S., to require that the appointment of the office of criminal conflict and civil regional counsel be made only after the public defender has certified to the court in writing that s/he is unable to provide representation due to a conflict. The section also requires the public defender to report the specific basis of all conflicts of interest certified to the court on a quarterly basis to the Justice Administrative Commission (JAC).

Similarly, private counsel may only be appointed after the office of criminal conflict and civil regional counsel has certified to the court in writing that a conflict of interest exists. This information must also be reported quarterly to the JAC.

In addition, this section makes certain requirements of JAC related to billing and compensation for court-appointed counsel.

Section 57 provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2019.

**See Sections 58 and 59, pages 71-77:** Section 27.5304, F.S., sets the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony, and life felony cases. Section 58 reinstates the current statutory compensation for state FY 2019-2020.

This section further amends s. 27.5304, F.S., to provide that objections by or on behalf of JAC to records, documents, or claims for payment by an attorney seeking compensation shall be presumed correct by the court unless the court makes a written determination that competent and substantial evidence exists to justify overcoming the presumption. In addition, motions to exceed the flat fee are required to be served on JAC at least 20 business days before the hearing date—rather than 5 business days—and JAC may appear at such hearing either in person or telephonically.

Section 59 provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2019.

**See Section 60, page 77:** This section, which expires July 1, 2020, provides the implementation language for the \$11.7 million appropriation for reimbursement of jury-related expenditures (see the summary for SB 2500 above) for state FY 2019-2020 (July 1, 2019 – June 30, 2020).

This section also provides that Clerks are responsible for any jury costs—compensation to jurors; meals or lodging provided to jurors; jury-related personnel costs—that exceed the funding provided in the GAA.

**See Sections 61-63, pages 77-78:** Last year's GAA implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), changed the distribution of certain monies under ss. 318.18(19)(c) and 817.568(12)(b), F.S., from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund, effective July 1, 2018.

Section 63 carries forward these changes from last year's bill and provides that this amendment expires July 1, 2020, when the text of this paragraph shall revert back to that in existence on June 30, 2018.

**See Section 64, pages 78-80:** Carried forward from last year's GAA implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), this section allows a Supreme Court justice who permanently resides outside of Leon County to be eligible for the designation of a district court of appeal courthouse, county courthouse, or other appropriate facility in his or her district of residence to be designated as his or her official headquarters. This official headquarters may serve only as the justice's private chambers. In addition, the Chief Justice is required to coordinate with each affected justice and other state and local officials, as necessary, for implementation.

This section also provides subsistence payments and reimbursement for transportation expenses related to travel between a justice's official headquarters and the Supreme Court's headquarters in Tallahassee, to the extent that appropriated funds are available.

This section, which expires July 1, 2020, would not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.

Note that this language is also codified into Florida Statutes as new s. 25.025, F.S., by [HB 5011 Courts](#), which is also effective July 1, 2019. (See bill summary in the "Miscellaneous" section below for additional information.)

### **[SB 7016 State-Administered Retirement Systems](#)**

Effective Date: July 1, 2019

Approved: April 15, 2019

Chapter Law: [2019-8](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Florida Retirement System (FRS) employers are responsible for contributing a set percentage of the member's monthly compensation to the Division of Retirement. The annual valuation for the coming year includes a set of employer contributions for Regular Cost and a supplemental set of employer contributions for the Unfunded Actuarial Liability (UAL). This bill establishes the employer contribution rates for FRS for state FY 2019-2020 in ss. 121.71(4) and (5), F.S. (See highlighted portion in chart below.)

Note that the [Florida Department of Management Services Division of Retirement](#) provides information directly to all FRS Agency Heads and Retirement Coordinators following each legislative session. The amendments made by this bill should be read in conjunction with the materials that are provided to your office by the Division of Retirement related to changes to FRS.

**Clerk Point:**

Membership Class	Normal Cost Contribution Rates		Unfunded Actuarial Liability (UAL) Contribution Rates	
	Current	Effective July 1, 2019	Current	Effective July 1, 2019
Regular Class	3.04%	3.19%	3.50%	3.56%
Elected County Officers	8.50%	8.73%	38.48%	38.37%
Senior Management	4.45%	4.60%	17.89%	19.09%
DROP	4.41%	4.68%	7.96%	8.24%

**Court Side – Civil**

**[CS/CS/CS/HB 829 Attorney Fees and Costs](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 57.112, F.S., to require a court to assess and award reasonable attorney fees and costs and damages to the prevailing party if a civil action is filed against a local government to challenge the adoption or enforcement a local ordinance on the grounds that it is expressly preempted by the State Constitution or state law.

Attorney fees and costs may not be awarded if the local governing body receives written notice that a publicly noticed or adopted ordinance is expressly preempted by the state, and the proposed or adopted ordinance is withdrawn within 30 days of the notice.

For the purposes of this section, “attorney fees and costs” is defined as the reasonable and necessary attorney fees and costs incurred for all preparations, motions, hearings, trials, and appeals in a proceeding.

The bill specifies that this section does not apply to local ordinances adopted pursuant to Part II of Chapter 163, F.S., related to growth policy; county and municipal planning; land development regulation; or ss. 553.73, the Florida Building Code, or 633.202, F.S., the Florida Fire Prevention Code, and only applies to cases commenced on or after July 1, 2019.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/CS/CS/HB 1393 Department of Financial Services](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill addresses various issues relating to the power and duties of the Florida Department of Financial Services (DFS).

Of interest, and as described in the legislative bill analysis, Section 34 of this bill amends s. 717.124, F.S., related to unclaimed property claims, to allow DFS to develop an automatic disbursement process for accounts valued at \$2,000 or less, after verifying the identity, availability, and address of an apparent owner.

In addition, DFS may develop a verification and automatic disbursement process for accounts owned by a state agency, a county government, a public school district, a municipality, or a special taxing district or authority in the state of Florida regardless of the amount of the disbursement.

In each of the above-described processes, DFS must include with the payment a notification and explanation of the dollar amount, the source, and the property type of each account included in the disbursement.

The bill also allows DFS to develop a process by which a claimant's representative or a buyer of unclaimed property could electronically submit an electronic image of a completed claim and claims-related documents to DFS, including a limited power of attorney or purchase agreement that has been manually signed and dated by the claimant or seller. Each claim must include a statement by the claimant's representative or buyer affirming that all documents are true copies of the original, and that the original documents are in the possession and secure control of the claimant's representative or buyer and are available for DFS inspection.

Section 40 of the bill also establishes the Florida Blockchain Task Force within DFS to study the ways in which state, county, and municipal governments can benefit from a transition to a blockchain-based system for recordkeeping, data security, financial transactions, and service delivery. Note that this language was also codified into Florida Statutes by [CS/CS/SB 1024 Blockchain Technology](#), which became effective on May 23, 2019. (See [Advisory Bulletin 19-34](#) for additional information.)

**Clerk Point:**

Of specific interest to Clerks and Comptrollers, this bill amends s. 717.124, F.S., related to unclaimed property claims, to allow DFS to develop an automatic disbursement and verification process for accounts valued at \$2,000 or less for apparent owners, and for accounts owned by state agencies or local government entities, regardless of the amount of the disbursement.

**CS/CS/SB 1418 Mental Health**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)**Summary:**

As noted in the legislative staff analysis, in 2017, the Legislature created a task force within the Florida Department of Children and Families (DCF) to address the rise in the number of involuntary examinations of minors under the Baker Act. The task force made six recommendations in its published, "Task Force Report on Involuntary Examination of Minors," three of which were implemented by the Legislature as part of last year's CS/SB 7026, [Chapter 2018-3, Laws of Florida](#), in response to the Marjory Stoneman Douglas High School shooting.

This bill addresses two other recommendations of the task force:

- amends s. 394.463, F.S., related to involuntary examinations, to increase the number of days that a receiving facility has to submit certain information to DCF (ex parte orders; law enforcement officer reports; physician certificates) from the next working day to five working days, and to request that the facility include information on whether the individual was admitted, released, or a petition was filed with the court. DCF is also required to analyze the received data and provide recommendations to the Governor and Legislature every other year for encouraging alternatives to and eliminating inappropriate initiations of involuntary examinations of children.
- requires the Department of Education, in consultation with other stakeholders, to add suicide screening as part of the requirements for a school to be considered a "Suicide Prevention Certified School."

The bill also implements a recommendation of the Marjory Stoneman Douglas Public Safety Commission to require service providers to disclose information from a patient's clinical record to law enforcement, under certain circumstances, relating to specific threats to cause serious bodily injury or death to an identified person. Such disclosures may not be the basis of any legal action or criminal or civil liability against the service provider.

**Clerk Point:**

This bill is provided for your information as it relates to changes to Florida's mental health laws.

### [CS/SB 7006 Uniform Interstate Depositions and Discovery Act](#)

Effective Date: July 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-13](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill amends s. 92.251, F.S., to enact the Uniform Interstate Depositions and Discovery Act (UIDDA) in Florida; this act has already been adopted by 44 states and Washington, D.C., and is designed to streamline the process for interstate discovery requests.

The UIDDA applies to proceedings pending on, or commenced on or after, July 1, 2019, and specifically does not apply to criminal proceedings. (See Section 8 of the bill.)

#### **Clerk Point:**

Of specific interest to Clerks, the UIDDA:

- Requires a party to submit a foreign subpoena—defined as a subpoena issued under authority of a court of record in a state other than Florida—to the Clerk in the county in which discovery is sought.
- Requires the Clerk to promptly issue a subpoena for service upon the person to which the foreign subpoena is directed. The subpoena must incorporate the terms used in the foreign subpoena and contain the names, addresses, and telephone numbers of all counsel of record and pro se parties in the proceeding to which the subpoena relates.
- Provides that a subpoena issued under this section must be served in compliance with Florida Rules of Civil Procedure.
- Allows parties to move for protective orders or to enforce, quash, or modify the subpoena issued by the Clerk. Such application to the court must comply with Florida Statutes and rules and must be submitted to the court in the county in which discovery is to be conducted.

### [CS/CS/HB 7065 Insurance Assignment Agreements](#)

Effective Date: July 1, 2019

Approved: May 23, 2019

Chapter Law: [2019-57](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill revises the practice known as “assignment of insurance policy benefits” or AOB.

As detailed in the legislative staff analysis, the bill creates s. 627.7152, F.S., related to assignment agreements, to:

- define certain terms for the purposes of this section;
- provide requirements for the execution, validity, effect, and repeal of an assignment agreement;



- cap the amount an assignee can receive under an assignment agreement for a residential property insurance claim executed in “urgent or emergency circumstances,” as defined by the bill, at in excess of the greater of \$3,000 or 1 percent of the Coverage A limit under such policy;
- transfer certain pre-lawsuit duties under the insurance contract to the assignee;
- set the formula that will determine which party, if any, receives attorney fees should litigation related to an assignment agreement result in a judgment:
  - if the difference between the judgment obtained by the assignee and the pre-suit settlement offer is less than 25 percent of the disputed amount, the insurer is entitled to reasonable attorney fees;
  - if at least 25 percent, but less than 50 percent of the disputed amount, then no party is entitled to attorney fees;
  - if at least 50 percent of the disputed amount, then the assignee is entitled to reasonable attorney fees; and
- allow the court to award attorney fees to a respondent in a voluntarily dismissed action in certain circumstances.

The bill also creates s. 627.7153, F.S., to allow insurance companies to make policies available that restrict an assignment agreement, in whole or in part, under certain circumstances.

Finally, the bill specifies that the changes made apply to assignment agreements entered into on or after July 1, 2019.

**Clerk Point:**

This bill is provided for your general information as it relates to AOB litigation.

**Court Side – Criminal**

**[CS/CS/CS/SB 168 Federal Immigration Enforcement](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 14, 2019

Chapter Law: [2019-102](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates Chapter 908, F.S., to require state and local governments, defined as any county, municipality, or other political subdivision of this state, and law enforcement agencies to cooperate with and support federal immigration enforcement.

As noted in the legislative staff analysis, the bill:

- prohibits any state or local government entity from adopting or having a “sanctuary policy” in effect that impedes law enforcement from communicating or cooperating with federal

immigration enforcement, and requires any sanctuary policy in effect to be repealed within 90 days of the bill's effective date;

- requires county correctional facilities to enter into an agreement with a federal immigration agency for reimbursement of costs associated with temporarily housing inmates under a detainer request; and
- authorizes the Attorney General or a state attorney to file suit for declaratory or injunctive relief against a noncompliant local governmental entity or local law enforcement agency.

Of interest, in new s. 908.104, F.S., the bill requires a judge, in an applicable criminal case when a defendant is the subject of an immigration detainer and is sentenced to confinement, to order the secure correctional facility to reduce the sentence of the defendant by not more than 12 days, in order to facilitate the seamless transfer of the defendant to federal custody. If a judge does not know that the defendant is subject to an immigration detainer or otherwise subject to a transfer into federal custody at the time of sentencing, the judge must issue such order to the correctional facility as soon as such information becomes available via notification from law enforcement. Note, too, that the judge is required to have such information recorded in the court record, regardless of whether the notice from law enforcement is received before or after a judgment in a case. (See new s. 908.105, F.S.)

The bill does not require state or local government entities or law enforcement to provide federal immigration enforcement with information related to a victim or witness to a criminal offense if such person cooperated in the crime's investigation or prosecution. This cooperation must be documented and retained for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.

Finally, the bill provides in new s. 908.107, F.S., that any executive or administrative state, county, or municipal officer who violates his or her duties under the bill may be subject to action by the Governor, as provided in the state constitution.

**Clerk Point:**

This bill creates Chapter 908, F.S., and prohibits any state or local government entity from adopting or having a "sanctuary policy" in effect that may limit law enforcement cooperation with federal immigration enforcement efforts. This bill is provided for your information.

**[CS/CS/CS/HB 301 Insurance](#) (Also of interest to Court Side – Civil and Office Operations/Employment)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 18, 2019

Chapter Law: [2019-108](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill makes a number of insurance-related changes. Of interest, and as detailed in the legislative staff analysis, the bill:

- amends s. 440.381(2), F.S., to correct a conflict related to provided criminal penalties, and clarifies that workers' compensation insurance applicants and their agents are not required to have certain sworn statements notarized.
- creates s. 624.1005, F.S., to provide for the recovery of defense costs from other insurers when more than one liability insurer has a duty to defend an insured and requires the court to allocate such costs. *This applies to civil claims initiated on or after January 1, 2020*, and does not apply to motor vehicle or medical professional liability insurance.
- amends s. 624.155, F.S., to prohibit an insured from filing a civil remedy notice within 60 days after an appraisal is invoked, and removes a provision authorizing the Florida Department of Financial Services (DFS) to return a civil remedy notice to the insured for lack of specificity.

**Clerk Point:**

Current law provides a second degree felony penalty in s. 440.381(2), F.S., for submitting an application for coverage that contains false, misleading, or incomplete information meant to avoid or reduce the amount of premiums for workers' compensation coverage. This subsection also requires that the application contain a statement that providing such false information is a felony, but references a *third degree felony* rather than the provided second degree felony.

This bill corrects this conflict and updates subsection (2) to provide a third degree felony for submitting an application for coverage that contains false, misleading, or incomplete information. The bill also makes necessary conforming changes to the Criminal Punishment Code to reflect this change.

The bill further amends this subsection to clarify that the sworn statements of an employer, attesting to the accuracy of the information submitted in an application, and an agent, attesting that the employer was provided an explanation of the classification codes used for premium calculations, are not required to be notarized.

**[CS/CS/HB 369 Substance Abuse Services](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this bill addresses the Florida Department of Children and Families' duties and responsibilities relating to the regulation of substance abuse treatment services.

Of interest, the bill amends and expands the applicability of the existing criminal penalty in s. 397.4075, F.S.

**Clerk Point:**

Current law provides a first degree misdemeanor penalty in s. 397.4075, F.S., for unlawful activities relating to substance abuse treatment personnel.

Section 5 of this bill increases this penalty to a third degree felony and expands its applicability to also include anyone who willfully, knowingly, or intentionally makes false statements, misrepresents, impersonates, fails to disclose, or otherwise fraudulently discloses inaccurate information on a licensure application when such fact is material to determine one's qualifications to be personnel of a service provider.

**[CS/CS/HB 595 Alcohol or Drug Overdose Prosecutions](#)**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-81](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 562.112, F.S., to provide criminal immunity from arrest, charge, prosecution, or other penalization for a person who provides alcohol to an underage individual, or for an underage individual who possesses or consumes alcohol, and seeks medical assistance for an alcohol or drug-related overdose. To receive immunity, the person must remain at the scene until emergency medical services (EMS) personnel arrive and must cooperate with EMS personnel and law enforcement officers at the scene.

The bill also amends the "911 Good Samaritan Act," under s. 893.21, F.S., to extend immunity for use or possession of drug paraphernalia; violation of pretrial release, probation, or parole, if the evidence for such violation was obtained as a result of the person's seeking medical assistance; and a person seeking aid for an alcohol overdose. However, immunity is limited for possession of a controlled substance if said possession includes more than 10 grams of certain substances like heroin or fentanyl.

As noted in the legislative staff analysis, this bill incentivizes seeking medical assistance for alcohol or drug overdose by a person who may not otherwise seek aid due to fear of criminal implication.

**Clerk Point:**

This bill amends the "911 Good Samaritan Act," which provides immunity under certain circumstances, and is provided for your information.

**[CS/HB 611 Motor Vehicle Racing](#)**

Effective Date: July 1, 2019

Approved: June 25, 2019

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends ss. 316.191 and 901.15, F.S., to authorize a law enforcement officer to arrest a person without a warrant upon probable cause that the person committed a criminal racing violation.

As noted in the legislative staff analysis, this bill removes the current requirement that an officer either witness the racing violation and immediately arrest or secure an arrest warrant.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/CS/CS/HB 851 Human Trafficking](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

In general, this bill requires the creation and implementation of human trafficking awareness training and policies for certain employees of massage establishments and public lodging establishments, and requires training in identifying and investigating human trafficking for certified law enforcement officers.

The bill also creates a direct-support organization within the Department of Legal Affairs, established to provide assistance, funding, and support to the Statewide Council on Human Trafficking and to assist in the fulfillment of the council's purpose.

Of specific interest, effective January 1, 2021, the bill creates s. 943.0433, F.S., to require the Florida Department of Law Enforcement (FDLE) to create and administer the "Soliciting for Prostitution Public Database." Upon notification by the Clerk of a conviction of s. 796.07(2)(f), F.S., FDLE must add such convicted person's criminal history record to the database and include his or her full legal name, last known address, color photograph, and the offense for which he or she was convicted. FDLE shall automatically remove a person's criminal history record from the database if, after five years from the person's conviction, such person has not again violated s. 796.07(2)(f), F.S., and has not committed any other offense within that time that would constitute a sexual offense or an offense that would require registration as a sexual offender. FDLE is prohibited from removing the criminal history record from the database if a person violates s. 796.07(2)(f), F.S., a second or subsequent time.

FDLE shall create policies and procedures that allow a person whose conviction has been overturned, or who has received an expunction for of a qualifying criminal history record, to petition FDLE for the removal of their criminal history record from the database.

The bill also requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to study the effectiveness of the database and submit such report to the Governor and Legislature by January 1, 2023.

Finally, the bill amends s. 450.045, F.S., to create a criminal penalty for knowing failure to verify and maintain specified documentation of an adult theater employee or contractor.

**Clerk Point:**

Effective January 1, 2021, this bill requires FDLE to create the “Soliciting for Prostitution Public Database,” and requires Clerks to forward the criminal history record of a person who is found guilty or who enters a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, of s. 796.07(2)(f), F.S., related to soliciting, inducing, enticing, or procuring another to commit prostitution, lewdness, or assignation, for inclusion in the database. The bill stipulates that Clerks forward such information to FDLE pursuant to s. 943.052(2), F.S., the existing method by which Clerks submit criminal dispositions.

The bill also creates a new first degree misdemeanor penalty in s. 450.045(3)(d), F.S., for knowing failure to verify and maintain specified documentation of an adult theater employee or contractor.

**CS/CS/SB 1020 State Hemp Program**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates the state hemp program within the Florida Department of Agriculture and Consumer Services (DACCS) to regulate the cultivation of hemp and requires DACCS to seek federal approval of the state hemp plan.

Of interest, the bill amends the definition of “cannabis” in s. 893.02, F.S., to exclude hemp and industrial hemp, as defined by the bill, from the criminal prohibition against possessing cannabis.

**Clerk Point:**

This bill amends the definition of “cannabis” under the Florida Comprehensive Drug Abuse Prevention and Control Act to exclude hemp and industrial hemp from the criminal prohibition against possessing cannabis. As such, this bill is provided primarily for your information.

**[SB 1136 Cyberharassment](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-53](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill amends s. 784.049, to redefine the term “sexually cyberharrass” to include disseminating a sexually explicit image of a person through electronic means that is contrary to the depicted person’s reasonable expectation that the image would remain private. The bill adds that evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove the depicted person’s reasonable expectation of privacy for that image.

The bill also amends the definition of “personal identification information” for the purposes of this section to mean any information that identifies an individual including, but not limited to, any name, postal or e-mail address, telephone number, social security number, date of birth, or any unique physical representation.

**Clerk Point:**

Section 784.049, F.S., criminalizes the willful and malicious sexual cyberharassment of another person. Specifically, paragraph (3)(a) provides a first degree misdemeanor for a first violation and paragraph (3)(b) provides a third degree felony for a person who has one prior conviction for sexual cyberharassment and who commits a second or subsequent violation.

This bill amends the definition of “sexually cyberharrass” to include disseminating a sexually explicit image of a person through electronic means that is contrary to the depicted person’s reasonable expectation that the image would remain private, thereby expanding the applicability of the prescribed criminal penalties.

**[HB 5401 Department of Environmental Protection](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill addresses various issues relating to the power and duties of the Florida Department of Environmental Protection (DEP).

Specifically, the bill transfers the primary powers and duties of the Florida Fish and Wildlife Conservation Commission (FWC) relating to the investigation and enforcement of certain environmental crimes to the newly created Division of Law Enforcement within DEP. FWC retains law enforcement authority over the patrol of state-owned lands managed by DEP.

Due to this change, the bill amends a number of statutes related to law enforcement to reference DEP's new Division of Law Enforcement, including expanding the applicability of certain criminal penalties related to offenses against law enforcement.

The bill also amends to Florida Contraband Forfeiture Act, under s. 932.7055, F.S., to add that if the seizing agency is DEP, DEP shall deposit the accrued proceeds into the various trust funds that are specified by the statute under which the violation occurs.

**Clerk Point:**

This bill creates a Division of Law Enforcement within DEP, which will have the primary powers and duties relating to the investigation and enforcement of certain environmental crimes in the state.

As such, a number of statutes related to law enforcement and law enforcement officers are amended to reference the DEP Division of Law Enforcement: for example, the bill amends s. 316.640, F.S., to vest the authority in the division's officers to enforce Florida's traffic laws.

Of specific interest, the bill expands the applicability of the following criminal penalties related to offenses against law enforcement:

- Section 14 expands the applicability of the criminal penalties under s. 843.08, F.S., related to false personation of certain individuals, to also include false personation of a DEP officer.
- Section 15 expands the applicability of the first degree misdemeanor penalty under s. 843.085(5), F.S., to also include unlawful use of badges or other indicia of a DEP officer.

**CS/SB 7012 Vaping**

Effective Date: July 1, 2019

Approved: April 26, 2019

Chapter Law: [2019-14](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Article X, Section 20 of the Florida Constitution prohibits smoking in an indoor workplace. Amendment 9, which passed during the November 2018 General Election with 68 percent approval, expands this prohibition to also include vaping in enclosed indoor workplaces. This bill amends the Florida Clean Indoor Act in Part II of Chapter 386, F.S., to codify and implement the provisions of Amendment 9 into Florida law.

The bill defines vaping-related terms for the purposes of the act and amends various sections of law to include prohibitions against vaping alongside those that already prohibit tobacco smoking.

Of interest, the bill expands the applicability of existing civil penalties and noncriminal infractions to also include violations related to vaping.



**Clerk Point:**

This bill implements the provisions of Amendment 9, which prohibits vaping in enclosed indoor workplaces. Of specific interest to Clerks, the bill expands the applicability of existing penalties that address certain smoking-related violations to also include vaping:

- Section 9 reenacts the existing non-criminal infraction in s. 386.208, F.S., punishable by a fine of not more than \$100 for a first violation and not more than \$500 for each subsequent violation, for violations related to smoking or vaping in an enclosed indoor workplace (See s. 386.204, F.S.).
- Section 12 amends s. 386.212, F.S., which prohibits anyone under the age of 18 from smoking in, on, or within 1,000 feet of school property, to also prohibit vaping. Such violations are subject to a civil infraction punishable by a maximum civil penalty not to exceed \$25, or 50 hours of community service, or successful completion of a school-approved anti-tobacco or anti-vaping program, where available.

**[CS/HB 7057 Corrections](#)**

Effective Date: July 1, 2019

Approved: June 18, 2019

Chapter Law: [2019-113](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

The Unmanned Aircraft Systems Act, established in s. 330.41, F.S., provides authority to the state to regulate the operation of unmanned aircraft systems—or drones—and to protect critical infrastructure facilities, which are defined by the act.

This bill amends the definition of “critical infrastructure facilities” to include state or private correctional facilities and detention centers and county detention facilities.

The bill also decreases the minimum age requirement in s. 943.13, F.S., for a full-time, part-time, or auxiliary correctional officer to 18 years of age.

**Clerk Point:**

The Unmanned Aircraft Systems Act criminalizes knowing and willful operation of a drone over, near, or in contact with a critical infrastructure facility, as defined by the by the act. Specifically, s. 330.41(4)(b), F.S., provides a second degree misdemeanor for a first violation and a first degree misdemeanor for a second or subsequent violation.

This bill amends the definition of “critical infrastructure facilities” to include certain state, private, or county correctional and detention facilities, thereby expanding the applicability of the prescribed criminal penalties.

**[CS/SB 7066 Election Administration](#) *(Also of interest to Ethics/Elections)***

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This comprehensive bill makes changes to the Florida Election Code and addresses certain duties and responsibilities of the Secretary of State and local supervisors of elections. The bill also implements the provisions of Amendment 4 related to voting restoration, which passed during the November 2018 General Election with 64 percent approval, and establishes a statewide workgroup to review specific voter registration verification processes.

**Clerk Point:****Implementation of Amendment 4 (sections 21 – 33)**

Amendment 4 amended the Florida Constitution to provide that, “any disqualification arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation,” and excludes a “person convicted of murder or a felony sexual offense” from restoration of voting rights until such person’s civil rights are restored through the executive clemency process.

Section 25 of the bill creates s. 98.0751, F.S., to specifically address the implementation of Amendment 4 and voting rights restoration, defining terms and disqualifying offenses and prescribing certain duties and responsibilities of the Department of State (DOS) and local supervisors of elections.

For the purposes of this section:

- “Murder” is defined as a conviction of first or second degree murder, or a similar offense committed in another jurisdiction.
- “Felony sexual offense” is defined as any felony offense that would require registration as a sexual offender or any of the other enumerated offenses in s. 98.0751(2)(b), F.S., or a similar offense committed in another jurisdiction.
- “Completion of all terms of sentence” is defined as any portion of a sentence that is contained in the “four corners of the sentencing document,” including full payment of court-ordered restitution and fines and fees that are part of the sentence, regardless of whether these have been converted to a civil lien. This does not include any fines, fees, or costs that accrue after the date of the sentence.

The bill specifies that financial obligations are deemed completed in the following manner or in any combination thereof:

- actual payment of an obligation in full;
- upon a payee’s approval of termination of any financial obligation owed; a payee includes, but is not limited to, a victim or the court;

- completion of all community service hours, if the court converts a financial obligation to community service.

The bill also provides that a required term is deemed completed if the court modifies the original sentencing order to no longer require completion of such term.

The bill requires DOS to make an initial determination of a voter registrant's eligibility, pursuant to Amendment 4 and this section, and then forward such information to the local supervisor of elections. DOS must compare information from, but not limited to, a Clerk of Court, the Board of Executive Clemency, the Department of Corrections (DOC), the Florida Department of Law Enforcement (FDLE), or a United States Attorney's Office. The local supervisor of elections shall then verify and make a final determination of eligibility. The local supervisor of elections may request additional assistance from DOS in making the final determination, if necessary.

Sections 27 and 29 – 32 of the bill require DOC, county detention facility administrators, and the Florida Commission on Offender Review to notify inmates, prisoners, and offenders of all outstanding terms of sentence, as defined in s. 98.0751, F.S., at the time of release or termination of a term of supervision.

The bill also establishes the "Restoration of Voting Rights Work Group," within DOS, for the purpose of conducting a comprehensive review of DOS's process of verifying registered voters who have been convicted of a felony, but who may be eligible for voting rights restoration under Amendment 4. The eight-member workgroup—which includes two Clerks appointed by the Governor—shall be established by August 1, 2019, and must submit a report of its findings, conclusions, and recommendations to the President of the Senate and the Speaker of the House by November 1, 2019. The report is to include recommendations for consolidating data necessary to verify the eligibility of individuals for restoration of voting rights under Amendment 4, and for a process for informing such individuals about the custodians of information needed to verify eligibility. Following the report's submission, the workgroup is dissolved.

Finally, the bill requires an amendment to the uniform statewide voter registration application, prescribed in s. 97.052, F.S., to require an applicant who has been convicted of a felony to indicate whether their civil rights were restored through executive clemency or whether their voting rights were restored pursuant to Amendment 4. A person may not be charged or convicted for submitting false voter registration information for affirming that they have not been convicted of felony or, if convicted, have had their voting rights restored if such violation is alleged to have occurred on or after January 8, 2019, but before July 1, 2019.

#### Election System Administration (sections 1 – 20, 34 – 39)

Related to the Florida Election Code, the bill makes the following changes, as detailed in the legislative staff analysis:

- amends s. 100.061, F.S., to move the primary election from 10 weeks to 11 weeks before the general election. As such, the 2020 Primary Election would be held on August 18, 2020.

- expands the no-solicitation zone at polling places and early voting sites from 100 feet to 150 feet;
- amends s. 101.015, F.S., to require DOS to adopt rules regarding minimum security standards that address chain of custody of ballots, transport of ballots, and ballot security;
- revises deadlines relating to vote-by-mail (VBM) ballots and allows a voter to drop of VBM ballots at secure drop boxes in specified locations;
- requires all voting be via paper “marksense” ballot or via voter interface device that meets certain state and federal requirements;
- allows a supervisor of elections to forego newspaper publication of a sample ballot if the supervisor e-mails or mails every registered voter a sample ballot at least seven days before an election; and
- amends s. 104.051, F.S., to prohibit a supervisor of elections from receiving a special qualification salary for 24 months after being found to have willfully violated the Florida Election Code.

### [CS/HB 7081 State Court System Administration](#)

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-98](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill addresses certain issues related to the administration of the state court system in Florida.

Specifically, the bill amends ss. 25.386 and 44.106, F.S., to require applicants for certification as a foreign language court interpreter or mediator to undergo a fingerprint-based state and national criminal background check. As noted in the legislative bill analysis, the Office of the State Courts Administrator (OSCA) does not currently have the statutory authorization to conduct such background checks; this bill provides such authorization.

The bill also amends s. 61.125, F.S., related to parenting coordinators, who are impartial third parties appointed or agreed to by the court or parties whose role is to assist in successfully creating or implementing a parenting plan. Specifically, the bill allows otherwise confidential communications made to a parenting coordinator to be used as testimony in a misconduct or malpractice proceeding against the parenting coordinator.

In addition, the bill amends s. 121.052, F.S., to address the provisions of Amendment 6, passed during the November 2018 General Election, which raised the age for judicial retirement from 70 to 75.

#### **Clerk Point:**

Of specific interest to Clerks, this bill permits—but does not require—the electronic recording of criminal judgments in felony, petit theft, and prostitution cases. As provided in the bill, an electronic

record must contain a judge's electronic signature and be recorded by the Clerk; for an electronic judgement of guilty, the fingerprints of the defendant must be electronically captured.

As stated in the legislative bill analysis, with these changes, the state courts system is eligible for federal grant money to pay for the hardware and infrastructure needed to collect and store digital fingerprints.

## **Family**

### **[CS/HB 1209 Caregivers for Children in Out-of-Home Care](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This bill creates s. 39.4087, F.S., to establish goals and responsibilities for the Florida Department of Children and Families (DCF) relating to foster parents, kinship caregivers, and nonrelative caregivers for dependent children. Among the responsibilities is for DCF to inform a caregiver as soon as possible of any decision made by a court or child-caring agency relating to a child who is placed with the caregiver, and to give at least seven days' notice to a caregiver, to the extent possible, of any meeting or court hearing related to a child in the caregiver's care. This notice shall include, but is not limited to, the name of the judge or hearing officer, the docket number, and the purpose and location of the hearing or meeting.

The bill also provides for dispute resolution between DCF and a caregiver if the caregiver believes that a violation of this section has occurred.

#### **Clerk Point:**

This bill makes changes to Chapter 39, F.S., and is provided for your information.

### **[HB 5303 Child Support Enforcement](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Federal law requires states to impose a \$25 annual fee on parents who utilize the services of a child support program, receive at least \$500 of support through such program, and have never received temporary cash assistance.

The Federal Bipartisan Budget Act of 2018 increased the annual fee from \$25 to \$35 and the minimum amount of support that is required to be collected and disbursed before the fee is payable from \$500 to \$550.

The bill simply amends s. 409.2567(1), F.S., to conform to the new federal child support requirements.

**Clerk Point:**

This bill is provided primarily for your information.

**[CS/HB 7099 Child Welfare](#)**

Effective Date: July 1, 2019

Approved:

Chapter Law:

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill revises numerous sections of Chapter 39, F.S., and—as noted in the legislative bill analysis—brings Florida law into full compliance with federal requirements for earning additional federal Title IV-E revenue.

Of interest, the bill:

- amends s. 39.4015, F.S., to delete a duplicative definition of “fictive kin” [see s. 39.01(29), F.S., for remaining definition];
- amends ss. 39.402(8)(h) and 39.701, F.S., to require the court order for placement of a child in shelter care to contain written findings that the Florida Department of Children and Families (DCF) has placement and care responsibility for any child who is not placed in the care of a parent at the conclusion of a shelter hearing;
- amends s. 39.407, F.S., to authorize psychiatric nurses to advise the court and DCF on any continued need for psychotropic medications and other services, and to require the court to conduct an initial hearing to review the child’s residential treatment plan within 60-days (rather than 3 months) after the child’s admission to the residential treatment program;
- amends s. 39.701, F.S., to address dependency process standards when a court is determining whether it is safe to return a child from out-of-home placement to align with standards at other points in the process; and
- amends the eligibility for the Guardianship Assistance Program (GAP).

**Clerk Point:**

This bill makes changes to Chapter 39, F.S., and is provided for your information.

## **Public Records**

### **[CS/CS/CS/SB 248 Public Records/Civilian Personnel Employed by a Law Enforcement Agency](#)**

Effective Date: July 1, 2019

Approved: April 29, 2019

Chapter Law: [2019-12](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Section 119.071(4), F.S., provides general exemptions from inspection or copying of public records for certain personal identifying and location information for a number of agency personnel, as well as information relating to their spouses and children.

This bill amends s. 119.071(4)(d), F.S., to:

- define “home address” for the purposes of this paragraph as the dwelling location at which an individual resides, including the physical address, mailing address, and street address, parcel identification number and plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal a home address; and
- expand the current exemption for active or former civilian law enforcement personnel and their spouses and children to also include any active or former civilian personnel employed by a law enforcement agency and their spouses and children.

The bill creates a process in s. 119.071(4)(d)4., F.S., by which an officer, employee, justice, judge, or other person qualifying for an exemption pursuant to this section may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party that is authorized to receive the information. Upon receipt of the written request, the custodial agency shall release the specified information to the party designated to receive such information.

The bill also reenacts and removes the scheduled repeal of a number of existing public records exemptions in paragraph (4)(d). As a reminder, the Open Government Sunset Review (OGSR) requires the Legislature to review each public records exemption five years after enactment. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

Finally, the bill provides a public necessity statement, as required by the Florida Constitution.

#### **Clerk Point:**

Due to the definition of “home address” and the expansion of what information will now qualify as subject to redaction, Clerks, as the custodian of record for Official Records, may experience an increase in the number of individuals seeking to take advantage of the new exemption and new process for requesting release of certain exempt information to designated parties.

**[CS/HB 281 Pub. Rec./Voters and Voter Registration](#)**

Effective Date: July 1, 2019

Approved: May 23, 2019

Chapter Law: [2019-55](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 97.0585, F.S., provides a public records exemption for information regarding voters and voter registration held by an agency.

This bill expands the current exemption to also include information related to a voter registration applicant's or voter's prior felony conviction and whether such person has had their voting rights restored by the state's Board of Executive Clemency or pursuant to section 4, Article VI of the Florida Constitution.

The bill also includes in the current exemption all information concerning preregistered voter registration applicants who are 16 or 17 years of age to the current exemption. As noted in the legislative staff analysis, once preregistered voters turn 18, their information will become available like any other voter or voter registrant.

The bill provides that these new public records exemptions are subject to the Open Government Sunset Review (OGSR) Act and shall stand repealed on October 2, 2024, unless reenacted by the Legislature, and includes a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill expands the current public records exemption related to voter and voter registration information, and is provided for your information.

**[CS/CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-49](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 39.202, F.S., provides a public records exemption for the name of a person who makes a report to the Florida Department of Children and Families' (DCF) central abuse hotline for suspected or known child abuse, abandonment, or neglect. This bill expands this exemption to include any other identifying information with respect to a central abuse hotline reporter, rather than just the reporter's name.

The bill also updates a cross-reference to reflect changes made by legislation during the 2017 session.



As it relates to the public records exemption, the bill provides a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill amends Chapter 39, F.S., and is provided primarily for your information.

**[CS/HB 591 Pub. Rec./Public Utility Held Customer Information and Data](#)**

Effective Date: July 1, 2019

Approved: May 15, 2019

Chapter Law: [2019-38](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Section 119.0713(5)(a), F.S., provides a public records exemption for certain information held by a utility owned or operated by a unit of local government.

This bill expands this exemption to also include customer meter-derived data and billing information in increments of less than one billing cycle that is held by such utilities.

In addition, the bill extends the scheduled repeal of this public records exemption under the Open Government Sunset Review (OGSR) Act from October 2, 2021, to October 2, 2024, and provides a statement of public necessity as required by the Florida Constitution.

**Clerk Point:**

This bill makes a change to Chapter 119, F.S., and is provided for your information.

**[CS/CS/SB 838 Public Records / Mental Health Treatment and Services](#) *(Also of interest to Court Side - Civil)***

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-51](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill creates s. 394.464, F.S., to make all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court under the Baker Act confidential and exempt. The bill stipulates that the Clerk may not publish personal identifying information on a court docket or in a publicly accessible file. However, this section does not prevent the Clerk from submitting information to the Florida Department of Law Enforcement (FDLE) for entry into the MECOM system, as required by s. 790.065, F.S. This exemption is retroactive and prospective from July 1, 2019.

The bill provides that pleadings and other documents made confidential and exempt under this section may be disclosed by the Clerk, upon request, to certain entities, including:

- the petitioner and the petitioner's attorney;
- the respondent, the respondent's attorney, and the respondent's guardian or guardian advocate, if applicable;
- in the case of a minor respondent, the respondent's parent, guardian, legal custodian, or guardian advocate;
- the respondent's treating health care practitioner and health care surrogate or proxy;
- the Department of Children and Families (DCF), without charge;
- the Department of Corrections (DOC), without charge, if the respondent is committed or is to be returned to the custody of DOC from DCF;
- a person or entity authorized to view records upon a court order for good cause.

A person or entity that receives information pursuant to this section must maintain the information as confidential and exempt.

The bill also provides a statement of public necessity, as required by the Florida Constitution.

**Clerk Point:**

This bill makes all petitions for voluntary and involuntary admission for mental health treatment, court orders, and related records that are filed with or by a court under the Baker Act confidential and exempt, and prohibits the Clerk from publishing personal identifying information on a court docket or in a publicly accessible file. This exemption is retroactive and prospective from July 1, 2019.

The bill stipulates that pleadings and other documents made confidential and exempt under this section may be disclosed by the Clerk, upon request, to specified entities, and requires anyone in receipt of such information to maintain it as confidential and exempt.

The bill does not prevent the Clerk from submitting information to FDLE for entry into the MECOM system.

**[CS/HB 845 Pub. Rec. / Petition for Certain Protective Injunctions](#) *(Also of interest to Court Side - Civil)***

Effective Date: July 1, 2019

Approved: May 15, 2019

Chapter Law: [2019-39](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill adds new subparagraph (1)(k)3. to s. 119.0714, F.S., to provide that identifying information contained in petitions for certain protective injunctions is confidential and exempt until the respondent has been personally served.

The bill also provides a statement of public necessity, as required by the Florida Constitution.

**Clerk Point:**

This bill amends Chapter 119, F.S., to create a temporary public records exemption for any information that can be used to identify a petitioner or respondent information contained in a petition for an injunction against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking, and any affidavits, notice of hearing, and temporary injunction filed with the court, until the respondent has been personally served with a copy of the petition for injunction, affidavits, notice of hearing, and temporary injunction.

**SB 6 Florida Statutes**

Effective Date: July 3, 2019

Approved: April 3, 2019

Chapter Law: [2019-4](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

Most years, the Florida Legislature passes technical, non-substantive "general reviser's bills" for the purpose of removing inconsistencies, redundancies, and unnecessary repetitions in Florida law and for otherwise improving clarity and facilitating correct and proper interpretation of the statutes.

In addition, s. 119.15, F.S, the "Open Government Sunset Review (OGSR) Act of 1995," sets forth restrictions on the enactment of public records exemptions. One of those restrictions is that each law creating a public records exemption must include a statement that the exemption is repealed on October 2 of the fifth year after enactment and must be reviewed by the Legislature before the scheduled repeal date. If the Legislature does not reenact an exemption, it automatically repeals on October 2 of the fifth year after enactment.

Sections 8 and 9 of this bill amend ss. 741.30 and 784.046, F.S., to repeal two public records exemptions that were not reenacted by the Legislature during the 2018 legislative session.

**Clerk Point:**

In 2012, the Florida Legislature created public records exemptions in ss. 741.30 and 784.046, F.S., relating to an automated process that FCCC would develop, subject to available funding, by which a petitioner could request notification of a respondent being served with a protective injunction against domestic violence, repeat violence, dating violence, or sexual violence. Specifically, the public records exemptions would have protected from disclosure the contact information of a petitioner that was listed on the request to receive an automated notice for five years.

During the 2017 session, the Legislature passed HB 7087, [Chapter 2017-65, Laws of Florida](#), which extended the repeal date for these public record exemptions, pursuant to the OGSR, by one year. Then, during the 2018 legislative session, [SB 7004](#) was filed for the purpose of reenacting and removing their scheduled repeal; however, that bill died in House messages. Thus, both exemptions were repealed effective October 2, 2018. The 2019 Reviser's bill simply removes the now obsolete (repealed) language from the official Florida Statutes.

While the underlying language allowing FCCC to develop such automated process, subject to available funding, remains, this bill repeals the associated public records exemptions that were not reenacted last session.

## **Real Property/Recording**

### **CS/HB 7123 Taxation**

Effective Date: Upon becoming a law, except as otherwise expressly provided

Approved: May 15, 2019

Chapter Law: [2019-42](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

This comprehensive bill provides for a number of tax reductions and modifications. Note that while the bill is effective upon becoming a law (May 15, 2019), some of the provisions are effective July 1, 2019, which are indicated below. For a full summary of changes made by this bill, please refer to [Advisory Bulletin 19-034](#).

#### **Clerk Point:**

**Section 4.** Last year's CS/HB 7087 Taxation, [Chapter 2018-118, Laws of Florida](#), amended s. 201.02, F.S., to provide an exemption from documentary stamp taxes for a deed or other instrument that transfers or conveys homestead property or any interest in homestead property between spouses, if the only consideration for the transfer or conveyance is the amount of a mortgage or other lien encumbering the homestead property at the time of the transfer or conveyance and if the deed or other instrument is recorded within 1 year after the date of the marriage.

Effective July 1, 2019, this bill removes the one-year limitation on the exemption from documentary stamp taxes for transfers or conveyances of homestead property between spouses.

### **HB 975 Aircraft Liens**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-88](#)

[Final Legislative Staff Bill Analysis](#)

#### **Summary:**

Section 329.51, F.S., provides that any lien claimed on an aircraft under ss. 329.41 or 713.58, F.S., is enforceable when the lienor records a verified lien notice with the Clerk in the county where the aircraft was located at the time the labor, services, fuel, or material was last furnished. The lien notice must be recorded within 90 days after the time the labor, services, fuel, or material was last furnished, and must include certain information specified in this section.

This bill amends s. 329.51, F.S., to provide that the lienor is not required to possess the aircraft in order to perfect such lien. A similar amendment is made to s. 329.41, F.S., related to a lien for fuel furnished to an aircraft.

**Clerk Point:**

This bill makes changes to Florida law related to aircraft liens and is provided primarily for your information as the county recorder.

**Traffic/Motor Vehicles**

**[CS/HB 107 Wireless Communications While Driving](#)**

Effective Date: July 1, 2019

Approved: May 17, 2019

Chapter Law: [2019-44](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

The Florida Ban on Texting While Driving Law, under s. 316.305, F.S., prohibits a person from texting, emailing, and instant messaging while driving. Current law authorizes law enforcement officers to stop vehicles and issue citations as a secondary offense to persons who are texting while driving. Effective July 1, 2019, this bill amends s. 316.305(2)(d), F.S., to make texting while driving a primary offense.

The bill also requires an officer who stops a person for texting while driving to inform the person of their right to decline a search of their wireless communications device, and prohibits the officer from accessing the device without a warrant.

In addition, when an officer issues a citation, the officer must record the race and ethnicity of the violator. All law enforcement agencies must maintain this information and report it to the Florida Department of Highway Safety and Motor Vehicles (DHSMV), which shall report it on a statewide basis annually, beginning February 1, 2020, to the Governor and the Legislature.

Effective October 1, 2019, the bill creates s. 316.306, F.S., to prohibit the use of a handheld wireless communications device, as defined by the bill and with enumerated exceptions, while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. Law enforcement officers may issue verbal or written warnings for such violations from October 1 to December 31, 2019, and may begin issuing citations on January 1, 2020.

When stopping a person for a violation, an officer must inform the person of their right to decline a search of their wireless communications device, and may not access the device without a warrant. In addition, the officer must indicate the type of wireless communications device in the comment section of the uniform traffic citation and must record the race and ethnicity of the violator. Similar to the change in s. 316.305, F.S., all law enforcement agencies must maintain the information related

to violators' race and ethnicity and report it to DHSMV, which shall then report it annually on a statewide basis to the Governor and the Legislature.

DHSMV is also authorized to implement a statewide campaign to raise awareness of, and encourage compliance with, the changes made by this bill.

**Clerk Point:**

Section 1 of this bill amends s. 316.305, F.S., to make texting while driving a primary offense. The bill does not affect the distribution of the revenues collected for violations of this section.

Effective October 1, 2019, Section 2 of the bill creates s. 316.306, F.S., to prohibit the use of a handheld wireless communications device while operating a moving motor vehicle in a designated school crossing, school zone, or work zone area when workers are present. Law enforcement officers may issue verbal or written warnings through December 31, 2019, and may begin issuing citations beginning January 1, 2020.

For a first offense, a person may elect to participate in a DHSMV-approved wireless communications device driving safety program. Upon completion of such program, the penalty and associated costs may be waived by the Clerk and the 3 driver license points shall be waived.

The bill authorizes the Clerk to dismiss a case and assess court costs for a first-time violation, if the person shows proof of purchase of equipment that enables their personal wireless communications device to be used in a hands-free manner.

All revenues collected for the specific violations under new s. 316.306, F.S., shall be deposited into the Emergency Medical Services Trust Fund.

**[CS/HB 311 Autonomous Vehicles](#)**

Effective Date: July 1, 2019

Approved: June 13, 2019

Chapter Law: [2019-101](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

While self-driving vehicles are still largely in the testing stage, this bill makes it legal for autonomous vehicles to operate in Florida.

This bill amends s. 316.003, F.S., to define autonomous vehicles as any car with hardware and software that make it capable of operating without a driver. The bill does require any remote human operator of such vehicles to be physically present and licensed to operate a motor vehicle in the U.S. The bill also amends s. 319.145, F.S., to prescribe additional requirements for autonomous vehicles registered in Florida.

The bill amends numerous sections of Chapter 316, F.S., to exempt autonomous vehicle operators from certain laws in the event of an accident, as long as the car or its operator promptly contacts a law enforcement agency to report the crash.

The bill amends s. 316.85, F.S., to express legislative intent to provide for uniformity of laws governing autonomous vehicles throughout the state. As such, the bill prohibits local governments from imposing a tax, fee, or other requirements on autonomous vehicles, and clarifies that this does not exempt such vehicles from a tax or fee applied to non-autonomous vehicles.

The bill creates s. 627.749, F.S., to update insurance requirements for autonomous vehicles, including requiring owners of such vehicles to have a minimum of \$1 million in insurance coverage, regardless of whether the vehicles are for personal or commercial use.

**Clerk Point:**

This bill allows autonomous vehicles to operate in Florida and is provided for your information.

**Wildlife/Boating**

**[CS/CS/HB 1121 Support Organizations](#)**

Effective Date: July 1, 2019, except as otherwise expressly provided

Approved: June 7, 2019

Chapter Law: [2019-93](#)

[Final Legislative Staff Bill Analysis](#)

**Summary:**

This bill amends numerous sections of law to remove the scheduled repeal of certain statutory authorizations for citizen support organizations and direct-support organizations established under various state agencies.

**Clerk Point:**

Of interest, this bill creates s. 379.2231, F.S., to codify in statute a court's ability to order a person who is convicted of a violation of Chapter 379, F.S., or of a rule or order of the Florida Fish and Wildlife Conservation Commission (FWC), to pay an assessment directly to the Wildlife Alert Reward Association, Inc. This additional assessment is in addition to any other penalty provided by law.

**[CS/CS/CS/SB 1666 Vessels](#)**

Effective Date: July 1, 2019

Approved: May 24, 2019

Chapter Law: [2019-54](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

This bill makes a number of changes to Chapter 327, F.S., related to vessel safety and the duties of the Florida Fish and Wildlife Conservation Commission (FWC):

- amends s. 327.395, F.S., to establish criteria for obtaining a commission-approved or developed temporary boating safety certificate, which is valid for 90 days after the date of issuance, and provides that boating safety education identification cards and temporary boating safety certificates may be issued in a digital, electronic, or paper format;
- amends s. 327.4109, F.S., to require FWC to conduct a study of the impacts of long-term stored vessels, as defined by the bill, and submit its findings to the Governor and Legislature;
- amends s. 327.60, F.S., to authorize counties designated as rural areas of opportunity to create no-discharge zones under certain conditions; and
- amends s. 327.72(1)(r), F.S., to expand the current noncriminal infraction relating to violations of marine sanitation to also include violations relating to no-discharge zones.

The bill also amends s. 328.72, F.S., to redistribute certain amounts from vessel registration fees to the state to fund a grant program for derelict vessel removal under s. 376.15, F.S.

Finally, the bill amends s. 823.11 F.S., to prohibit a person from residing or dwelling on a vessel that has been charged by an FWC or law enforcement officer as derelict.

**Clerk Point:**

Of specific interest, this bill amends s. 327.72(1)(r), F.S., to expand the current noncriminal infraction relating to violations of marine sanitation to also include violations relating to no-discharge zones, which are punishable by a \$250 civil penalty.

**Miscellaneous****[HB 5011 Courts](#)**

Effective Date: July 1, 2019

Approved: June 7, 2019

Chapter Law: [2019-95](#)[Final Legislative Staff Bill Analysis](#)**Summary:**

Last year's General Appropriations Act (GAA) implementing bill, HB 5003, [Chapter 2018-10, Laws of Florida](#), provided language allowing a Supreme Court justice who permanently resides outside of Leon County to be eligible for the designation of a district court of appeal courthouse, county



courthouse, or other appropriate facility in his or her district of residence to be designated as his or her official headquarters. This official headquarters would serve only as the justice's private chambers.

The language also required the Chief Justice to coordinate with each affected justice and other state and local officials, as necessary for implementation, and provided subsistence payments and reimbursement for transportation expenses related to travel between a justice's official headquarters and the Supreme Court's headquarters in Tallahassee, to the extent that appropriated funds are available.

Because statutory changes made in the annual GAA implementing bill are effective for only one year, and either expire on the last day of the related state fiscal year or revert to the language as it existed before the changes were made by the bill, this language has been carried forward in this year's GAA implementing bill, SB 2502 (see summary above for additional information).

However, this bill, HB 5011, also permanently codifies the above-described language into Florida Statutes as new s. 25.025, F.S., Headquarters.

In addition, this bill amends ss. 26.031 and 34.022, F.S., to create four new judgeships in Florida.

**Clerk Point:**

This bill creates s. 25.025, F.S., to allow a Florida Supreme Court Justice to maintain a headquarters outside of Leon County and receive subsistence and reimbursement for travel expenses to the extent that funding is available. This codifies language that was first provided in last year's General Appropriations Act (GAA) implementing bill.

The bill also establishes two new circuit court judges—one in the Ninth Judicial Circuit (Orange and Osceola) and one in the Twelfth Judicial Circuit (DeSoto, Manatee, and Sarasota)—and two new county court judges—one each in Citrus and Flagler counties.

**From:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Sent:** Friday, August 16, 2019 2:24 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>  
**Subject:** FW: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion  
**Attachment(s):** "19bull070.pdf"; "19bull070\_Attach\_1\_FACC opinion on Amendment 4 issues.pdf"

Did everyone get this?

Gwen Marshall  
 Clerk of the Circuit Courts and Comptroller  
 Leon County  
 (850) 606-4005 | (850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

**From:** Allison L. Newman <anewman@flclerks.com>  
**Sent:** Friday, August 16, 2019 1:59 PM  
**Subject:** Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Legal Opinion**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legal opinion concerning several issues related to the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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**Memorandum**

**TO:** Chris Hart  
Florida Court Clerks & Comptrollers

**FROM:** Fred Baggett  
Hope Keating  
Mike Moody

**DATE:** July 26, 2019

**RE:** *Issues Pertaining to Restoration of Voting Rights*

---

***INTRODUCTION***

Amendment 4 to the Florida Constitution was passed by ballot initiative in 2018 and amended Article VI, Section 4, of the Florida Constitution. Article VI, Section 4, now provides in part that “any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.” Art. VI, § 4(a), Fla. Const.

**Implementing Legislation**

Chapter 2019-162 was passed by the Florida Legislature pursuant to Senate Bill 7066 and creates section 98.0751, Florida Statutes, effective July 1, 2019. Section 98.0751 provides in pertinent part:

- (2) For purposes of this section, the term:
- (a) “Completion of all terms of sentence” means any portion of a sentence that is contained in the four corners of the sentencing document, including, but not limited to:
1. Release from any term of imprisonment ordered by the court as a part of the sentence;
  2. Termination from any term of probation or community control ordered by the court as a part of the sentence;
  3. Fulfillment of any term ordered by the court as a part of the sentence;

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 2

4. Termination from any term of supervision, which is monitored by the Florida Commission on Offender Review, including, but not limited to, parole; and

5.a. Full payment of restitution ordered to a victim by the court as part of the sentence. A victim includes, but is not limited to, a person or persons, the estate or estates thereof, an entity, the state, or the Federal Government.

b. Full payment of fines or fees ordered by the court as a part of the sentence or that are ordered by the court as a condition of any form of supervision, including, but not limited to, probation, community control, or parole.

c. The financial obligations required under sub-subparagraph a. or sub-subparagraph b. include only the amount specifically ordered by the court as part of the sentence and do not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.

d. For the limited purpose of addressing a plea for relief pursuant to sub-subparagraph e. and notwithstanding any other statute, rule, or provision of law, a court may not be prohibited from modifying the financial obligations of an original sentence required under sub-subparagraph a. or sub-subparagraph b. Such modification shall not infringe on a defendant's or a victim's rights provided in United States Constitution or the State Constitution.

e. Financial obligations required under sub-subparagraph a. or sub-paragraph b. are considered in the following manner or in any combination thereof:

- (I) Actual payment of the obligation in full.
- (II) Upon the payee's approval, either through appearance in open court or through the production of a notarized consent by the payee, the termination by the court of any financial obligation to payee, including but not limited to, a victim, or the court.
- (III) Completion of all community service hours, if the court, unless otherwise prohibited by law or the State Constitution, converts the financial obligation to community service.

### **Questions Presented**

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 3

In light of the amendment to Article VI, Section 4, and the new implementing language pertaining to “completion of all terms of sentence” as set forth above, you have posed the following questions:

1. Does the requirement of “completion of all terms of sentence” include any statutory interest?
2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by a clerk for the collection of fees, fines and court costs?
3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order?

Of course, the new constitutional amendment and the new statute will be subject to interpretation by the courts. To this end, case law and other interpreting authority does not yet exist. Nonetheless, you have asked us to analyze the new law in conjunction with existing Florida law and to provide our thoughts as to the questions posed. Our responses to the questions are as follows:

**1. Does the requirement of “completion of all terms of sentence” include any statutory interest?**

As set forth above, section 98.0751(2)(a) states that “completion of all terms of sentence” means full payment of restitution ordered to a victim by the court as a part of the sentence and full payment of fines or fees ordered by the court as a part of the sentence. § 98.0751(2)(a)5.a., and b., Fla. Stat. The statute goes on to state that such financial obligations “include only the amount specifically ordered by the court as part of the sentence and do not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.” § 98.0751(2)(a)5.c., Fla. Stat. The statute does not address interest, nor does it address what is meant by “any fines, fees, or costs.”

Pursuant to section 775.089, Florida Statutes – the criminal restitution statute – restitution may be ordered as part of a criminal sentence. § 775.089(1)(a), Fla. Stat. The outstanding unpaid amount of the restitution bears interest in accordance with section 55.03, Florida Statutes (the statutory interest statute). § 775.089(5), Fla. Stat. Thus, to the extent restitution is included in a criminal judgment sentencing order, interest accrues on such restitution pursuant to statute.

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 4

As previously noted, there is no case law or other authority to provide guidance on this issue. Also, the Bill Analyses for CS/SB 7066, the implementing legislation, do not reference “completion of all terms of sentence.” However, we believe that on the issue of interest, section 98.0751 and section 775.089 must be read *pari materia*. “The doctrine of *pari materia* is a principle of statutory construction that requires that statutes relating to the same subject or object be construed together to harmonize the statutes and to give effect to the Legislature’s intent.” *E.A.R. v. State*, 4 So. 3d 614, 629 (Fla. 2009). Given the language in section 98.0751(2)(a) requiring full payment of restitution ordered as part of a sentence, and the language in section 775.089(5) mandating the accrual of interest on restitution, we believe that when read together a reasonable interpretation of the new law would be – and certainly an argument can be made – that statutory interest is an obligation incurred on the date restitution is ordered as a part of the sentence and, thus, payment of such interest is required to complete the sentence. Of course, the new law will be subject to future interpretation by courts and this has not yet occurred.

The new law also requires “[f]ull payment of fines or fees ordered by the court as a part of the sentence.” § 98.0751(2)(a), Fla. Stat. Section 938.30, Florida Statutes, provides that when a person is liable for payment of any financial obligation in a criminal case, the judgment setting forth such financial obligations “must secure all unpaid court-imposed financial obligations that are due . . . as well as *interest* and reasonable costs for issuing a satisfaction and recording the satisfaction in the official records.” § 938.30(8), Fla. Stat. (emphasis added). The Bill Analysis for CS/SB 7086, the companion legislation to CS/SB 7086, discusses “completion of all terms of sentence,” and while it does not state that interest is included within the meaning of that term, it acknowledges and quotes section 938.39(8) stating that a judgment on court-imposed financial obligations must secure “interest.”

Thus, to the extent that a fine, fee, or cost is made a part of the criminal judgment/sentencing order and interest is included in the judgment, we believe that a reasonable interpretation of the new law when read in *pari materia* with section 938.39 is – and an argument can be made – that payment of such interest is required to complete the sentence.

**2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by the clerk for the collection of fees, fines, and court costs?**

It is our understanding that a collection fee paid to a collection agent is a fee that is in addition to, and is added to the balance of, the unpaid financial obligations. § 28.246(6), Fla. Stat. It is further our understanding that such fee paid to a collection agent would necessarily accrue after the date the financial obligations of the sentence are ordered.

The new law provides that “completion of all terms of sentence” means payment of “only the amount specifically ordered by the court as part of the sentence and do[es] not include any fines, fees, or costs that accrue after the date the obligation is ordered as a part of the sentence.” §

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 5

98.0751(2)(a)5.c., Fla. Stat. As noted above, there is no authority interpreting the new law. However, given the plain language of the statute, we believe it is likely that a court would find that, unless otherwise specifically ordered in the criminal judgment, fees owed to a collection agent that are in addition to, and added to the balance of, the unpaid financial obligations would not be included in the definition of “completion of all terms of sentence.” *See Germ v. St. Luke’s Hosp. Ass’n*, 993 So. 2d 576 (Fla. 1st DCA 2008) (courts should give statutory language its plain and ordinary meaning, and may not add words that were not included by the legislature).

Such plain language interpretation is reinforced by case law stating that additional costs may not be added to a sentence after a defendant begins serving the sentence. *See Martinez v. State*, 91 So. 3d 878 (Fla. 5th DCA 2012).

**3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order?**

Florida case law indicates that statutory financial obligations imposed by a court – such as costs of prosecution, attorney’s fees, court costs under chapter 938 and criminal restitution under section 775.089 – are criminal sanctions that are ordinarily imposed during the sentencing process and are criminal sanctions. *See Martinez*, 91 So. 3d at 880; *Woods*, 879 So. 2d 651, 653 (Fla. 5th DCA 2004); *State v. Sandomeno*, 217 So. 3d 110, 111 (Fla. 4th DCA 2017). If such financial obligations are made a part of the criminal judgment and a condition of the sentence, the court’s reduction of the amounts owed to a civil judgment or lien for enforcement purposes does not alter the criminal nature of the sanction, or the fact that it is part of the criminal sentence. *Martinez*, 91 So. 3d at 880 n.2. *See also Cammelleri v. State*, 270 So. 3d 369 (Fla. 4th DCA 2019) (civil lien for incarceration costs included in the criminal judgment was considered by the court to be part of the sentence).

Unless included in the criminal judgment, a civil judgment or lien is collateral to the criminal judgment. *See Cruz v. State*, 742 So. 2d 489, 490 (Fla. 3d DCA 1999). Generally, a civil judgment for money or lien is a non-criminal remedy for the recovery of an underlying debt or reimbursement of particular expenses owed. *Id.* A “lien” is defined as “[a] legal right or interest that a creditor has in another’s property, lasting usually until a debt or duty that it secures is satisfied.” BLACK’S LAW DICTIONARY (10th ed. 2014). In this regard, we believe it significant that immediately before the passage of CS/SB 7066, an amendment was rejected that contained the following language:

To: FCCC  
From: Greenberg Traurig, P.A.  
Date: July 26, 2019  
Re: *Issues Pertaining to Restoration of Civil Rights*

Page 6

5. Payment of all restitution, fees, or fines that are ordered by the court as part of the sentence or that are ordered by a court as a condition of any form of supervision including, but not limited to, probation, community control, or parole. *A financial obligation required under this subparagraph is deemed to have been completed to the extent that the financial obligation has been converted to a civil lien.*

Fla. S. Jour. 875 (Reg. Sess. May 2, 2019) (emphasis added).

There is no case law to provide guidance on this issue in the context of the new law. However, given the authority discussed above, we believe that a reasonable interpretation of the new law would be that the reduction of amounts owed pursuant to a criminal judgment/sentencing order to a civil judgment or lien does not eliminate the obligation to pay the amounts owed as provided for in the criminal judgment/sentencing order.

We note that to the extent a trial court imposes only a civil judgment or lien for amounts owed and does not make them part of the criminal judgment and sentence, case law indicates that the financial obligations could be considered to be independent of the criminal sentence. *Woods*, 879 So. 2d at 653 n. 1 (where sentence included the payment of public defender's fees and trial court later tried to make payment of supplemental fees part of criminal sentence, appellate court held that request was made out of time for modification of sentence; appellate court further indicated that if the trial court had issued a civil lien for the fees, such proceeding would have been independent of the criminal proceeding); *Doctor v. State*, 679 So. 2d 76, 77 (Fla. 4th DCA 1996) (criminal defendant could not challenge civil restitution lien by way of rule 3.850 motion applicable to criminal sentences; civil restitution lien is not a criminal penalty); *Cruz*, 742 So. 2d at 490 (civil restitution lien need not be considered in a plea agreement or accepted by sentencing court).

Our research thus far has uncovered no case law to support the premise that a civil judgment issued separate and apart from a sentence would be construed as being part of the sentence.

ACTIVE 44877305v1





# FCCC ADVISORY

## Restoration of Voting Rights- Legal Opinion

**No. 19-070**

**Date:** August 16, 2019  
**Category:** Clerk Administration, Courts  
**Page:** 1 of 1

**Contact:** Richard Herring  
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The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.

In brief, without the associated legal reasoning and caveats included in the legal opinion, a summary is:

1. Does the requirement of “completion of all terms of sentence” include any statutory interest? *Only if the fine, fee, or cost is made a part of the criminal judgment/ sentencing order and interest is specifically included in the judgment.*
2. Does the requirement of “completion of all terms of sentence” include fees paid to a collection agent engaged by a clerk for the collection of fees, fines and court costs? *Unless otherwise specifically ordered in the criminal judgment, fees owed to a collection agent that are in addition to, and added to the balance of, the unpaid financial obligations would not be included in the definition of “completion of all terms of sentence.”*
3. If the amounts owed pursuant to a criminal judgment/sentencing order are reduced to a civil judgment or lien, does that eliminate the obligation to pay the amounts owed as set forth in the criminal judgment/sentencing order? *The reduction of amounts owed pursuant to a criminal judgment/sentencing order to a civil judgment or lien does not eliminate the obligation to pay the amounts owed as provided for in the criminal judgment/sentencing order.*

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Tuesday, August 20, 2019 12:26 PM EDT  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4

I am just looking at this discussion that transpired while I was out. I'm assuming you would have mentioned it, but just checking – seen anything like this?

---

**From:** Ware, Mark <warem@hillsclerk.com>  
**Sent:** Friday, August 2, 2019 3:01 PM  
**To:** Brooks, Jared <Jared.Brooks@myorangeclerk.com>; Coffey, Amanda S <acoffey@co.pinellas.fl.us>; Jean Sperbeck <JAS@Alachuaclerk.org>; Churly-Davis, Alison L <achurlydavis@browardclerk.org>; mhealy@leeclerk.org; CWebster@hernandoclerk.org; Stacey Allen <SAAllen@leoncountyfl.gov>; Matt.Whyte@ManateeClerk.com; GHarrell@MarionCountyClerk.org; Kathleen Savor <Ksavor@mypalmbeachclerk.com>; LeannParker@polk-county.net; Vmorgan@sjccoc.us; lbaxterp@scgov.net; SDietrich@seminoleclerk.org; Jaimes, Antonio <ajaimes@Clerk.org>; Guerra, Cindy <CGuerra@mypalmbeachclerk.com>; englishjd@flcjn.net; Codey.Leigh@escambiaclerk.com; HoranJ@ClayClerk.com  
**Subject:** RE: Draft Motion / Order - Amendment 4

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We have not seen this in Hillsborough.

**Mark J. Ware**

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**From:** Brooks, Jared <Jared.Brooks@myorangeclerk.com>  
**Sent:** Friday, August 2, 2019 1:38 PM  
**To:** Coffey, Amanda S <acoffey@co.pinellas.fl.us>; Jean Sperbeck <JAS@Alachuaclerk.org>; Churly-Davis, Alison L <achurlydavis@browardclerk.org>; mhealy@leeclerk.org; CWebster@hernandoclerk.org; Ware, Mark <warem@hillsclerk.com>; SAAllen@leoncountyfl.gov; Matt.Whyte@ManateeClerk.com; GHarrell@MarionCountyClerk.org; Kathleen Savor <Ksavor@mypalmbeachclerk.com>; LeannParker@polk-county.net; Vmorgan@sjccoc.us; lbaxterp@scgov.net; SDietrich@seminoleclerk.org; Jaimes, Antonio <ajaimes@Clerk.org>; Guerra, Cindy <CGuerra@mypalmbeachclerk.com>; englishjd@flcjn.net; Codey.Leigh@escambiaclerk.com; HoranJ@ClayClerk.com  
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**Jared Brooks, Esq.**  
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---

**From:** Coffey, Amanda S <acoffey@co.pinellas.fl.us>  
**Sent:** Friday, August 2, 2019 1:17 PM

FL-LEON-19-1045-A,19-1046-A-000369

**To:** Jean A. Sperbeck <[JAS@alachuaclerk.org](mailto:JAS@alachuaclerk.org)>; Churly-Davis, Alison L <[achurlydavis@browardclerk.org](mailto:achurlydavis@browardclerk.org)>; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); Brooks, Jared <[Jared.Brooks@myorangeclerk.com](mailto:Jared.Brooks@myorangeclerk.com)>; [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio <[ajaimes@Clerk.org](mailto:ajaimes@Clerk.org)>; Guerra, Cindy <[CGuerra@mypalmbeachclerk.com](mailto:CGuerra@mypalmbeachclerk.com)>; [englishjd@flcjn.net](mailto:englishjd@flcjn.net); [Codey.Leigh@escambiaclerk.com](mailto:Codey.Leigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)  
**Subject:** RE: Draft Motion / Order - Amendment 4

Pinellas hasn't, either.

**Amanda S. Coffey**

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**From:** Jean A. Sperbeck [<mailto:JAS@alachuaclerk.org>]  
**Sent:** Friday, August 2, 2019 12:28 PM  
**To:** Churly-Davis, Alison L <[achurlydavis@browardclerk.org](mailto:achurlydavis@browardclerk.org)>; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); [Jared.Brooks@MyOrangeClerk.com](mailto:Jared.Brooks@MyOrangeClerk.com); [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); Coffey, Amanda S <[acoffey@co.pinellas.fl.us](mailto:acoffey@co.pinellas.fl.us)>; [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio <[ajaimes@Clerk.org](mailto:ajaimes@Clerk.org)>; Guerra, Cindy <[CGuerra@mypalmbeachclerk.com](mailto:CGuerra@mypalmbeachclerk.com)>; [englishjd@flcjn.net](mailto:englishjd@flcjn.net); [Codey.Leigh@escambiaclerk.com](mailto:Codey.Leigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)  
**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen anything like this in Alachua.

---

**From:** Churly-Davis, Alison L [<mailto:achurlydavis@browardclerk.org>]  
**Sent:** Friday, August 02, 2019 10:18 AM  
**To:** Jean A. Sperbeck; Churly-Davis, Alison L; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); [Jared.Brooks@MyOrangeClerk.com](mailto:Jared.Brooks@MyOrangeClerk.com); [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); Coffey, Amanda S; [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio; Guerra, Cindy; [englishjd@flcjn.net](mailto:englishjd@flcjn.net); [Codey.Leigh@escambiaclerk.com](mailto:Codey.Leigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)  
**Subject:** Draft Motion / Order - Amendment 4

In Broward, we were provided the attached motion and proposed order by our public defender's office. I am wondering if other's have received such a motion and if your office, in addition to your already in place collection efforts, are trying anything "extra" to get these folks to comply with the original court's financial terms to try to generate some funds before such a motion is granted. I also recognized that the motion states that the defendant cannot pay the full outstanding amount, but may be able to partially pay.

Thanks,

Alison Churly-Davis, Esq.  
General Counsel  
Broward County Clerk of Courts  
201 S.E. 6th Street  
Fort Lauderdale, FL 33301

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**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Wednesday, August 21, 2019 4:00 PM EDT  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4  
**Attachment(s):** "Proposed Order and Motion - Broward.docx"

I'm assuming "no"?

---

**From:** Stacey Allen  
**Sent:** Tuesday, August 20, 2019 12:27 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4

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**Sent:** Friday, August 2, 2019 3:01 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen this in Hillsborough.

**Mark J. Ware**  
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**Jared Brooks, Esq.**  
General Counsel  
**Office of Tiffany Moore Russell**  
**Orange County Clerk of Courts**

---

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**Sent:** Friday, August 2, 2019 1:17 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

Pinellas hasn't, either.

**Amanda S. Coffey**  
Managing Assistant County Attorney  
Florida Bar Board Certified City, County, and  
Local Government Lawyer  
Pinellas County Attorney's Office

---

**From:** Jean A. Sperbeck [<mailto:JAS@alachuaclerk.org>]  
**Sent:** Friday, August 2, 2019 12:28 PM  
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**From:** Churly-Davis, Alison L [<mailto:achurlydavis@browardclerk.org>]  
**Sent:** Friday, August 02, 2019 10:18 AM  
**To:** Jean A. Sperbeck; Churly-Davis, Alison L; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); [Jared.Brooks@MyOrangeClerk.com](mailto:Jared.Brooks@MyOrangeClerk.com); [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); Coffey, Amanda S; [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio; Guerra, Cindy; [englishjd@fjcjn.net](mailto:englishjd@fjcjn.net); [Codey,Leigh@escambiaclerk.com](mailto:Codey,Leigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)  
**Subject:** Draft Motion / Order - Amendment 4

In Broward, we were provided the attached motion and proposed order by our public defender's office. I am wondering if other's have received such a motion and if your office, in addition to your already in place collection efforts, are trying anything "extra" to get these folks to comply with the original court's financial terms to try to generate some funds before such a motion is granted. I also recognized that the motion states that the defendant cannot pay the full outstanding amount, but may be able to partially pay.

Thanks,

Alison Churly-Davis, Esq.  
General Counsel  
Broward County Clerk of Courts

**IN THE CIRCUIT COURT  
OF THE SEVENTEENTH CIRCUIT  
IN AND FOR BROWARD  
COUNTY, FLORIDA**

Case Number:

STATE OF FLORIDA,  
Plaintiff,

v.

(NAME) ,  
Defendant.

\_\_\_\_\_ /

**DEFENDANT'S MOTION TO RESTORE VOTING RIGHTS AND TO DEEM SENTENCE  
COMPLETED FOR THE EXCLUSIVE AND LIMITED PURPOSE OF  
RESTORING VOTING RIGHTS**

Defendant, \_\_\_\_\_, moves this Honorable Court to make a finding that the sentence imposed is deemed complete for the exclusive and limited purpose of restoring voting rights pursuant to § 98.0751, Florida Statute (2019) and Section 8, Article IV of the Florida Constitution. In support of this motion, the Defendant alleges the following:

1. The Defendant seeks relief from this Court prior to registering to vote in Florida.
2. The Court has jurisdiction to modify the financial obligation of the original sentence imposed for the limited purpose of registering to vote pursuant to § 98.0751(2)(d), Florida Statute.
3. Defendant hereby asserts that she/he was not convicted of murder or a felony sexual offense as defined in §98.0751(2)(b), Florida Statute.
4. Defendant further asserts that she/he has been released from any imprisonment, terminated from any term of supervision, probation or community control, and has fulfilled any term ordered as a part of the original sentence.

**FEES and FINES**

5. Defendant asserts that as a part of her/his sentence fees and fines were imposed in the instant matter.
6. Defendant has not paid the fees and fines contained in the four corners of the original sentence but has completed all other terms contained in the original sentence.
7. Defendant does not have the present ability to pay the full amount of the outstanding fee and fine identified in the original sentence.
8. Defendant fully intends to remain responsible to pay the obligations for all fees, fines, and costs that remain outstanding and collectible.

**RESTITUTION**

9. Defendant was NOT ordered to pay restitution in this case.
10. [Defendant was ordered to pay restitution in this case.]
11. [Defendant has not paid the restitution as ordered in the original sentence, but has completed all other terms contained in the original sentence.]
12. [Defendant does not have the present ability to pay the full amount of the outstanding restitution identified in the original sentence; however, she/he fully intend to enter into a payment plan.]
13. Defendant's disqualification from voting may be restored under § 98-0751(2)(a), Florida Statute if the court finds that the sentence as announced in the sentence has been complete.

WHEREFORE, the Defendant moves this Honorable Court to grant this motion and enter an order finding the sentenced imposed is deemed complete for the exclusive and limited purpose of restoring voting rights pursuant to § 98.0751, Florida Statute (2019) and Section 8, Article IV of the Florida Constitution.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the Office of the State Attorney, Broward County Courthouse, Fort Lauderdale, Florida, this \_\_\_\_\_, day of \_\_\_\_\_, 2019.

HOWARD FINKELSTEIN  
Public Defender  
17th Judicial Circuit

s/

\_\_\_\_\_  
Defendant Name  
Florida Bar No.  
Assistant Public Defender  
Attorney for Defendant  
discovery@browarddefender.org

**IN THE CIRCUIT COURT  
OF THE SEVENTEENTH CIRCUIT  
IN AND FOR BROWARD  
COUNTY, FLORIDA**

Case Number:

STATE OF FLORIDA,  
Plaintiff,

v.

(NAME) ,  
Defendant.

\_\_\_\_\_ /

**ORDER GRANTING DEFENDANT'S MOTION TO RESTORE VOTING RIGHTS  
AND TO DEEM SENTENCE COMPLETED  
FOR THE EXCLUSIVE AND LIMITED PURPOSE OF RESTORING VOTING RIGHTS**

THIS CAUSE has come to be heard on \_\_\_\_\_ on Defendant's Motion to Restore Voting Rights pursuant § 98.0751, Florida Statute (2019) and Section 8, Article IV of the Florida Constitution, and the court having reviewed the motion, the court record and argument of counsel hereby **GRANTS** Defendant's motion and finds as follows:

1. The Defendant seeks relief from this Court prior to registering to vote in Florida.
2. The Court has jurisdiction to modify the financial obligation of the original sentence imposed for the limited purpose of registering to vote pursuant to § 98.0751(2)(d), Florida Statute.
3. Defendant was not convicted of murder or a felony sexual offense as defined in §98.0751(2)(b), Florida Statute.

HAVING REVIEWED the terms of the original Sentencing Document, the Court finds pursuant § 98.0751(2)(d), Florida Statute the following:

- a. Defendant has been released from any imprisonment, terminated from any term of supervision, probation or community control, and has fulfilled any term ordered as a part of the original sentence.
- b. Defendant's obligation to satisfy outstanding court cost continues. Outstanding court cost does not disqualify the Defendant from registering to vote pursuant to § 98.0751, Florida Statute and Section 8, Article IV of the Florida Constitution.
- c. The Defendant's outstanding fees and fines are hereby converted to a term of community service for the limited purpose of registering to vote pursuant to § 98.0751, Florida Statute. The Defendant obligation to satisfy outstanding fees and fines continues.
- d. There is NO outstanding restitution.

- e. [There remains outstanding restitution in this matter. The Defendant does not have the present ability to pay the full amount of restitution. The Defendant fully intends to enter into a payment plan for the restitution obligation that continues.]
- f. Defendant's disqualification from voting may be restored under Florida Statutes Section § 98-0751(2)(a), Florida Statute if the court deems Defendant's sentence to be completed.

WHEREFORE, it is ORDERED and ADJUDGED that

1. Defendant has completed all "terms of sentence" as defined in Florida Statutes Section 98.0751(2)(a).
2. Defendant's disqualification from voting is hereby terminated pursuant to Section 8, Article IV of the Florida Constitution.
3. All outstanding fees, fines, and costs remain outstanding and collectible. Defendant's failure to pay them, however, shall not impede her/his ability to vote.

DONE and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_, in Broward County, Florida.

\_\_\_\_\_  
Circuit Court Judge



**From:** Ken Kent

**Sent:** Thursday, July 25, 2019 3:17 PM EDT

**To:** Robyn Peters <RSPeters@leoncountyfl.gov>; Deidre Brewton <DGBrewton@leoncountyfl.gov>

**CC:** Liz Alford <ELAlford@leoncountyfl.gov>; Sharon Drinkard <sdrinkar@leoncountyfl.gov>

**Subject:** FW: FCCC Media Report

Please see the 2 articles about guardianship. Both reference Ms. Fierle a professional guardian now under scrutiny following the death of one of her wards.

Kenneth A. Kent, MPA  
Civil Courts Director  
Clerk of the Circuit Court  
& Comptroller – Leon County  
301 South Monroe Street, #100  
Tallahassee, FL 32301  
850.606.4126  
[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

**From:** Meltwater Newsletters <newsletters@meltwater.com>

**Sent:** Thursday, July 25, 2019 10:45 AM

**To:** clerks\_comptrollers\_staff@flclerks.com

**Subject:** FCCC Media Report

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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[Politics and Legislation | News](#)

## Politics and Legislation | News

7 results

□ The Ledger • 25/07 08:49

[Gov. Ron DeSantis vows 'vigorous' scrutiny of guardianship program amid allegations about wrongful DNR order](#)

Gov. Ron DeSantis vowed to "vigorously" investigate **Florida's guardianship** program after revelations that a 75-year-old man died when a

Reach: 103718

□ NewsDaytonaBeach • 25/07 05:28

[Time Running Short For Citizen Initiative Petitions](#)

be on the ballot. Information from the News Service of **Florida** shows the four **amendment** petitions with more than 300,000 signatures are 1.)

Reach: 9310

□ South Florida Sun-Sentinel - Powered by Dow Jones • 24/07 20:00

[Guardians office faces state probe; DeSantis orders investigation after ward's death, top exec's resignation](#)

be no "may" about it. There must be legislation to fix the broken **guardianship** system." One problem, Lee said, is the the Office o...

Reach: 875283

□ Treasure Coast Newspapers - Powered by Dow Jones • 24/07 20:00

[Amendment 4 is clear; lawmakers botched it](#)

Last **November**, **Florida's voters** achieved a great victory for our democracy, passing a constitutional **amendmen...**

Reach: 157010

□ The Miami Times • 24/07 19:40

[Democrats meet Black voters to make amends](#)

*Black voters and actions that demotivate, like the recent revisions to **Amendment 4**. A statewide initiative to restore **felons' voting rights**,*

Reach: 9481

□ WLRN • 24/07 18:23

[State Advances Plan For Spanish-Language Ballots](#)

*of the law that would carry out a constitutional **amendment** that restored **voting rights** to convicted **felons** "upon completion of all terms of*

Reach: 53007

□ Sun Sentinel • 24/07 15:32

[Stop Florida politicians from abusing the public trust | Editorial](#)

*The **amendment** chucked the hard part to the **Florida Commission on Ethics**. [More Opinion] Toxic conditions in **Florida CFO's office***

Reach: 875283

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[Meltwater - 225 Bush St Suite 1000, San Francisco, California 94104 USA](#)

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From: Stacey Allen <SAAllen@leoncountyfl.gov>  
Sent: Monday, June 10, 2019 8:56 AM EDT  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Gwen Marshall <GMarshall@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>  
CC: Erika Bowen <EABowen@leoncountyfl.gov>  
Subject: FW: Legal Panel and In-house Counsel Work Luncheon  
Attachment(s): "Agenda 6-26-19 Legal Panel.docx", "Panel Worksheet 6-26-19.xlsx"

FYI only - I'll be attending this while at the summer conference. See attached agenda - Marsy's Law and Rule 2.420 are primary focus, if anyone has any thoughts or questions they'd like me to offer up.

From: Cyndi Andrews <c.andrews@flclerks.com>  
Sent: Monday, June 10, 2019 8:18 AM  
To: JAS@alachuaclerk.org; Rebecca.Lober@brevardclerk.us; achurlydavis@browardclerk.org; mhealy@leeclerk.org; WareM@HillsClerk.com; Stacey Allen <SAAllen@leoncountyfl.gov>; Jared.Brooks@MyOrangeClerk.com; Matt.Whyte@ManateeClerk.com; GHarrell@MarionCountyClerk.org; Ksavor@MyPalmBeachClerk.com; Acoffey@pinellascounty.org; LeannParker@polk-county.net; Vmorgan@sjccoc.us; Ibaxterp@scgov.net; SDietrich@seminoleclerk.org; Ajames@clerk.org; HoranJ@ClayClerk.com; 'Codey Leigh (COC)' <CLEigh@escambiaclerk.com>; 'Nicole Fingerhut' <NFingerhut@mypalmbeachclerk.com>; Cguerra@mypalmbeachclerk.com; HPeterson@mypalmbeachclerk.com; nalvarez@pascoclerk.com; englishjd@flcjn.net  
Cc: 'Roth, Laura' <Lroth@Clerk.org>; 'Karen Rushing' <krushing@scgov.net>; KBurke@mypinellasclerk.org; 'David Ellspermann' <ellspermann@marioncountyclerk.org>; 'Sara Sanders' <ssanders@flclerks.com>; 'Beth Allman' <allman@flclerks.com>; 'Tom Hall' <tom@tlhconsultinggroup.com>  
Subject: Legal Panel and In-house Counsel Work Luncheon

CAUTION: This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

INVITATION:

Legal Panel and In-house Counsel Work Luncheon  
Topic: BP Marriage License, RJA 2.420, and Standard Fees on Standard Case Types and Sub Case Types

Wednesday, June 26, 2019, from 12:00-1:20 p.m.  
Omni ChampionsGate, Celebration B

RSVP by Wednesday, June 12, to Cyndi Andrews

You are invited you to attend the Legal Panel and Clerk In-house Counsel Work Luncheon to be held during the 2019 FCCC Summer Conference. This is a

closed meeting for only attorneys and Clerks on the 2.420 Quick Response Team. All invitees are encouraged to attend and participate, regardless of whether you serve on the Legal Panel.

Panel Members and In-house Staff Attorneys

To prepare, please review the six questions listed in the attached Panel worksheet 6-26-19. If you are unable to attend the work luncheon, please return your responses to me via email by June 20. The panel will discuss the outstanding issue in the BP Marriage License and six remaining filing fees that are listed in the proposed Standard Fees on Standard Case Types and Sub Case Types. Please share how your county handles the questions listed in the attached Panel Worksheet and why. We hope to reach an agreed upon recommendation to present to the BP Committee for their consideration and approval and then to the Board of Directors.

This is also an opportunity to meet your colleagues and discuss other concerns. If time allows, we will also discuss other suggested topics listed on the attached agenda.

I look forward to seeing you at the 2019 FCCC Summer Conference.

Best regards,

Cyndi



# AGENDA

**Legal Panel**  
**June 26, 2019**  
**12:00 – 1:20 EDT**

[WebEx](#)

**Meeting Number: 733431438**  
**Meeting Room, Celebration B**

Jean Sperbeck, Alachua County  
Alison Churly-Davis, Broward County  
Mark Ware, Hillsborough County  
Matt Whyte, Manatee County  
Kathy Savor, Palm Beach County  
Virginia (Ginny) Morgan, St. Johns County  
Baxter-Plank, Sarasota County  
Jared Brooks, Orange County

Rebecca Lober, Brevard County  
Michael Healy, Lee County  
Stacey Allen, Leon County  
Greg Harrell, Marion County  
Amanda Coffey, Pinellas County  
Susan Dietrich, Seminole County  
Irene Antonio Jaimes, Volusia County  
Leann Parker, Polk County

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#### Honored Guests:

The Honorable Laura Roth, Esq.,  
The Honorable Ken Burke, CPA  
FCCC: Tom Hall; Esq., Sara Sanders; Cyndi Andrews

The Honorable Karen Rushing  
The Honorable David Ellspermann

#### **Discussion:**

- Marsy's Law – Confidential Judicial Records discussion of risks/benefits of various positions- self-executing vs opt-in, applicability to court records, LEO agency request form is sufficient or Motion required, up-front redactions vs VOR process applicability to other court cases the victim has and documents in OR.
- Marriage Licenses
  - One or no party present; capacity to marry
- Rules 2.420 Consideration status
- Filing Fees
  - Notice of Trust Fee w/Open Estate
  - Partition Fee – Tier 1 (if no value provided)
  - Partition Fee – Graduated (if value provided)
  - Ancillary Summary Administration
  - Eviction Filing Fees (count for damages)
  - Transfer Cases from County to Circuit (post claim exceeded 15,000)
- Amendment 4 – Voting Rights Restoration for Felons Initiative

#### **OTHER Suggested Topics:**

- Wills
- Responding to data breaches
- Fraudulent credit card use online and by phone
- Bond remissions post-2017/18 statutory changes
- Civil indigency- push for legislative change to allow screening similar to criminal
- “Home address” redefined in FS 119, effects in OR, chain of title, other governmental agencies (PAO)- proposed statutory solution to allow sharing of confidential and exempt information
- Data transparency project- including ACLU public records request to Manatee
- Electronic Notaries
- Collections contractors
- RPO's one year later...

	A	B
1		
2	<b>1. Marriage License:</b>	
3	BP Committee asked the Legal Panel to review the process for marriage license applicants to appear. FS 741.03 prohibits giving out signed blank marriage licenses. "Signed in blank" has been interpreted to allow "unsigned" licenses to be completed and returned by applicants remotely.	
4	1. Do you require both marriage license applicants to appear before a deputy clerk?	
5	2. Will FS 741.03 will cause you to change your requirement?	
6	Response:	
7		
8	<b>2. Notice of Trust (Fees):</b>	
9	Does your county charge \$41 when a Notice of Trust is filed in an existing case? If so, by what authority? Response:	
10	736.05055 (4) The clerk shall file and index the notice of trust in the same manner as a caveat unless there exists a probate proceeding for the settlor's estate, in which case the notice of trust must be filed in the probate proceeding and the clerk shall send a copy to the personal representative. 28.2401 (1)(b) lists the fee for filing a caveat	
11	Notice of Trust filed in an existing case - some counties will charge an additional \$41 and some will not charge extra	
12	If no case, the Notice of Trust case is created and charged \$41.	
13	FYI: Some counties have a local AO that increases it by \$1=\$42	
14	Comment: The language regarding the clerk filing and indexing the notice of trust in the same manner as a caveat, unless there is an ongoing estate, does not address the fee, but the process of filing an indexing. There is no fee exception for filing a caveat, whether there is an existing case or not. Same should be true for the notice of trust, since the clerk is required to send notice and search for a related probate case.	
15		
16	<b>3. Partition - Real Property (Fees):</b>	
17	Does your county charge \$400? Does your county charge the graduated filing fee based on the value of the claim? If so, by what authority? Response:	
18	Governed by chapter 64, Florida Statutes, a partition action is a circuit civil action filed to ask the judge to divide property. Some counties are charging the \$400 circuit civil filing fee; others charge the graduated filing fee used for foreclosures.	
19	The original staff analysis focuses on mortgage foreclosures for the graduated fee, however the statute includes the phrase "real property or mortgage foreclosure," so a plain reading of the statute encompasses more than just foreclosures, in spite of the staff analysis:	
20	<a href="#">2009 FL Senate Bill analysis</a>	
21	Since the graduated fee is plainly based on the value of the "claim," not the value of the property," a determination of the value of the claim is needed. For example, if the person is claiming they are entitled to one half of the property, then that is the value of their claim, since they will receive one-half of the proceeds from the sale, or if an agreement is reached, they will receive one-half of the value of the property.	
22	The other fee language only applies to mortgage foreclosure actions, where the value is defined as: the principal due on the note secured by the mortgage, plus interest, etc. This claim value determination does not apply to partition actions.	
23	For non-foreclosure real property actions, the value of the claim is the value of the amounts stated in the complaint. In a partition action, the value can include the percent of ownership interest based on the value of the property, but also any taxes and/or insurance advanced and paid on the property.	
24		
25	<b>4. Ancillary Summary Administration (Fees):</b>	
26	Does your county charge \$345.00 for Summary Administrations and \$345.00 for Ancillary Administrations? If not, does your county charge an additional \$55.00, if it's ancillary? Response:	
27	Attorneys have questioned clerks over the differences in the filing fee assessment from county to county on the following: Summary [Ancillary] administration- some counties are charging an additional \$55.00, if it is ancillary. (other counties do not - Summary Administrations and Ancillary Administrations are both \$345.00) 12/14/2017 workgroup decided that ancillary summary administration should have same fee as summary administration Rationale: an ancillary summary administration has the same shortened process that a summary administration has. A full ancillary administration requires appointment of a personal representative, inventory, accounting, etc., justifying the fee for a full administration.	
28		
29		
30	<b>EVICTION, DETAINER, EJECTMENT</b>	
31	34.041 applies to removal of tenants only. The term tenant is a term of art, which requires that there be a lease or rental agreement of some sort.	
32	Though a detainer involves "removal" of a person who is on the premises, they are not tenants (tenant is defined in chapter 83). If they were tenants, they would be filing a chapter 83 action, which would qualify for the lower fee. A tenancy can be per a written or oral lease. See FS 83.05, "any person leasing or renting any land or premises..."	
33	Law dictionary defines tenant as one who holds land under a LEASE or tenancy agreement.	

	A	B
34	Since the person being removed in a detainer is not a tenant, the \$185 fee does not apply.	
35	Chapter 82 only uses the term "person." There is no requirement of a lease.	
36	That means for a chapter 83 lease the fee is \$185. On a chapter 82 unlawful detainer the fee is \$300.	
37		
38	<b>EVICTION (Fees):</b>	
39	<b>5. Does your county follow Ch. 83 and charge \$180? Response:</b>	
40	Governed by Ch. 83	
41	Landlord/tenant relationship, requires rental agreement, either written or oral	
42	Summary procedure under FS 51.011, filed in county court	
43	34.041(1)(a) Filing fees 7. For removal of tenant action \$180	
44	County Court, additional \$5 is found at 34.041(1)(b)=\$4; 44.108(1)=\$1	
45		
46	<b>6. Unlawful Detainer (Fees):</b> (different from eviction)	
47	<b>Does your county follow Ch. 82 and charge \$300? If not, why? Response:</b>	
48	Governed by Ch. 82	
49	Applies to situations where friends, family members, significant others and folks are allowed to stay on premises for a certain time or under certain conditions w/no obligation to contribute money, and then refuse to leave at the agreed time or after the violation of some condition.	
50	No rental agreement, no landlord/tenant relationship, only issue is possession	
51	Summary procedure under FS 51.011, filed in county court	
52	Example: Man and woman living together, woman owns the house, no formal obligation of man to pay rent or utilities. Breakup. Cannot evict	
53	Example: 19 year old daughter lives w/parents, not obligated to pay rent or utilities. Bad argument, parents want daughter out of their house. Cannot evict.	
54		
55	<b>7. Transfer Cases from County to Circuit (Fees):</b>	
56	<b>Does your county charge the difference? If so, by what authority? Does your county charge a new filing fee? If so, by what authority? Response:</b>	
57	Do you charge the full filing fee (service charge) if the party that filed the action is the same party that is requesting the transfer? For example, in a County Civil case where the plaintiff's attorney has determined via discovery that the plaintiff's claim exceeds \$15,000 and files a motion to transfer the case to Circuit Civil.	
58	1.060(a) Transfers of Courts. If it should appear at any time that an action is pending in the wrong court of any county, it may be transferred to the proper court within said county by the same method as provided in rule 1.170(j). (b) Wrong Venue. When any action is filed laying venue in the wrong county, the court may transfer the action in the manner provided in rule 1.170(j) to the proper court in any county where it might have been brought in accordance with the venue statutes. When the venue might have been laid in 2 or more counties, the person bringing the action may select the county to which the action is transferred, but if no such selection is made, the matter shall be determined by the court. (c) Method. The service charge of the clerk of the court to which an action is transferred under this rule shall be paid by the party who commenced the action within 30 days from the date the order of transfer is entered, subject to taxation as provided by law when the action is determined. If the service charge is not paid within the 30 days, the action shall be dismissed without prejudice by the court that entered the order of transfer.	
59	Opinion/comment: The Rules of Civil Procedure that deal with Transfers of Actions are 1.060 and 1.170. I think those rules make it clear that if a party files a counter-claim or cross-claim, they are to pay the full filing fee (service charge) for the court to which the case is transferred. But, I think the rules are silent with regard to the situation we are working through right now (party who filed the case and paid the original filing fee is now seeking to transfer the case to another court).	
60	Opinion/comment: If the plaintiff filed in wrong court (county rather than civil) we would charge the difference and convert the case to civil. I think the statutes (28.241) is clear when it comes to counterclaims/cross claims service charges but less clear where the plaintiff files in the wrong court. Rule, 1.170 addresses counter and cross claims but it does not address the above scenario. Because of that, we would charge the difference.	

	A
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2	
3	1. Notice of Trust: Does your county charge \$41 when a Notice of Trust is filed in an existing case? If so, by what authority?
4	Pinellas: Yes. Neither the requirement to file the Notice of Trust (FS 736.05505), nor the Probate filing fees (FS 28.2401) make any distinction regarding the filing fee being in any way dependent on an existing case. Pinellas began enforcing the fee in existing cases in FY 17-18 and had a \$10K increase in Notice of Trust fees.



From: Stacey Allen <SAAllen@leoncountyfl.gov>  
Sent: Tuesday, May 28, 2019 8:29 AM EDT  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>  
CC: Gwen Marshall <GMarshall@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Erika Bowen <EABowen@leoncountyfl.gov>  
Subject: FW: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

As of Friday pm, I've updated our internal spreadsheet to incorporate the 26 bills signed by the Governor last week. It can be found at G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet\_Passed-Signed. \*Please distribute\* to supervisors/lead workers as appropriate to add their input this week, if possible, as to anticipated implementation measures. I am currently working on updating the existing policy/procedure on implementation of legislative changes. Thank you!

Stacey Allen  
Staff Attorney  
Direct: (850) 606-4121

From: Legislative <legislative@flclerks.com>  
Sent: Friday, May 24, 2019 2:59 PM  
Subject: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law  
Importance: High

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX

Intended audience:  
Clerks and Comptrollers, Clerks' and Comptrollers' staff  
Category:  
Clerk and Comptroller Administration, Legislative, Courts, Records,

IT

Priority:  
Medium  
Action required:  
Please review the following legislative alert regarding the Governor's recent action on bills of interest to Clerks and Comptrollers.

Executive summary:  
Along with CS/CS/HB 337 Courts, Governor Ron DeSantis signed an additional 25 bills into law this week, including some that may be of interest to Clerks and Comptrollers, listed below by general subject area and effective date. Clerks will be alerted when additional bills are signed. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual Legislation of

Interest document, and related advisories, once all final bill action has been taken.

Clerk outreach:

No external outreach is needed.

Dear Court Clerks and Comptrollers:

Along with CS/CS/HB 337 Courts, Governor Ron DeSantis signed an additional 25 bills into law this week. A full list of bills that have been sent to the Governor—along with the due date for his action—may be accessed via this link.

Included among the bills signed yesterday are some that may be of interest to Clerks and Comptrollers. These are listed below by general subject area and effective date; brief descriptions of each bill are also included.

Clerks will be alerted when additional bills are signed by the Governor. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual Legislation of Interest document, and related advisories, once all final bill action has been taken.

Priority:

SB 186 Public Records/Victims of Mass Violence

Effective upon becoming a law; expands the applicability of a current public records exemption to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence, as defined by the bill

HB 861 Local Government Financial Reporting

Effective upon becoming a law; requires county and municipal budget officers to submit certain information to EDR within a specified timeframe using a format developed by EDR

CS/CS/SB 838 Public Records/Mental Health Treatment and Services

Effective July 1, 2019; provides a public records exemption for records related to procedures under the Baker Act

Courts:

SB 1136 Cyberharassment

Effective July 1, 2019; redefines certain terms related to cyberharassment

CS/CS/HB 7065 Insurance Assignment Agreements

Effective July 1, 2019; makes changes to the assignment of benefits, or "AOB," process

CS/SB 160 Prohibited Acts in Connection with Obscene or Lewd Materials

Effective October 1, 2019; prohibits specified actions involving a child-like sex doll; provides criminal penalties

Public Records:

CS/HB 281 Pub. Rec./Voters and Voter Registration

Effective July 1, 2019; provides a public records exemption for information related to a voter applicant's or voter's prior felony conviction, and whether such person had their voting rights restored by the clemency board or by Amendment 4

CS/CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect

Effective July 1, 2019; expands the current public records exemption that protects the name of a Florida central abuse hotline reporter to also protect any information that would identify such reporter

Wildlife/Boating:

CS/CS/CS/SB 1666 Vessels

Effective July 1, 2019; revises boating safety identification requirements for certain persons; specifies fines for violations related to no-discharge zones

Miscellaneous:

CS/CS/SB 1024 Blockchain Technology

Effective upon becoming a law; establishes the Florida Blockchain Task Force within the Department of Financial Services

Thank you,

Sara

**From:** Gwen Marshall <GMarshall@leoncountyfl.gov>

**Sent:** Tuesday, July 02, 2019 1:37 PM EDT

**To:** Ken Kent <KAKent@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>

**Subject:** FW: Restoration of Voting Rights

**Attachment(s):** "Rocket Docket - Tampa Bay Times.docx", "Amendment 4 Lawsuit.pdf"

Just an FYI.

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

-----Original Message-----

From: Richard <richard@reherring.com>

Sent: Tuesday, July 2, 2019 12:46 PM

To: Gwen Marshall <GMarshall@leoncountyfl.gov>; Sean Hudson <shudson@flclerks.com>

Subject: Restoration of Voting Rights

CAUTION: This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

BONNIE RAYSOR, and DIANE  
SHERRILL, individually and on  
behalf of others similarly situated,

Plaintiffs,

v.

LAUREL M. LEE, in her official  
capacity as Secretary of State,

Defendant.

Civil Action No. \_\_\_\_\_

[Class Action]

**COMPLAINT**

Plaintiff Bonnie Raysor and Plaintiff Diane Sherrill (“Plaintiffs”) brings this class action against Laurel M. Lee, in her official capacity as Secretary of State (“Defendant”), and allege the following:

**INTRODUCTION**

1. On November 6, 2018, almost two-thirds of Floridians voted for Amendment 4 to restore the right to vote to individuals with past felony convictions. Except for individuals convicted of murder or felony sexual offense, Amendment 4 re-enfranchised otherwise eligible Florida

citizens automatically “upon completion of all terms of sentence including parole or probation.” Fla. Const. art. VI, § 4.

2. On June 28, 2019, Governor Ron DeSantis signed Senate Bill 7066 (“SB 7066”), which purports to “implement” Amendment 4, in part by seeking to define “all terms of sentence” to include the payment of any restitution, fines, and fees (“legal financial obligations” or “LFOs”) ordered by the court “as a part of the sentence *or* that are ordered by the court as a condition of any form of supervision.” S.B. 7066, 2019 Leg., Reg. Sess., § 25 (Fla. 2019) (emphasis added).

3. The natural and foreseeable effect of this “implementing” law will be to drastically reduce the number of people with past convictions who regain the right to vote under Amendment 4; permanently disenfranchise many minor offenders; and dole out the right to vote on the basis of wealth.

4. On its face, SB 7066 discriminates on the basis of wealth. People with the financial means to satisfy their LFOs either during or at the conclusion of their sentence of incarceration or supervision will have their rights automatically restored. But, people whose socioeconomic status prevents them from satisfying their LFOs concurrent with the

termination of their incarceration or supervision will be prohibited from voting until they are able to pay their outstanding balance.

5. As a result, whether otherwise eligible individuals will have the right to vote upon completion of their sentence of incarceration and supervision depends entirely on their ability to pay for it. Indeed, two otherwise eligible individuals with the same conviction, who received the same terms of probation and parole, and the same LFOs, would be treated differently under SB 7066 based solely on whether they have the means to satisfy their LFOs.

6. In short, SB 7066's wealth-based discrimination not only violates the Fourteenth Amendment, but also the Twenty-Fourth Amendment by functioning as a modern-day poll tax.

7. Further, SB 7066 is vague as to its scope. For example, it is internally contradictory with respect to whether fees or costs incurred after sentencing may nonetheless disenfranchise a person. Although the statute states that individuals must pay all LFOs imposed as a condition of supervision, it also states that individuals must pay only the amount specifically ordered by the court at sentencing. Yet, standard conditions of probation, which are imposed at sentencing, often require individuals

to pay off certain debts that are only incurred *after* sentencing. Thus, SB 7066 will confuse potential voters and chill core First Amendment speech.

8. Finally, under SB 7066, it will be extraordinarily difficult for individuals with past convictions to determine their eligibility to vote and the risk of erroneous deprivation of the right to vote is high. Persons with both disqualifying and non-disqualifying LFOs will struggle to disaggregate those outstanding debts. And, the updated state voter registration form provided for in SB 7066 fails to inform people with convictions of the new eligibility requirements the law creates.

9. As a result of SB 7066, people with convictions will often be left in the dark and find themselves in need of a lawyer just to find out their eligibility to vote. Individuals who register in error risk felony prosecution and thus the unique threat of recidivism. Such ambiguity surrounding access to the right to vote violates procedural due process and cannot survive scrutiny under the First and Fourteenth Amendments.



## **JURISDICTION AND VENUE**

10. This action is brought under the United States Constitution. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.

11. This Court has personal jurisdiction over Defendant Lee, who is an appointed state official and a resident of Florida.

12. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b). Among other things, the office of Defendant Lee is located in this District.

13. This Court has authority to issue declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202.

## **PARTIES**

14. Plaintiff Bonnie Raysor (née Bonnie Ryan) is fifty-eight years old and has resided in Florida since she was seventeen. She is a United States citizen and currently resides in Boynton Beach, Florida.

15. After becoming addicted to opioids, Plaintiff Raysor was charged in 2009 and convicted in October 2010 of six felony and two misdemeanor drug-related charges. Since she was unable to afford an attorney, Plaintiff Raysor was assigned a public defender for these charges. She was sentenced to one year, six months, and five days in

prison. Plaintiff Raysor was released from prison on March 29, 2011, with no parole or probation. She has no other criminal convictions.

16. Plaintiff Raysor works as an office manager and makes thirteen dollars per hour. She has a mortgage and a car payment and is responsible for the utilities, groceries, and other basic needs for herself and her nineteen-year-old daughter, who is a full-time student. She also has approximately \$48,000 in student loan debt.

17. Voting is important to Plaintiff Raysor. As a Floridian, she knows how important a single vote can be in a close election. Voting gives her the opportunity to make a difference, and to speak her mind politically. It gives her the opportunity to make her voice heard.

18. When Amendment 4 passed, Plaintiff Raysor was thrilled to regain her right to vote. She proactively reached out for help to understand her rights and to ensure that she would be able to register to vote despite her past felony conviction.

19. Under SB 7066, however, Plaintiff Raysor is unable to register and vote in Florida. She has \$4,260 in outstanding fines and fees related to her conviction.

20. Upon information and belief, this sum includes fines and fees associated with her two misdemeanor and felony convictions. Upon information and belief, when Plaintiff Raysor was convicted, all fines and fees levied upon her were in the form of a civil lien. These fines and fees include the following: court costs, cost of prosecution, crime stoppers fund, cost of investigation, drug trust fund, public defender application fee, and public defender fee.

21. Based on her current income and ability to pay, Plaintiff Raysor is on a payment plan with the court, where she pays \$30 per month towards her outstanding balance. Under this payment plan, Plaintiff Raysor will not pay off her LFOs until 2031. Thus, under SB 7066, she will not regain her right to vote for another twelve years, at which time she will be seventy years old.

22. Plaintiff Diane Sherrill is fifty-eight years old and is a Florida resident. She is a United States citizen and currently resides in St. Petersburg, Florida.

23. As a result of her struggle with addiction, Plaintiff Sherrill was convicted of one count of possession of crack cocaine in the third degree, two counts of possession of cocaine in the third degree, and one

count of prostitution in the third degree between 1999 and 2005. For each of these charges, Plaintiff Sherrill was determined to be indigent and was assigned a public defender.

24. Plaintiff Sherrill has been drug-free and sober for over a decade. She has not had any criminal convictions since 2005. She has two adult children who live in the area and one grandchild. She is an active member of her church, Cornerstone Community Church.

25. Plaintiff Sherrill largely lives on a fixed Supplemental Security Income (SSI) of approximately \$770 per month. She lives in public housing and receives approximately \$70 per month in Supplemental Nutrition Assistance Program (SNAP) benefits, otherwise known as food stamps. She has recently obtained part-time work at the local Ruby Tuesdays as a hostess, earning \$8 per hour for 15 hours per week.

26. Plaintiff Sherrill lives by herself and is responsible for her monthly rent of \$200, her utility bills (including electric, internet, and phone), groceries, car insurance and gas, and any other household expenses.

27. Plaintiff Sherrill lost her driver's license as a result of her convictions and unpaid LFOs. After ten years, she was recently able to reinstate her driver's license in order to help care for her first grandchild.

28. Voting is important to Plaintiff Sherrill. As a Floridian, she knows how important a single vote can be in a close election. Voting gives her the opportunity to make a difference, and to speak her mind politically. It gives her the opportunity to make her voice heard.

29. A few years ago, Plaintiff Sherrill's church set up a table for voter registration of congregants. Plaintiff Sherrill inquired about whether she could regain her voting rights. The organizers referred her to the Pinellas County Supervisor of Elections, Deborah Clark. Plaintiff Sherrill wrote to Supervisor Clark about restoring her voting rights and received an application in the mail in response.

30. Plaintiff Sherrill wanted to apply to restore her voting rights but could not understand the confusing application she was sent or the process she was supposed to follow.

31. After the passage of Amendment 4, Plaintiff Sherrill was excited to register to vote and join her political community in voting in

the next election. Since her convictions are well behind her, she believed she would be eligible to vote under Amendment 4.

32. Under SB 7066, however, Plaintiff Sherrill will not be eligible to register to vote and vote in the next election.

33. Plaintiff Sherrill owes \$2,279 in outstanding LFOs related to her convictions. These LFOs include, *inter alia*, the following: indigent criminal defense fees, fines, investigative costs, and court costs. Upon information and relief, these LFOs also include penalties for nonpayment.

34. Upon information and belief, all of these outstanding LFOs were converted to civil liens and sent to a collections agency. Plaintiff Sherrill is living on a financial razor's edge. She is unable to afford to pay these LFOs at this time and cannot foresee a time when she will ever be able to pay these LFOs in full. As a result, SB 7066 may amount to permanent disenfranchisement for Plaintiff Sherrill.

35. Plaintiffs Raysor and Sherrill seek to represent a class for Count 2 (Twenty-Fourth Amendment) and Count 4 (Procedural Due Process) defined as: all persons otherwise eligible to register to vote in

Florida who are denied the right to vote pursuant to SB 7066 because they have outstanding LFOs.

36. Plaintiffs Raysor and Sherrill seek to represent a subclass for Count 1 (Fourteenth Amendment) defined as: all persons otherwise eligible to register to vote in Florida who are denied the right to vote pursuant to SB 7066 because they are unable to pay off their outstanding LFOs due to their socioeconomic status.

37. Defendant Laurel M. Lee is the Secretary of State of Florida (“the Secretary”) and is sued in her official capacity. The Secretary is the head of the Department of State (“the Department”) and the chief election officer of the state. As chief election officer, the Secretary is responsible for obtaining and maintaining “uniformity in the interpretation and implementation of the election laws,” and providing “uniform standards for the proper and equitable interpretation and implementation” of such laws. Fla. Stat. § 97.012(1)-(2). The Secretary is also responsible for administering the statewide voter registration system. *Id.* § 97.012(11).

38. Further, under SB 7066, the Department of State is responsible for identifying registered voters who have been convicted of a felony and whose voting rights have not been restored, and for initiating

the process for removing potentially ineligible individuals from the voter rolls. *See* S.B. 7066, *supra*, §§ 24, 25, *amending* Fla. Stat. § 98.075(5). The Department is similarly responsible for obtaining and reviewing information on new registrants' eligibility for rights restoration, and for initiating the process for rejecting applications from potentially ineligible voters. *See id.* § 25, *enacting* Fla. Stat. § 98.0751(3)(a).

### FACTS

39. The Florida Constitution prohibits individuals with felony convictions from voting unless their voting rights have been restored. Fla. Const. art. VI, § 4. As of January 8, 2019, except for persons convicted of murder or felony sexual offense, voting rights are restored automatically “upon completion of all terms of sentence including parole and probation.” *Id.* Persons convicted of murder or felony sexual offense are permanently disenfranchised but may apply to the Board of Executive Clemency to have their voting rights restored on a case-by-case basis. *See* S.B. 7066, *supra*, § 25, *enacting* Fla. Stat. §98.0751(1).



**SB 7066**

40. On June 28, 2019, Governor DeSantis signed SB 7066 into law. SB 7066 purports to implement the constitutional provision restoring voting rights to individuals with felony convictions, and states:

A person who has been disqualified from voting based on a felony conviction for an offense other than murder or a felony sexual offense must have such disqualification terminated and his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution upon the completion of all terms of his or her sentence, including parole or probation.

S.B. 7066, *supra*, § 25, *enacting* Fla. Stat. § 98.0751(1).

41. But SB 7066 does not merely implement Amendment 4. Rather, it severely restricts access to the right to vote. SB 7066 defines “completion of all terms of sentence” to include not only any term of imprisonment, probation, community control or supervision (collectively, “carceral supervision”), but also the full payment of any LFOs, including restitution, fines and fees “ordered by the court as a part of the sentence or that are ordered by the court as a condition of any form of supervision,” even if those obligations have been converted to civil liens. *Id.*, *enacting* Fla. Stat. § 98.0751(2).

42. Governor DeSantis’ signing statement accompanying SB 7066 does not address these financial barriers to voting but does state his

personal opinion that Florida voters made a “mistake” by restoring “voting rights to violent felons.” By requiring the payment of all LFOs—many of which people with past convictions will never be able to pay—Governor DeSantis has ratified a law that will undermine Amendment 4, which he deems a “mistake.”

43. Florida does not require courts to consider ability to pay at the time LFOs are imposed. When seeking to enforce compliance with a legal financial obligation, however, courts may inquire into ability to pay. *See, e.g.*, Fla. Stat. § 938.30. Based on the individual’s ability to pay, a court seeking to enforce a legal financial obligation may order the individual to comply with a payment schedule; convert the obligation to a judgment or civil lien against the individual’s property; or may, in limited instances, convert outstanding fines and court costs “into a court-ordered obligation to perform community service.” *Id.* Upon information and belief, many mandatory LFOs cannot be converted to community service.

44. SB 7006 defines the “completion” of LFOs to include: actual payment of the obligation in full; termination of the obligation by the court, with the approval of the payee; or completion of all community service hours where the court has converted the financial obligation to

community service. SB 7066, *supra*, § 25, *enacting* Fla. Stat. § 98.0751(5)(e). Finally, SB 7066 states that “[t]he requirement to pay any financial obligation specified in this paragraph is not deemed completed upon conversion to a civil lien.” *Id.* This language, however, does not directly address the circumstance of Plaintiff Raysor, whose LFOs were imposed as civil liens as an initial matter.

45. While SB 7066 acknowledges that LFOs can be modified by the sentencing court, it does not require any modifications to LFOs, even in cases where indigence or inability to pay is the only barrier to voting rights restoration.

### **IMPACT OF SB 7066**

46. Across all jurisdictions in Florida, over \$700 million in fines, court costs, and other monetary penalties were assessed in 2018 alone. In addition, over \$481 million in fees, service charges, and costs were assessed during 2018. These figures do not include the enormous sum of fines and fees that were assessed prior to 2018 but are still outstanding.

47. Criminal Circuit Courts in Florida assessed over \$275 million in fines and fees during 2018. Of that amount, nearly thirty percent is categorized as at risk for collection due to indigence or reduction to a civil

judgment or lien. In several Circuits, the amount at risk due to indigence is over forty percent. Criminal Circuit Courts in Florida converted only about \$1.2 million in court fines to community service during 2018.

48. The Department of Corrections reported just under \$20 million dollars in revenue from cost of supervision fees in fiscal year 2017-2018, nearly \$50 million dollars in revenue from restitution, fines, and court costs, and over \$20 million dollars in court ordered fees.<sup>1</sup>

49. Individuals with past felony convictions are more likely to have lower incomes than other registered voters, and to live in neighborhoods with higher unemployment than other Florida voters.<sup>2</sup>

50. On information and belief, many individuals with fines, fees, and restitution ordered as part of their sentence or as a condition of supervision related to a felony conviction also have other LFOs assessed through the criminal justice system. These may include LFOs associated with felony convictions but not ordered at the time of sentence or as a condition of supervision. In other instances, LFOs may be related to

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<sup>1</sup> Fla. Dep't of Corr., *2017-2018 Annual Report* 6, [http://www.dc.state.fl.us/pub/annual/1718/FDC\\_AR2017-18.pdf](http://www.dc.state.fl.us/pub/annual/1718/FDC_AR2017-18.pdf).

<sup>2</sup> See Kevin Morris, *Thwarting Amendment 4*, Brennan Ctr. for Justice, [https://www.brennancenter.org/sites/default/files/analysis/2019\\_05\\_FloridaAmendment\\_FI\\_NAL-3.pdf](https://www.brennancenter.org/sites/default/files/analysis/2019_05_FloridaAmendment_FI_NAL-3.pdf).

misdemeanor or civil judgments, rather than a felony conviction. On information and belief, these LFOs are not disaggregated by the County or the court when converted to a civil judgment, lien, community service, or incorporated into a payment plan.

51. For example, upon information and belief, Plaintiff Raysor has fines and fees associated with her misdemeanor convictions, which are a part of the \$4,260 she still owes. Based on the records available to Plaintiff Raysor, she cannot ascertain how much of her \$30 monthly payments go towards her felony versus misdemeanor LFOs. Nor does she know if she may prioritize paying the LFOs associated with her felony convictions, which prevent her from voting.

52. Similarly, Plaintiff Raysor does not know how the outstanding LFOs associated with her felony convictions break down, such that she cannot determine which of these LFOs fall within the scope of SB 7066, and which fall outside the scope of SB 7066. Nor does she know whether the fact that her LFOs were initially imposed as a civil lien—rather than converted—affects their status under SB 7066.

53. Likewise, Plaintiff Sherrill believes that some of her outstanding LFOs are penalties for nonpayment that should not bar her

from voting under SB 7066. But since the full balance has been sent to a collections agency, she does not know if or how she may prioritize paying the LFOs that disqualify her from voting.

54. Plaintiff Sherrill does not know if there are additional fines, fees, and costs within her outstanding balance that fall outside the scope of SB 7066.

55. For individuals whose LFOs have been converted to community service, a civil judgment, or lien, satisfaction of the obligation is often determined by a private third-party. Private non-profit, community, or charitable organizations may all serve as community service agencies for the purpose of court-ordered community service. *See* Fla. Stat. § 318.18. The responsibility for monitoring and recording community service hours—defined as “uncompensated labor for a community service agency”—falls to these entities. *Id.* Similarly, a county may pursue the collection of outstanding LFOs through private attorneys and collection agencies. Not only does this place the obligation in the hands of a third party, but Florida allows those parties to impose a surcharge of up to forty percent of the balance owed as a collection fee.

56. For example, at times when she was facing financial hardship, Plaintiff Raysor has fallen behind on paying her LFOs. As a result, in 2014, her debts were placed with a collection agency, Penn Credit, which imposed a forty percent surcharge on her balance. Plaintiff Raysor also lost her driver's license as a consequence of her overdue LFOs. Ultimately, she was able to petition the court to remove the surcharge, place her back on a payment plan, and reinstate her driver's license. She currently pays \$30 per month toward her LFO balance.

57. Upon information and belief, Plaintiff Sherrill's outstanding balance includes several substantial fees imposed as penalties for transfer to a collections agency.

58. Fines and fees that may be assessed as part of an individual's sentence include, but are not limited to: mandatory assessments for the Court Cost Clearing Trust Fund, the Crimes Compensation Trust Fund, the Operating Trust Fund of the Department of Law Enforcement, a mandatory \$225 fine for a felony conviction, mandatory fines assessed based on the specific felony conviction or convictions, mandatory costs authorized by local governmental entities, discretionary costs related to

the specific type of case or conviction, and additional surcharges on these costs. *See generally* ch. 983, Fla. Stat.

59. In addition, conditions of carceral supervision imposed at sentencing may include, but are not limited to: payment of debts due to a detention center for medical care, treatment, hospitalization, or transportation; application fees and attorneys' costs and fees if the individual had a public defender appointed; and reimbursement for costs of drawing and transmitting blood or DNA samples to the Department of Law Enforcement. *See, e.g.*, Fla. Stat. § 948.03.

60. In other words, under SB 7066, it appears an individual's right to vote may be conditioned on the payment of outstanding medical debt that accrues after sentencing.

61. Thus, the requirement in SB 7066 that an individual pay off all LFOs "ordered by the court as a condition of any form of supervision," SB 7066, § 25, *enacting* Fla. Stat. § 98.0751(2)(a)(5)(b), is inconsistent with later language stating that payment of LFOs "accrue[d] after the date the obligation is ordered as a part of the sentence" is *not* required to be eligible for rights restoration, *id.*, *enacting* Fla. Stat. § 98.0751(2)(a)(5)(c). This internally incoherent language will undoubtedly



leave Florida citizens in the dark about which LFOs are disqualifying and which LFOs are not disqualifying.

62. Upon information and belief, this confusion will only be compounded by the lack of easy access to records disaggregating the LFOs incurred by a person with a past conviction. Plaintiffs Raysor and Sherrill, even with assistance of counsel, have been unable to ascertain this information with respect to their own outstanding debts.

63. SB 7066 itself recognizes that Florida citizens are not likely to be able to assess their own eligibility to vote under this law. It provides for the creation of a “Restoration of Voting Rights Work Group.” SB 7066, §33. The work group is charged with developing recommendations for the Legislature related to “[t]he process of informing a registered voter of the entity or entities that are custodians of the relevant data necessary for verifying . . . eligibility for restoration of voting rights.” *Id.*

64. Yet, SB 7066 becomes effective on July 1, 2019, and these recommendations are not due to the Legislature for consideration until November 1, 2019. *Id.* In other words, the Legislature passed SB 7066 fully aware that eligible Florida citizens will struggle or be unable to ascertain their eligibility to vote.

65. Nonetheless, after July 1, 2019, Florida citizens will risk criminal sanction if they register to vote while their voting rights have not, in fact, been restored under SB 7066's vague and ambiguous language. This is so despite the fact that the updated state voter registration form required by SB 7066 will not mention the LFO requirement at all.

66. The mechanics of SB 7066 are inordinately complicated for affected citizens, and its scope is vague. Its consequences, however, are clear. Under SB 7066, Floridians with past felony convictions who have completed their term of carceral supervision, including incarceration, probation, and parole, and who either do not have LFOs or have paid them off, will automatically have their voting rights restored. Individuals who have outstanding LFOs are denied the right to vote unless or until they are able to satisfy their financial obligations. An individual who is unable to pay off her outstanding LFOs due to her socioeconomic status is permanently denied the right to vote.

67. In short, SB 7066 conditions the restoration of voting rights entirely upon an individual's financial resources, in violation of the Fourteenth and Twenty-Fourth Amendments.

## **EXECUTIVE CLEMENCY**

68. Under SB 7066, individuals who are disenfranchised solely because of their outstanding LFOs may apply for executive clemency, subject to the “unfettered discretion” of the Florida Governor. *See* SB 7066, § 25, *enacting* Fla. Stat. § 98.0751(1); Fla. R. Exec. Clemency 4. This “unfettered discretion” means the Governor has the authority “to deny clemency at any time, for any reason.” Fla. R. Exec. Clemency 4.

69. Thus, individuals able to pay their LFOs can register and vote automatically upon completing carceral supervision, while those unable to pay are disenfranchised indefinitely, subject to the whim of the Governor.

70. Applying for executive clemency is extremely burdensome. An individual with outstanding LFOs must wait seven years after the completion of carceral supervision to apply for a restoration of civil rights.<sup>3</sup> Fla. R. Exec. Clemency 5. If denied, an applicant must wait for at least two years to reapply. Fla. R. Exec. Clemency 14. Applications must contain certified copies of the charging document, judgment, and

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<sup>3</sup> Individuals with no outstanding restitution may be eligible to apply for rights restoration after five years, depending on their crime of conviction. *See* Fla. R. Exec. Clemency 9.

sentence for each felony conviction. Fla. R. Exec. Clemency 6(B). After applying, the individual is subject to an investigation by the Florida Commission on Offender Review, and her application will be decided at a hearing in Tallahassee.<sup>4</sup> Fla. R. Exec. Clemency 8(B). The applicant must give ten days notice to the Board if she or any other person intends to speak at the hearing on her behalf. Fla. R. Exec. Clemency 12(B). The final determination of any application is subject to the “unfettered discretion” of the Florida Governor. Fla. R. Exec. Clemency 4.

71. Thus, even after completing the burdensome application process, individuals who lack the means to pay their LFOs will not be allowed to vote “unless Florida’s Governor approves restoration of this fundamental right” or a complete remission of their LFOs. *Hand v. Scott*, 285 F. Supp. 3d 1289, 1292 (N.D. Fla. 2018). Meanwhile, similarly

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<sup>4</sup> Prior to January 8, 2019, all Floridians with past felony convictions were permanently disenfranchised unless they applied for and obtained a restoration of civil rights from the Governor and the Board of Clemency. Under this system, individuals who had paid their restitution were eligible to apply for rights restoration without being subject to a hearing. In *Johnson v. Governor of Fla.*, the Eleventh Circuit found the hearing requirement, standing alone, insufficient to support a claim that restoration was conditioned upon an applicant’s financial resources. 405 F.3d 1214, 1216 n.1 (11th Cir. 2005). The Court reserved ruling, however, on the question of “whether conditioning an application for clemency on paying restitution would be an invalid poll tax.” *Id.* Plaintiffs’ claims present exactly the question reserved by the Court. But for their outstanding LFOs, Plaintiffs’ voting rights would be restored. But for their outstanding LFOs, Plaintiffs would not be subject to a discretionary restoration process at all. The entire clemency procedure is conditioned upon otherwise eligible individuals’ inability to pay.

situated individuals—including those convicted of the same crimes—are granted automatic restoration of their voting rights based solely on their ability to pay their LFOs.

72. This process necessarily discriminates on the basis of wealth. Rights restoration is guaranteed to individuals of financial means, while the indigent must not only suffer the indignity of having to beg for their rights to be restored, but they must do so on blind faith, without any notice of the conditions, factors, or whims that will determine if their application is successful.

### **CLASS ALLEGATIONS**

73. Upon information and belief, at least 500,000 individuals with past felony convictions who are otherwise eligible under Amendment 4 have outstanding LFOs and are therefore not qualified for voting rights restoration under SB 7066, just like Plaintiffs. Countless otherwise eligible individuals will be prevented from exercising their right to vote in the future because they are unable to pay their LFOs due to their socioeconomic status.

74. Pursuant to Federal Rule of Civil Procedure 23, Plaintiffs Raysor and Sherrill bring this action on behalf of themselves and all

other similarly situated persons. Plaintiffs Raysor and Sherrill do not seek claims for compensatory relief. Instead, Plaintiffs seek only declaratory and injunctive relief broadly applicable to members of the Plaintiff Class and the Plaintiff Subclass, as defined above. The requirements of Rule 23, and in particular Rule 23(b)(2), are met with respect to the Plaintiff Class and Plaintiff Subclass as defined in ¶¶ 22 and 23.

75. The members of the Plaintiff Class and Plaintiff Subclass are so numerous that joinder is impracticable. While the exact number of members in the Plaintiff Class and Plaintiff Subclass are not publicly available, upon information and belief, the total number of otherwise eligible citizens of Florida disenfranchised due to some combination of outstanding fines, fees, or restitution exceeds 500,000. The Plaintiff Class and Plaintiff Subclass are ascertainable through Defendant's records and records kept by the Florida State Department of Corrections. Indeed, under SB 7066, it is Defendant's responsibility to identify registrants who are not eligible for rights restoration because they have outstanding LFOs.

76. Common questions of law and fact predominate over questions affecting only individual class and subclass members with respect to allegations in this complaint. Those questions include, but are not limited to, the following:

- a. Whether SB 7066 discriminates on the basis of wealth in violation of the Fourteenth Amendment.
- b. Whether SB 7066 violates the Twenty-Fourth Amendment.
- c. Whether SB 7066 creates an impermissible risk of erroneous deprivation of the fundamental right to vote in violation of the Due Process Clause of the Fourteenth Amendment.

77. Plaintiffs' claims are typical of the Plaintiff Class and Plaintiff Subclass as defined in ¶¶ 22 and 23. Plaintiffs Raysor and Sherrill are not aware of any conflict between their interests and those of the Plaintiff Class and Plaintiff Subclass they seek to represent.

78. Plaintiffs Raysor and Sherrill can fairly and adequately represent the interests of the Plaintiff Class and Plaintiff Subclass because they are similarly situated with class members. Plaintiffs Raysor and Sherrill have retained counsel experienced in class-action and voting

rights litigation to represent them and the Plaintiff Class and Plaintiff Subclass for the purpose of this litigation.

79. Defendants have acted, or refused to act, on grounds generally applicable to the entire class, and final injunctive relief and corresponding declaratory relief are appropriate respecting the class as a whole.

**CLAIMS**  
**Count 1: Wealth-Based Disenfranchisement,**  
**Fourteenth Amendment**

80. Plaintiffs reallege the facts set forth in paragraphs 1-79 above.

81. A state “violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard.” *Harper v. Va. State Bd. of Elections*, 383 U.S. 663, 666 (1966); *see also Johnson v. Governor of Fla.*, 405 F.3d 1214, 1217 (11th Cir. 2005).

82. By requiring an otherwise eligible Florida citizen to pay all LFOs before she is eligible to restore her right to vote, SB 7066 impermissibly makes financial payments an electoral standard.



83. By requiring an otherwise eligible Florida citizen to pay all LFOs before she is eligible to restore her right to vote, SB 7066 impermissibly makes the affluence of an otherwise eligible voter an electoral standard.

84. It is well established that “a citizen has a constitutionally protected right to participate in elections on an equal basis with other citizens in the jurisdiction.” *Dunn v. Blumstein*, 405 U.S. 330, 336 (1972).

85. Wealth “is not germane to one’s ability to participate intelligently in the electoral process.” *Harper*, 383 U.S. at 668.

86. Plaintiffs Raysor and Sherrill and members of the Plaintiff Subclass are unable to afford to pay their remaining LFOs, and this is the only reason they are not eligible to vote in the state of Florida.

87. The mere possibility that LFOs could, in some cases, be modified—left to the discretion of individual judges—does nothing to alleviate this unconstitutional barrier to voting for Plaintiffs Raysor and Sherrill and other members of the Plaintiff Subclass. Nor does the possibility that the Governor could, if he felt so moved, exercise his discretion to restore the right to vote to individuals with outstanding LFOs on a case-by-case basis. Indeed, Representative James Grant noted

in enacting SB 7066 that discretionary rights restoration is “a recipe for rampant discrimination.”<sup>5</sup> Moreover, it is well established that imposing additional requirements on voters who cannot pay is no more constitutionally permissible than outright disenfranchisement. *See Harman v. Forssenius*, 380 U.S. 528 (1965).

88. It is also well established that a state may not impose additional punishment<sup>6</sup> or deprive a citizen of a fundamental right solely because “through no fault of his own, he cannot pay the fine.” *Bearden v. Georgia*, 461 U.S. 660, 673 (1983). In other words, *Bearden* requires a careful consideration of ability to pay before fundamental rights are withheld on the basis of failure to pay a fine. Failure to condition the LFOs requirement on an ability to pay inquiry further violates “the fundamental fairness required by the Fourteenth Amendment.” *Id.*

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<sup>5</sup> Tyler Kendall, *Felons in Florida Won Back Their Right to Vote. Now a New Bill Might Limit Who Can Cast a Ballot*, CBS News (May 23, 2019), <https://www.cbsnews.com/news/florida-felons-won-back-right-to-vote-new-bill-might-limit-who-can-cast-ballot-2019-05-23/>.

<sup>6</sup> While not a necessary element of Plaintiffs’ claims, disenfranchisement on the basis of a past conviction—and continued because of inability to pay LFOs—certainly qualifies as punishment. *See Johnson*, 405 F.3d at 1228 (“Indeed, throughout history, criminal disenfranchisement provisions have existed as a punitive device.”); *see also* Act of June 25, 1868, ch. 70, 15 Stat. 73, 73 (Readmission Act for Florida) (prohibiting any change to the state constitution that “deprive[s] any citizen or class of citizens of the United States of the right to vote . . . except as punishment for such crimes as are now felonies at common law”).

89. Florida has no cognizable interest in withholding the right to vote from citizens solely on the basis that they are unable to pay their LFOs. “[W]ealth or fee paying has . . . no relation to voting qualifications.” *Harper*, 383 U.S. at 670. When the LFOs requirement is applied to those unable to pay, “the statute merely prevents” citizens from voting “without delivering any money at all into the hands of [the State].” *Zablocki v. Redhail*, 434 U.S. 374, 389 (1978); *see also Bearden*, 461 U.S. at 670 (“Revoking the probation of someone who through no fault of his own is unable to make restitution will not make restitution suddenly forthcoming.”).

90. SB 7066 invidiously discriminates between Florida citizens with prior felony convictions who have been discharged from carceral supervision and who are able to pay their LFOs, and Florida citizens with prior felony convictions, who have been discharged from carceral supervision but are unable to pay their LFOs, in violation of the Fourteenth Amendment.

### **Count 2: Poll Tax, Twenty-Fourth Amendment**

91. Plaintiffs reallege the facts set forth in paragraphs 1-90 above.

92. The Twenty-Fourth Amendment provides that “[t]he right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay *any poll tax or other tax.*” U.S. Const. amend. XXIV, § 1 (emphasis added).

93. For those who are otherwise eligible SB 7066 denies the right to vote to those who cannot afford to pay their LFOs solely by reason of their failure to pay fines and fees to the State of Florida.

94. SB 7066 hinges access to the right to vote on the payment of many fines and fees to the government—such as contributions to various state funds and to the costs of the court system itself—that fall well within any reasonable definition of “other tax.” *See U.S. v. State Tax Comm’n of Miss.*, 421 U.S. 599, 606 (1975) (noting that the “standard definition of a tax” is any “enforced contribution to provide for the support of government”).

95. The failure to call SB 7066’s LFOs requirement a “poll tax” does nothing to change its function, which hinges access to the ballot box on the payment of a variety of fines and fees to the state of Florida. *See*

*Harman*, 380 U.S. at 540-41 (“[T]he Twenty-fourth [Amendment] nullifies sophisticated as well as simple-minded modes of impairing the right guaranteed.” (internal quotation marks omitted)).

96. SB 7066 directly conflicts with the prohibition of the Twenty-Fourth Amendment.

### **Count 3: Void for Vagueness, First and Fourteenth Amendment**

97. Plaintiffs reallege the facts set forth in paragraphs 1-96, above.

98. The Due Process Clause of the Fourteenth Amendment to the U.S. Constitution requires that a law that imposes penalties give ordinary people reasonable notice of what conduct it prohibits and guard against arbitrary and discriminatory enforcement.

99. The applicability of the void for vagueness doctrine is heightened both when criminal sanctions are attached to a vague law and when the First Amendment is implicated.

100. Here, SB 7066 does both. It attaches threat of criminal sanction to the acts of registering to vote and voting, both of which fall squarely within “core political speech” given the utmost First Amendment protection.

101. SB 7066 does not reasonably inform people with past convictions of which LFOs—imposed as a condition of supervision or imposed in the first instance as civil liens—are disqualifying and which are not. Nor does it, by its own admission, provide citizens with access to the records necessary to determine their eligibility. The reasonable person, like Plaintiffs Raysor and Sherrill, with a variety of outstanding LFOs will not be able to determine which LFOs are disqualifying and which are not.

102. The state voter registration form—as updated by SB 7066—will not provide citizens with meaningful information to determine their eligibility to vote.

103. Nonetheless, the state subjects voters who make an error in determining their eligibility to the threat of criminal prosecution.

104. This cocktail of confusion and obfuscation will undeniably chill the registration and voting of eligible Florida voters in violation of the First and Fourteenth Amendments. The ambiguous portions of the LFOs requirement—as they relate to LFOs imposed as conditions of supervision or as civil liens in the first instance—must be enjoined.

#### **Count 4: Violation of Due Process, Fourteenth Amendment**

105. Plaintiffs reallege the facts set forth in paragraphs 1-104, above.

106. A “claim alleging a denial of procedural due process requires proof of three elements: (1) a deprivation of a constitutionally protected liberty or property interest; (2) state action; and (3) constitutionally inadequate process.” *Grayden v. Rhodes*, 345 F.3d 1225, 1232 (11th Cir. 2003).

107. Plaintiffs Raysor and Sherrill and the members of the Plaintiff Class and Subclass have a constitutionally protected right to vote upon completion of their sentence per Art. VI § 4 of the Florida Constitution and the Fourteenth Amendment to the U.S. Constitution.

108. SB 7066 denies otherwise eligible individuals the right to vote unless and until they pay off certain—but not all—legal financial obligations.

109. Further, SB 7066 fails to provide for adequate procedures to ensure that individuals who qualify for rights restoration are able to register and vote in Florida.

110. Determining what process is due under the Fourteenth Amendment “is a flexible concept that varies with the particular circumstances of each case.” *Id.* Under *Mathews v. Eldridge*, the determination of what process is due rests on the balance between (1) the interest affected; (2) the risk of erroneous deprivation under the current procedures and the “probable value, if any, of additional or substitute procedural safeguards;” and (3) the state’s interest, including the “fiscal and administrative burdens” additional procedures would entail. 424 U.S. 319, 335 (1976).

111. Here, the constitutionally protected interest at stake is no less than the fundamental right to vote, and the risk of erroneous deprivation is high. SB 7066 conditions the restoration of voting rights on payment of unenumerated legal financial obligations, without providing for any process by which an otherwise eligible voter can (1) differentiate between LFOs that are disqualifying and those which are non-disqualifying, or (2) prioritize payment of disqualifying LFOs, such that they are not disenfranchised by their inability to pay off non-disqualifying LFOs.

112. The Florida criminal justice system imposes a dizzying array of fines, fees, and costs on persons with felony convictions, including



processing fees, surcharges, penalties, and costs that are incurred after sentencing, but which must be paid off as a condition of supervision. Not only is SB 7066 itself internally inconsistent about which LFOs disqualifying, it fails to provide any procedures for otherwise eligible individuals to determine which of their LFOs are disqualifying, or to prioritize payment of those LFOs that prevent them from being able to vote.

113. In other words, even those individuals able to pay their disqualifying LFOs may be denied the right to vote because they are unable to determine which LFOs are disqualifying, or because they are not allowed to pay fully their disqualifying LFOs without also paying toward their non-disqualifying LFOs.

114. Further, SB 7066 fails to provide any procedures for how Defendant Lee shall identify registered voters or new registrants whose rights have not been restored due to disqualifying LFOs, including on what basis Defendant Lee shall determine that information related to an individual's disqualifying LFOs is "credible and reliable." S.B. 7066, 2019 Leg., Reg. Sess., § 24 (Fla. 2019).

115. In creating the Restoration of Voting Rights Work Group, SB 7066 acknowledges that Defendant Lee does not yet know what data is necessary to determine an individuals' eligibility to vote under SB 7066, and that no process yet exists for informing registered voters where they may find this information. Indeed, the Work Group's report and recommendations for developing these data sources and procedures are not due until four months after the effective date for SB 7066. And the law makes no provision for when or if these recommendations, or any other such procedures, shall be adopted.

116. The lack of procedural safeguards creates a substantial likelihood that eligible voters will be denied the right to vote upon completion of their sentence based on outstanding but non-disqualifying LFOs.

117. In other words, SB 7066 creates a substantial likelihood that individuals entitled to rights restoration under the Florida Constitution will be erroneously deprived of their right to vote.

118. As stated above, the state has no cognizable interest in discriminating against otherwise eligible voters on the basis of wealth. Nor does the state have any interest in using the right to vote as an

incentive for individuals to pay their LFOs. And even to the extent the state has an interest in ensuring that persons with past felony convictions pay in full their financial obligations associated with their convictions, there is simply no evidence to suggest that withholding voting rights until payment of LFOs is complete assists the state in achieving that end any more so than existing procedures unrelated to voting. Indeed, the fiscal and administrative burdens on the state of ensuring that eligible voters are not denied the right to vote under SB 7066 are substantially higher than they otherwise would be, absent the LFO requirements.

119. SB 7066 therefore violates due process because it creates a procedure for restoration of voting rights that is fundamentally unfair and gives rise to a substantial likelihood of erroneous deprivation of the right to vote, and which cannot be justified by any cognizable state interest.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray that this Court:

- (1) Certify the Plaintiff Class as defined in paragraph 22, and the Plaintiff Subclass as defined in paragraph 23;

- (2) Issue a declaratory judgment that SB 7066, by its terms and as applied, violates the Fourteenth and Twenty-Fourth Amendments of the U.S. Constitution;
- (3) Issue a declaratory judgment that the identified LFOs portions of SB 7066, by their terms and as applied, are void for vagueness in violation of the First and Fourteenth Amendments;
- (4) Issue a declaratory judgment that SB 7066 fails to provide adequate safeguards against unlawful disenfranchisement in violation of the Fourteenth Amendment;
- (5) Enjoin Defendant, her agents, employees, successors, and all those persons acting in concert or participation with them, from enforcing SB 7066 including:
  - a. Enjoining Defendant from initiating a process for the rejection of any voter registration applications on the basis of outstanding LFOs;
  - b. Enjoining Defendant from initiating a process for the removal of any voters from the voter registration rolls on the basis of outstanding LFOs;

- c. Requiring Defendant to instruct county election supervisors that outstanding LFOs do not disqualify any individual from voting rights restoration, and therefore not to remove or reject any registrant based on outstanding LFOs;
  - d. Requiring Defendant to inform those with past felony convictions that the failure to pay LFOs does not disqualify them from voting rights restoration under Amendment 4;
  - e. Requiring Defendant to instruct county election supervisors to restore Florida citizens to the voter registration rolls if they were removed solely on the basis of their outstanding LFOs;
- (6) Award Plaintiffs their costs, expenses, and reasonable attorneys' fees incurred in the prosecution of this action, as authorized by the Civil Rights Attorney's Fees Awards Act of 1973, 42 U.S.C. § 1988(b); and
- (7) Grant such other equitable and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Chad W. Dunn

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*\*pro hac vice* motion forthcoming

June 29, 2019 Tampa Bay Times

TAMPA — In 2018, Florida voters approved a constitutional amendment that automatically restored voting rights to felons who have completed their time spent in prison or on probation. Then in the spring, the Legislature limited who benefits from Amendment 4, saying only those who no longer owe court fines and fees can get the back their right to vote.

One of the only ways around that is for felons to ask a judge to waive those costs, or convert them to community service hours.

Hillsborough State Attorney Andrew Warren wants to make that happen en masse.

His office is exploring the possibility of having judges waive court costs in favor of community service for a large number of cases. The idea is to create a “rocket docket,” or special court that could eliminate the debts that hundreds or thousands of defendants owe to the criminal justice system, speeding up the process for those who want to regain their right to vote.

“Our goal is to fulfill the promise of Amendment 4,” Warren told the Tampa Bay Times. “The focus is on people with lower level crimes who have paid their debt to society.”

The plan is far from final. Hurdles include identifying who might be eligible, an arduous task that involves combing through thousands of court records and massive databases.

But Hillsborough leaders are open to the idea. Warren brought it up last month in a meeting organized by County Commissioner Les Miller, and one of the attendees was Hillsborough Chief Judge Ronald Ficarrota. Both support the idea, but said the details need to ironed out.

“I think they’re going to need to come up with a way of identifying the individuals and then we can sit down and talk,” Ficarrota said. “We’re in the very early stages of it.”

“Everyone kind of agreed that we needed to work together to implement a program of some type,” Miller said. “It’s not going to happen overnight. ... It’s unfortunate that the public wanted one thing and the Legislature put something else in place.”

Gov. Ron DeSantis signed the controversial bill Friday, which limits how many felons will be able to vote. Critics say the law amounts to a “poll tax,” comparing it to racist laws enacted starting in the 1890s that kept blacks and some poor whites from voting. They say Florida voters passed Amendment 4 — restoring voting rights to felons, except those convicted of murder or felony sex offenses — to finally overturn such laws.

The American Civil Liberties Union and other groups quickly sued to block the new law, arguing on behalf of several felons who registered to vote after the amendment passed but lost that right again under the new law.

Pinellas-Pasco State Attorney Bernie McCabe opposes the rocket docket idea. He said the law implements Amendment 4 just as its supporters had described it in the lead up to the 2018 election.

“I thought what they’ve got now is what they advertised,” McCabe said.

He pointed out that during 2017 oral arguments on Amendment 4 before the Florida Supreme Court, Justice Ricky Polston asked whether the completion of a sentence would include the payment of fines. Attorney Jon Mills, who argued in favor of the amendment’s placement on the ballot, said the answer was yes.

But those who advocated for Amendment 4 say the text of the measure speaks for itself, and needed no fine-tuning from the Legislature.

Many argue that outstanding court debts should not be used to keep someone from voting.

Pinellas-Pasco Public Defender Bob Dillinger is among them.

“I think it’s manifestly unfair and it’s not what the voters wanted,” Dillinger said of the new law.

The rocket docket concept has generated buzz throughout the Sunshine State. The office of Palm Beach State Attorney Dave Aronberg said Monday it’s also exploring the idea.

But it's still unclear when those courts could start, or what the process would look like. "It may be multiple rocket docketing depending on what the universe of cases is," Warren said.

The task of determining who may be eligible could fall on local officials, such as the Hillsborough Clerk of the Circuit Court.

But the office doesn't have an easy way to determine exactly how many defendants are in debt. Figuring it out involves pulling data from thousands of records.

A spreadsheet provided by the clerk's office underscores the enormity of the task. The sheet details amounts owed by all defendants whose last names start with the letter J. It lists more than 66,000 individual criminal cases.

"Some defendants owe hundreds of thousands and some owe a couple hundred," said Tom Scherberger, a spokesman for Hillsborough Clerk Pat Frank.

Some also owe money over multiple cases, Scherberger said.

The challenge gets more complicated with older cases, he said, for which outstanding court cost data may not be readily available in a database.

Most of the time, the debts don't get paid.

The clerk's data shows that from 2007 to 2017 the clerk's office assessed more than \$503 million that was owed to the court system. Of that total, only about \$15 million — or less than 3 percent — was collected.

The debts that do get paid go toward funding local court systems.

"There is a fair amount of nuance to this," Warren said. "We want to make sure we're doing this the right way and following the law."



**From:** FCCC Legislative <legislative@flclerks.com>  
**Sent:** Monday, July 01, 2019 11:10 AM EDT  
**Subject:** LEGISLATIVE ALERT: Governor DeSantis signs seven bills into law

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Clerks' and Comptrollers' staff	<b>Category:</b>	Clerk and Comptroller Administration, Legislative, Courts, IT
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legislative alert regarding the Governor's recent action on bills of interest to Clerks and Comptrollers.
<b>Executive summary:</b>	Governor Ron DeSantis took additional executive action late Friday, signing another seven bills into law, including <a href="#">CS/SB 7066</a> , which provides legislative implementing language for Amendment 4, and <a href="#">CS/HB 7125</a> , this year's comprehensive criminal justice reform package. Those bills that may be of interest to Clerks and Comptrollers are listed below by general subject area and effective date. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual <i>Legislation of Interest</i> document and related advisories.		
<b>Clerk outreach:</b>	No external outreach is needed.		

**Dear Court Clerks and Comptrollers:**

Late last Friday, Governor Ron DeSantis [signed an additional seven bills into law](#), including [CS/SB 7066 Election Administration](#), which provides legislative implementing language for Amendment 4 related to voting restoration, and [CS/HB 7125 Administration of Justice](#), the 2019 Legislature's comprehensive criminal justice reform package. The Governor also vetoed [CS/HB 629 Lottery Games](#); the veto transmittal letter may be accessed [via this link](#).

Only one bill from the 2019 legislative session remains on the Governor's desk awaiting his action, [CS/CS/CS/HB 385 Transportation](#). The Governor has until Thursday, July 11, 2019, to sign or veto this bill, else it will pass into law without his action.

Included among the seven bills signed last Friday are some that may be of interest to Clerks and Comptrollers. These are listed below by general subject area and effective date; brief descriptions of each bill are also included. To access a full list of bills that have been sent to the Governor—along with his action—[please click here](#).

Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual *Legislation of Interest* document and related advisories.

**Priority:**

[CS/SB 7066 Election Administration](#)

- Effective July 1, 2019, except as otherwise provided; amends the Florida Election Code and implements the provisions of Amendment 4 related to voting restoration, which was approved during the 2018 General Election

[CS/HB 7125 Administration of Justice](#)

- Effective October 1, 2019; provides comprehensive criminal justice reform; for example, the bill raises the felony theft threshold, expands certain inmate reentry programs, and includes updates to the criminal justice data transparency initiative

**Board Side:**

[CS/CS/HB 7103 Community Development and Housing](#)

- Effective upon becoming a law; revises the minimum requirements for adoption of local impact fees, similar to changes made by CS/HB 207

[CS/HB 9 Community Redevelopment Agencies](#)

- Effective October 1, 2019; makes additional requirements of community redevelopment agencies (CRAs) and CRA commissioners

**Courts:**

[CS/HB 7107 Controlled Substances](#)

- Effective upon becoming a law; amends the Florida Comprehensive Drug Abuse Prevention and Control Act in Chapter 893, F.S.

Thank you,

Sara



**SARA SANDERS**, Legislative Manager

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FL-LEON-19-1045-A, 19-1046-A-000432



**From:** Legislative <legislative@flclerks.com>  
**Sent:** Friday, May 24, 2019 2:59 PM EDT  
**Subject:** LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Clerks' and Comptrollers' staff	<b>Category:</b>	Clerk and Comptroller Administration, Legislative, Courts, Records, IT
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legislative alert regarding the Governor's recent action on bills of interest to Clerks and Comptrollers.
<b>Executive summary:</b>	Along with <a href="#">CS/CS/HB 337 Courts</a> , Governor Ron DeSantis signed an additional 25 bills into law this week, including some that may be of interest to Clerks and Comptrollers, listed below by general subject area and effective date. Clerks will be alerted when additional bills are signed. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual <i>Legislation of Interest</i> document, and related advisories, once all final bill action has been taken.		
<b>Clerk outreach:</b>	No external outreach is needed.		

**Dear Court Clerks and Comptrollers:**

Along with [CS/CS/HB 337 Courts](#), Governor Ron DeSantis signed an additional [25 bills into law](#) this week. A full list of bills that have been sent to the Governor—along with the due date for his action—may be accessed [via this link](#).

Included among the bills signed yesterday are some that may be of interest to Clerks and Comptrollers. These are listed below by general subject area and effective date; brief descriptions of each bill are also included.

Clerks will be alerted when additional bills are signed by the Governor. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual *Legislation of Interest* document, and related advisories, once all final bill action has been taken.

**Priority:**

[SB 186 Public Records/Victims of Mass Violence](#)

- Effective upon becoming a law; expands the applicability of a current public records exemption to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence, as defined by the bill

[HB 861 Local Government Financial Reporting](#)

- Effective upon becoming a law; requires county and municipal budget officers to submit certain information to EDR within a specified timeframe using a format developed by EDR

[CS/CS/SB 838 Public Records/Mental Health Treatment and Services](#)

- Effective July 1, 2019; provides a public records exemption for records related to procedures under the Baker Act

**Courts:**

[SB 1136 Cyberharassment](#)

- Effective July 1, 2019; redefines certain terms related to cyberharassment

[CS/CS/HB 7065 Insurance Assignment Agreements](#)

- Effective July 1, 2019; makes changes to the assignment of benefits, or "AOB," process

[CS/SB 160 Prohibited Acts in Connection with Obscene or Lewd Materials](#)

- Effective October 1, 2019; prohibits specified actions involving a child-like sex doll; provides criminal penalties

**Public Records:**

[CS/HB 281 Pub. Rec./Voters and Voter Registration](#)

- Effective July 1, 2019; provides a public records exemption for information related to a voter applicant's or voter's prior felony conviction, and whether such person had their voting rights restored by the clemency board or by Amendment 4

[CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect](#)

- Effective July 1, 2019; expands the current public records exemption that protects the name of a Florida central abuse hotline reporter to also protect any information that would identify such reporter

**Wildlife/Boating:**

[CS/CS/CS/SB 1666 Vessels](#)

- Effective July 1, 2019; revises boating safety identification requirements for certain persons; specifies fines for violations related to no-discharge zones

**Miscellaneous:**

[CS/CS/SB 1024 Blockchain Technology](#)

- Effective upon becoming a law; establishes the Florida Blockchain Task Force within the Department of Financial Services

Thank you,

Sara



**SARA SANDERS**, *Legislative Manager*  
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**From:** Stacey Allen <SAAllen@leoncountyfl.gov>

**Sent:** Tuesday, July 02, 2019 9:55 AM EDT

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**Subject:** Legislative Implementation Spreadsheets - Final Update

**Attachment(s):** "2019 Legislative Spreadsheet\_Master\_Updated 7-1-19.xlsx"

**As of yesterday, all bills which we have been tracking internally have been signed into law by Governor DeSantis.**

• **The final additions are:**

HB 7099	Child Welfare (Family Law/Dependency) Eff. 7/1/19
HB 851	Human Trafficking (Courts/Criminal) Eff. 7/1/19
SB 1418	Mental Health (FYI only) Eff. 7/1/19
SB 262	Child Welfare (Family Law/Dependency – most provisions related to DCF/Judiciary) Eff. 10/1/19
HB 7125	Administration of Justice (Traffic/Criminal/Collections) Eff. 10/1/19
SB 1080	Hazing (Criminal) Eff. 10/1/19
HB 611	Motor Vehicle Racing (FYI only/Traffic) Eff. 10/1/19

• **I added, or added back in, three signed Bills as follows:**

HB 7107	Controlled Substances (FYI Only/Criminal) Eff. 6/28/19
SB 7066	Election Administration (Voter Rights Restoration) (Collections, FYI/Criminal) Eff. 7/1/19
HB 1033	Continuing Care Contracts (Criminal) Eff. 1/1/20

Attached is the updated Master List for reference – the individual section lists are also updated and can be found at:

<G:\COURTS DEPARTMENT\Legislation\2019>

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**CONFIDENTIALITY NOTICE:** Due to Florida's board public records law, most written communication to or from this organization is public record and available to the public and media upon request.

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Clerk-Related Legislation

	A	B	C	D
1	<b>**NOTE**</b>			
2	<b>ALL BILLS SIGNED INTO LAW on date shown, eff. date shown</b>			
3	<b>*ATTY NOTES on substance of bills in purple to distinguish from MGR/Supers' input. *For bills that are lengthy, 50pp. line #s are refered</b>			
4	<b>*FYI ONLY bills are listed only for general information purposes - NO CLERK RELATED functions or processes involved.</b>			
5	<b>* If you want to print, note that this spreadsheet is formatted for 8.5 x 14 (legal) paper.</b>			
6	<b>*Before inputting remarks, read the ENTIRE bill. Go to <a href="http://m.flsenate.gov">http://m.flsenate.gov</a>, insert just the bill #, search, and click on blue button "Bill Text [PDF]"</b>			
7				
8	<b>Bill #</b>	<b>Bill Description</b>	<b>Effective Date</b>	<b>Dept./Div. Affected</b>
9	<b>SB 124</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-10</b> <b>Dependent Children;</b> Specifying the venue in proceedings for the appointment of a guardian for a child who has been adjudicated dependent; authorizing a court to receive and consider any information provided by the Guardian Ad Litem Program and the child's attorney ad litem if a child is under the jurisdiction of a dependency court, etc.	<b>4/26/2019</b>	<b>Family Law</b>
10	<b>HB 7123</b>	<b>SIGNED BY GOVERNOR 5/15/19 Ch. 2019-42</b> <b>Taxation</b> Requiring that all of the proceeds from filing fees for trial and appellate proceedings be deposited into the State Courts Revenue Trust Fund; providing a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment rendered unable to be used due to Hurricane Michael; reducing tax rates on rental or licensee fees for the use of real property; revising an insurer's authority to reduce certain tax installment payments for purposes of determining if a certain tax penalty is imposed, etc. Effective upon becoming a law, except as otherwise expressly provided; provides tax relief and aid in hurricane preparation;	<b>5/15/2019</b> *except <b>as noted for individual sections &gt;</b>	<b>CLERK</b> <b>Collections</b> <b>Finance</b> <b>FYI: Civil, Traffic, Official Records</b>
11	<b>HB 861</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-56</b> <b>Local Government Financial Reporting;</b> Requires county & municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments & final budgets to remain posted on each entity's official website for specified period of time; requires EDR to create form by specified date.	<b>5/23/2019</b>	<b>FINANCE</b>

Clerk-Related Legislation

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7		<b>2019</b>
8	<b>LEGAL</b>	<b>IMPLEMENTATION</b>
9	Amends § 744.1097, to provide for venue in guardianship proceeding for child/YA who is already under jurisdiction of a dependency court, to be county of residency or county where dependency is proceeding. Other changes relate to Court's consideration of GAL reports from related dependency case, and DCF's obligations for noticing parties.	Update procedure for new guardianship filings, for clerk to verify that Leon Co. is either the residence of the subject, or that there is a related dependency case pending.
10	<p>*Amends §28.241, <u>eff. 1/1/20</u>: \$100 Pro Hac Vice Atty Fee now remitted lump sum to DOR for deposit to St Cts Rev Trust Fund *County Court fee distribution under §34.041(8) unchanged - 100% to GRF.</p> <p>*Amends §201.02, <u>eff. 7/1/19</u>: eliminates 1-yr time requirement for recording a transfer deed on homestead property between spouses to be exempt from RE tax</p> <p>*Amends §318.14(9), <u>eff. 1/1/20</u>: increases % of reduction in ticket cost under driver's school election from 9% to 18% (returns to pre-2009 language); eliminates allocation of 9% of civil penalty to State Courts Revenue Trust Fund;</p> <p>*Amends §318.15(1)(b), <u>eff. 1/1/20</u>: conforms % reduction language to new§318.14(9).</p> <p>*Amends §741.01 <u>eff. 1/1/20</u>, requiring entire \$25 marriage license fee to be deposited by Clerk to DOR's SCRTF, instead of 50% to GRF and 50% to SCRTF.</p>	
11	Amends §129.03(3) and §166.241 to require county budget officers leave proposed budget posted on its public website for <u>at least 45 days</u> , and leave posted on public website at least <u>2 years</u> following adoption. Adding (d) requiring electronic submission of information to OEDR	

Clerk-Related Legislation

	A	B	C	D
12	SB 186	<p><b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-46</b>  <b>Public Records/Victim of Mass Violence;</b> Defining the term "killing of a victim of mass violence"; expanding an existing exemption from public records requirements for a photograph or a video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or a video or audio recording held by an agency which depicts or records the killing of a victim of mass violence; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.</p>	5/23/2019	Evidence Court Records
13	HB 741	<p><b>SIGNED BY GOVERNOR 5/31/19 Ch. 2019-59</b>  <b>Anti-Semitism:</b> Specifies that the term "religion" includes anti-Semitism for purposes of hate crime statute; specifies duties of law enforcement agencies; defines "anti-Semitism"; prohibits discrimination in Florida K-20 public education system based on religion; requires public K-20 educational institutions to consider anti-Semitism under certain instances of discrimination.</p>	5/31/2019	Criminal
14	HB 91	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-67</b>  <b>Judicial Process;</b> Provides that person who acquires for value lien on property during course of specified legal actions takes such lien free of claims in certain circumstances; specifies effect of valid, recorded lis pendens in certain circumstances; revises authority of special process servers; requires that civil witness subpoenas be served by certain persons; revises requirements for substituted service on spouse; revises requirements for documenting service; revises requirements for service on LLC's; revises provisions on service outside state; authorizes certain persons to electronically sign return-of-service; exempts certified process servers from certain window sunscreening restrictions</p>	6/7/2019	COURTS Civil Criminal Official Records FYI: Traffic
15	HB 5	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-64</b>  <b>Ballot Measures;</b> Providing that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election; requiring the Office of Program Policy Analysis and Government Accountability, upon receiving a certain notice, to procure a certified public accountant for a performance audit; requiring a supervisor of elections to verify petition signatures and retain signature forms in a specified manner; providing that an initiative sponsor's failure to comply with the specified requirements renders any referendum held void; requiring a paid petition circulator to register with the Secretary of State and provide certain information; prohibiting compensation for initiative petition circulators based on the number of petition forms gathered; providing penalties for failure to register as a petition circulator, etc.</p>	6/7/2019	Criminal



Clerk-Related Legislation

	E	F
12	<p>Expands public records exemption for a photo, video or audio recording depicting the killing of a law enforcement officer who was acting in accordance with his or her official duties to include a photo, video or audio recording depicting the killing of a victim of mass violence, as defined by the bill. Transfers, renumbers, and expands the current criminal penalties in §406.136 to new §119.071(2)(p), as follows:</p> <ul style="list-style-type: none"> <li>* §119.071(2)(p)6.a.: willful knowing violation of this section is a 3d Felon.y [renumbered from §406.136(6)(a)]</li> <li>* §119.071(2)(p)6.b.: willful and knowing violation of a court order issued pursuant to the provisions of the section is a 3d Felony. [renumbered from § 406.136(6)(b)]</li> </ul>	<p>Update confidential judicial records policy to include the additional exemptions and WHO can view and what proof of relationship must be presented.</p>
13	<p>Amends §1000.05 to add religion into types of illegal discrimination within education system; requires a public K-20 educational institution to treat anti-Semitic discrimination by students and employees identically to treatment of acts of racial discrimination.</p>	<p>FDLE statute table to be updated JIS &amp; BM to be updated with new statute language</p>
14	<p>§48.021, allows special/cert. process serv. to serve <i>any</i> nonenforceable civil process, criminal witness subpoenae and summonses; §48.031, authorizing substitute service on a spouse in any Florida county; §48.062 on the reg. agent, member, or mgr of an LLC at a virtual office, exec, office, or mini suite, if certain conditions are met; §48.194, authorizes out-of-state service by any person authorized to serve process in that state; deletes requirement that out-of-state process server file an affidavit setting forth certain information; §48.21 requires all pleadings/documents served are listed on the Return of Service, permits electronic sig. of server on the return; requires anyone serving process to include ID #, if applicable; §48.23 clarifies party's <u>right to intervene in foreclosure proceeding if Motion is made w/in 30 days</u> of Lis Pendens being recorded; a recorded <u>Notice of Lis Pendens remains in effect through the recording of the instrument transferring title</u> pursuant to judicial sale. §316.29545 amended to exempt vehicles owned or leased by certified process servers or PIs, PI firms, from window tint restrictions.</p>	
15	<p>Adds §97.021(27), defining "petition circulator"; Adds requirements for ballot initiative process and petition circulators to §100.371; Adds §104.186, making payment of compensation to a petition circulator based on number of petitions circulated a 1 Deg.Misd. Adds §104.187, making violation of §100.371(3) (failing to register as a paid petition circulator with Sec. of State) a 2 Deg. Misd. *This section eff. 30 days from date bill becomes law.</p>	<p>FDLE statute table to be updated JIS &amp; BM to be updated with new statute language;</p>

Clerk-Related Legislation

	A	B	C	D
16	<b>HB 7021</b> <b>Related: HB 7023</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-97</b> <b>Financial Disclosure;</b> Requires Commission on Ethics to procure & test electronic filing system; provides requirements for system; provides duties of units of government, commission, & persons required to file specified form; requires forms to be electronically filed; prohibits information from being included in filings; provides that commission is not liable for release of information; requires commission to redact information; requires commission to include information in instructions for electronic filing; requires information be delivered electronically; revises schedule to State Constitution.	<b>6/7/2019</b> <b>*except as noted for certain sections effecting Clerks &gt;</b>	<b>CLERK</b>
17	<b>HB 7023</b> <b>Related: HB 7021</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-40</b> <b>Pub. Rec./Financial Disclosure:</b> Provides exemptions from public records requirements for secure login credentials held by Commission on Ethics & certain information entered into electronic filing system for financial disclosure forms; specifies conditions under which such information is no longer exempt; provides for future legislative review & repeal of exemption; provides statement of public necessity.	<b>6/7/2019</b> <b>*except as noted for certain sections effecting Clerks &gt;</b>	<b>CLERK</b>
18	<b>HB 107</b>	<b>SIGNED BY GOVERNOR 5/17/19 Ch. 2019-44</b> <b>Wireless Communications While Driving;</b> Requiring a law enforcement officer to inform a motor vehicle operator of certain rights; requiring such officer to record the race and ethnicity of a violator when issuing a citation; requiring law enforcement agencies to report such information to the Department of Highway Safety and Motor Vehicles; prohibiting a person from operating a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; authorizing a law enforcement officer during a specified period to stop motor vehicles to issue warnings to persons who are driving while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; requiring all law enforcement agencies to maintain such information and report it to the Department of Highway Safety and Motor Vehicles in a form and manner determined by the department, etc.	<b>7/1/2019</b> <b>*except as noted for specific sections &gt;</b>	<b>Traffic Collections</b>
19	<b>SB 7016</b>	<b>SIGNED BY GOVERNOR 4/15/19 Ch. 2019-8</b> <b>State-Administered Retirement Systems</b> Establishes employer contribution rates for the Florida Retirement System for the upcoming state fiscal year	<b>7/1/2019</b>	<b>HR</b>
20	<b>HB 7099</b>	<b>SIGNED BY GOVERNOR 6/25/19 Ch. 2019-142</b> <b>Child Welfare:</b> Requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring certain judicial orders to specify that the Department of Children and Families has placement and care responsibility for certain children; authorizing psychiatric nurses to prescribe psychotropic medications to certain children; requiring a young adult in extended foster care to provide certain documentation or execute a consent for release of certain records; revising the determinations a court must make to return a child to the custody of his or her parents; revising membership of the Children and Youth Cabinet; revising eligibility for Medicaid coverage for children eligible for the Guardianship Assistance Program, etc.	<b>7/1/2019</b>	<b>Family Law / Dependency</b>

Clerk-Related Legislation

	E	F
16	Creates § 112.31446, requiring Commission on Ethics to establish electronic filing system for financial disclosure, and for all financial disclosures to be filed electronically, by 1/1/22; amends §112.312(10), eff. 1/1/20, changes taxable to calendar year; amends and adds several subsections to § 112.3144, dealing with financial disclosure filing requirements and timelines. **See FCCC Advisory 19-034, pp. 9-11, for detailed summary of HB 7021/7023 on Clerk points.	
17	Creates new subsection (6), §112.31446: exempting secure user login credentials and electronically filed financial data; exempt only until disclosure or financial statement is filed w/Commission. **See FCCC Advisory 19-034, pp. 9-11, for detailed summary of HB 7021/7023 on Clerk points.	
18	Eff. 7/1/19: §316.305 amended to make texting while driving a primary ticketable offense (defined as actively typing in, or reading letters, #s, into a device while the vehicle engaged); §316.305(3) adds search & seizure of a wireless device once driver stopped; Eff. 10/1/19: §316.306 Driver prohibited from operating the vehicle while using a wireless device in a <u>handheld manner</u> when in a <u>designated school crossing, school zone, or work zone area</u> (when workers present). §316.306(4)(a) provides for points, penalties, waiver of both by Clerk upon driver safety completion. §316.306(4)(a)(5) All proceeds collected by Clerk under §316.06 shall be remitted to DOR for deposit in EMSTF, DOH. *10/1/19 -12/31/19, LEO may issue verbal/written warning instead of ticket to educate/inform public about new law.	Update current charge information (texting) to use of handheld wireless communication device while driving  Fines collected by Clerk under §316.305 still governed by §318.21, but 100% of fines collected under §316.306 are remitted to DOR for DOH's EMSTF.
19	Amends 121.71 (4) and (5), increasing required employer contribution rate for membership class and subclass	
20	Amends §39.402 requirements for Orders placing child in shelter care; (line 122); adds language to be included in all orders for placement (line 187); amends requirement for initial review of placement from 3 mos. to 60 days (line 443>>)	

Clerk-Related Legislation

	A	B	C	D
21	<b>SB 7006</b>	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-13</b>  <b>Uniform Interstate Depositions and Discovery Act:</b> Designating the “Uniform Interstate Depositions and Discovery Act”; requiring a party to submit a foreign subpoena to a clerk of court in this state for the issuance of a subpoena in this state; requiring the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed; requiring that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure, etc</p>	<b>7/1/2019</b>	<b>COURTS</b> <b>Civil</b>
22	<b>HB 845</b>	<p><b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-39</b>  <b>Public Records/Petition for Certain Protective Injunctions;</b> Providing an exemption from public records requirements for all information contained in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity, etc.</p>	<b>7/1/2019</b>	<b>Court Records</b> <b>Family Law-DV</b>
23	<b>SB 7014</b>	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-15</b>  <b>Government Accountability:</b> Specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner, may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying that any person who willfully fails or refuses to provide access to an employee, officer, or agent of an entity under audit is subject to a penalty; revising the definition of the term “financial audit”; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls, etc.</p>	<b>7/1/2019</b>	<b>CLERK</b> <b>Finance</b>
24	<b>HB 337</b>	<p><b>SIGNED BY GOVERNOR 5/24/19 Ch. 2019-58</b>  <b>Courts: Jurisdiction of County Courts:</b> Requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts; provides county court civil filing fees for claims of specified value; provides for distribution of fees; provides that certain mediation fee is not applicable to certain appeals; authorizing certain defendants to demand that a court issue a ruling related to proper court venue; authorizes court to dismiss certain civil cases if specified criteria are met.</p>	<b>7/1/2019</b>	<b>County Civil /</b> <b>County to Circuit</b> <b>Appeals</b>

Clerk-Related Legislation

	E	F
21	Amends §92.251, making Florida a party to the Uniform Interstate Depositions and Discovery Act: Requires a party needing service in Florida to present a subpoena for issuance to a Florida Clerk of Court, who must promptly issue same and process for service as it would any local subpoena. Also requires that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure. *Does NOT apply to criminal subpoenas	JIS & BM to be updated with new statute language; civil intake policies and procedures to be updated with procedure for handling subpoenas presented for issuance from another state.
22	Adds a third public records exemption for DV cases under § 119.0714(1)(k), to include "any information" that can be used to identify either party to a petition, until the respondent has been personally served.	Senes will have to program these cases to be confidential and not appear on the SecureWeb until we receive the return of service
23	Amends §11.45 definitions to include "abuse" and "fraud"; §11.47, adds failure or refusal to "provide access to an employee, officer, or agent of an entity subject to an audit" a 1d Misd. Amends §28.35 to require CCOC to notice, and provide corrective action plans, to Legislature within 45 days of each qrtly. reporting period (last day of March, June, Sept., Dec.) as to clerks not meeting workload performance standards. Amends §218.31, definition of "financial audit"; §218.32, preparation of verified reports by local gov. entities (LGEs), requiring information requested by DEO to be provided w/in 45 days; §218.33; requires LGEs to establish and maintain internal controls to achieve specified purposes.	
24	<ul style="list-style-type: none"> <li>• Adds new section 1, amending s. 26.012, to provide that circuit courts have appellate jurisdiction of county courts except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This paragraph is repealed on January 1, 2023, presumably to allow OSCA time to provide a review of appellate jurisdictions (see next bullet point).</li> <li>• The current Senate version requires OSCA to report to the Governor and Legislature regarding recommendations on the jurisdiction of county courts by March 1, 2021. This delete-all changes this to by February 1, 2021. <ul style="list-style-type: none"> <li>o As an additional note, this paragraph continues to include the requirement that Clerks provide claim value data and necessary case event data to OSCA to be used in the development of the report.</li> <li>o The Senate texts, including this amendment, also requires OSCA to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit and DCAs.</li> </ul> </li> </ul>	modify filing fees and distribution for appeals, and create new court action type for county court. Civil supers need to weigh in.

Clerk-Related Legislation

	A	B	C	D
25	<b>SB 838</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-51</b> <b>Public Records/Mental Health Treatment and Services;</b> Providing an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	<b>7/1/2019</b>	<b>MH</b> <b>Court</b> <b>Records</b>
26	<b>SB 1136</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-53</b> <b>Cyberharassment;</b> Redefining the terms “personal identifying information” and “sexually cyberharass”; providing criminal penalties, etc.	<b>7/1/2019</b>	<b>Criminal,</b> <b>Family Law (DV) Civil</b>
27	<b>SB 318</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-49</b> <b>Public Records/Child Abuse, Abandonment, or Neglect;</b> Prohibiting the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	<b>7/1/2019</b>	<b>Court records</b> <b>Civil,</b> <b>Dependency</b>
28	<b>HB 845</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-39</b> <b>Public Records/Petition for Certain Protective Injunctions;</b> Providing an exemption from public records requirements for all information contained in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity, etc.	<b>7/1/2019</b>	<b>Court Records</b> <b>Family Law-DV</b>
29	<b>SB 248</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-12</b> <b>Public Records/Civilian Personnel Employed by a Law Enforcement Agency;</b> Expanding exemptions from public records requirements for agency personnel information by defining the term “home addresses” for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; providing for legislative review and repeal of the exemptions; providing statements of public necessity, etc.	<b>7/1/2019</b>	<b>FYI - Records</b> <b>HR (Personnel) Finance</b> <b>(Auditing)</b>
30	<b>HB 563</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-80</b> <b>Unemployment Compensation;</b> Prohibits certain victims of domestic violence from being disqualified for benefits; prohibits employment records of employing units & employers from being charged in certain circumstances. Substituted for SB 990	<b>7/1/2019</b>	<b>HR</b>

Clerk-Related Legislation

	E	F
25	Creates §394.464, making all petitions for vol/invol.admission for MH treatment, court orders, and related records filed with or by the court as of 7/1/2019, exempt from public record under 119.07(1).	Will this be the whole record or just pleadings within? Update redaction procedures or make case case confidential?
26	§784.049 amended to revise leg. Intent; redefines "personal identification information" and "sexually cyberharass"; incl. requirement of a reasonable expectation of privacy as to image or information disseminated or published; Reenacts §§901.15(16), 901.41(5) and 933.18(11), re arrest w/o warrant, prearrest diversion programs; circumstances for issuance of warrant on private dwelling; *Retains CIVIL c/a for injunctive relief/damages/attys fees	FDLE statute table to be updated 784.049(2)(b) - should we redact the victim info?
27	Amends §39.202 and expands public records exemption under §119.07(1) to make "identifying information" (as well as name) of a reporter confidential;	Update policies and procedures as to §119 public records exemptions; Update redaction procedures to include "identifying information" as well as name of reporter.
28	Adds a third public records exemption for DV cases under § 119.0714(1)(k), to include "any information" that can be used to identify either party to a petition, until the respondent has been personally served.	Senes will have to program these cases to be confidential and not appear on the SecureWeb until we receive the return of service
29	Amends §119.071(4)(d) AGENCY PERSONNEL INFORMATION by <u>removing the scheduled repeal date of exemption for</u> : LEOs, DFS & OFR employees, firefighters, judiciary, magistrates, ALJs, OECC & CSE hearing officers, HR for local govt agencies, code enforcement officers, GALs, DBPR investigators, Tax Collectors, DOH investigators, "impaired practitioner" consultants, EM personnel, IG or IA auditors/investigators, addiction treatment centers personnel, CPT/Child Advocacy Center staff; **unchanged: EXEMPT STATUS only attaches if requested by individual or their agency by written request to custodian of records; **ADDS (4)(d)4. Any written request for RELEASE of information must be notarized and must specify information to be released, and the party to whom information is to be released.	update redaction procedures to remove reporting name. update confidential record procedure.
30	Amends §443.101, prohibiting certain victims of domestic violence from being disqualified for UC benefits for voluntarily leaving work; prohibits the employment record of an employing unit from being charged in certain circumstances; Amends §443.131, to add circumstance under which the employment record of an employing unit may not be charged.	

Clerk-Related Legislation

	A	B	C	D
31	HB 7081	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-98</b> <b>State Court System Administration;</b> Requires security background investigations for foreign language court interpreters & mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments.	7/1/2019	Criminal
32	HB 1121	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-93</b> <b>Support Organizations;</b> Requires DEP to submit report to Legislature; abrogates scheduled repeal of provisions governing DEP, DOS, FWCC, & DACS support organizations; repeals Florida Intergovernmental Relations Foundation & directs EOG & foundation to satisfy liabilities & transfer funds; authorizes court to order persons convicted of certain violations to pay additional assessment; authorizes specified citizen support organization to pay certain rewards.	7/1/2019	Criminal Collections
33	HB 851	<b>SIGNED BY GOVERNOR 6/26/19 Ch. 2019-152</b> <b>Human Trafficking;</b> Human Trafficking; Requires Department of Legal Affairs to establish certain direct-support organization; provides for future review & repeal; provides for instruction on human trafficking; requires specified licensees or certificate holders to post human trafficking public awareness signs in place of work; provides penalties; requires specified continuing education for certain persons; requires Department of Law Enforcement to establish continued employment training component relating to human trafficking; provides appropriations. *Substituted for SB 540,	7/1/2019	COURTS Criminal
34	SB 7066	<b>IN 7/1/19 (VOTER RESTORATION)</b> <b>BY GOVERNOR 6/28/19 Ch. 2019-162</b> <b>Election Administration;</b> Requiring the Secretary of State to provide signature matching training to certain persons; revising the voter threshold necessary to require the reporting of certain precinct-level results by ballot; requiring the supervisor of elections of the county in which an ineligible voter is registered to notify the voter of instructions for seeking restoration of voting rights pursuant to s. 4, Art. VI of the State Constitution, in addition to restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution; requiring the supervisor of elections to make a final determination of whether a person who has been convicted of a felony offense is eligible to register to vote, including if he or she has completed all the terms of his or her sentence, etc.	7/1/2019	Collections
35	HB 160	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-45</b> <b>Prohibited Acts in Connection with Obscene or Lewd Materials;</b> Prohibiting a person from knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions; having in his or her possession, custody, or control with the intent to commit such actions; or advertising in any manner an obscene, child-like sex doll; providing criminal penalties, etc.	10/1/2019	Criminal



Clerk-Related Legislation

	E	F
31	Amends §812.014, re/electronic judgments, fingerprints in petit theft cases (line 320>>); Amends §921.241, re/ electronic records, fingerprints in felony cases (line 359>>); re-enacts portions of §775.084 re/requirements for determinations of, and hearings on, habitual felony offender, 3x violent felony offender, violent career criminal (line 468>>).	
32	Creates §379.2231, defining the terms "convicted" and "conviction"; authorizing a court to order persons convicted of certain violations to pay an additional assessment;	FDLE statute table to be updated JIS & BM to be updated with new statute language; Collection policies/procedures need updating (?)
33	Creates §943.0433, Solicitation for Prostitution Public Database under FDLE; §796.07(5)(e) REQUIRES CLERK to forward the criminal history of any person found guilty, or who enters a plea of guilty or no contest, to solicitation, to FDLE, for addition to the database. §450.45(e) creates a 1st Deg. Misd. for person who owns, operates, or manages an adult theater in violation of any requirements of §450.045 (failing to keep ID/photo documentation of all employees for 3 yrs following employment)	FDLE statute table to be updated JIS & BM to be updated with new statute language; criminal policies and procedures to be updated
34	<b>§98.075(5):</b> Clerks to provide information on felony convictions to Dept. of State for review in determining eligibility for restoration of voting rights. <b>Section 33:</b> Creates the <b>Restoration of Voting Rights Work Group</b> within Dept. of State, which membership <b>shall include 2 clerks of circuit court</b> appointed by Governor. The work group shall submit a report of its findings conclusions and recommendatins to Legislature by 11/1/19.	
35	Amends § 847.011 to include possession of "child-like sex doll" with intent to commit various acts or transactions in list of prohibited acts in connection with obscene, lewd, etc., materials: First offense is 3d Felony; 2nd or subsequent offense is 2d Felony; Adds knowing possession w/o intent as a 1d Misd.; 2nd or subsequent offense is 3d Felony Offense Severity Ranking Chart, Level 6, is reenacted at the bill's conclusion to incorporate reference to the above changes.	FDLE statute table to be updated Add new statute to JIS & BM

Clerk-Related Legislation

	A	B	C	D
36	HB 7125	<p><b>SIGNED BY GOVERNOR 6/28/19 Ch. 2019-167</b></p> <p><b>Administration of Justice:</b> Providing for reallocation of unencumbered funds returned to the Crime Stoppers Trust Fund; increasing threshold amounts for certain theft offenses; revising criminal penalties for the third or subsequent offense of driving while license suspended, revoked, canceled, or disqualified; requiring the Department of Children and Families to provide rehabilitation to criminal offenders designated as sexually violent predators; establishing eligibility criteria for expunction of a criminal history record by a person found to have acted in lawful self-defense; creating the Task Force on the Criminal Punishment Code adjunct to the Department of Legal Affairs, etc. APPROPRIATION: \$250,000</p>	10/1/2019	Traffic Criminal Collections
37	SB 262	<p><b>SIGNED BY GOVERNOR 6/25/19 Ch. 2019-128</b></p> <p><b>Child Welfare:</b> Providing for the name of a child's guardian ad litem or attorney ad litem to be entered on court orders in dependency proceedings; requiring cooperation between certain parties and the court to achieve permanency for a child as soon as possible; requiring the court during an adjudicatory hearing to advise parents in plain language of certain requirements to achieve reunification with their child, etc</p>	10/1/2019	Family Law / Dependency Most of provisions related to DCF-Judiciary requirements, see comments
38	SB 7030	<p><b>SIGNED BY GOVERNOR 5/8/19 Ch. 2019-22</b></p> <p><b>Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission:</b> Requiring sheriffs to establish a school guardian program or contract with another sheriff's office that has established a program under a certain condition; requiring the Office of Safe Schools to annually provide training for specified personnel; requiring district school boards and school district superintendents to partner with security agencies to establish or assign safe-school officers; revising requirements for school district zero-tolerance policies; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts, etc.</p>	5/8/2019 *10/1/2019 for Clerk- related provisions	FYI Criminal
39	SB 96	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-9</b></p> <p><b>Police, Fire, and Search and Rescue Dogs and Police Horses:</b> Increasing the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, police canines or horses, fire canines, or SAR canines, etc.</p>	10/1/2019	Criminal

Clerk-Related Legislation

	E	F
36	<ul style="list-style-type: none"> <li>• Updates the felony threshold from \$300 to \$750 (lines 2331, 2387&gt;&gt;, 2421, 5394&gt;&gt;)</li> <li>• Reduces certain DL suspensions from 1 YR to 6 Mo. (lines 885&gt;&gt;1011) which is the Federal minimum requirement</li> <li>• Expands definition of CYBER-STALKING (lines 2077--2113), updates other computer-related crimes</li> <li>• Significantly deals with sealing and expunging of records, including listing those offenses that are not eligible; adds automatic sealing provisions</li> <li>• Increases the min/mand. amts for possession for certain drug trafficking offenses</li> <li>• Updates several issues re/criminal justice data transparency initiative</li> <li>• Requires additional info be provided re/drug courts and community courts</li> </ul>	
37	<p>Amends §39.001 requiring GAL or AAL's name be entered on court orders to be readily identifiable by parties (line 69)</p> <p>FYI only: Requires action or compliance by parties w/in 1 year after removal or adjudication (line 85&gt;&gt;);</p> <p>Amends §39.402 to limit total days of continuances by Court or parties to 60 days w/in 12 mo. period (line 134&gt;&gt;); Amends §39.507 to require parents stay in contact w/attys, case mgr, keep contact info updated; to promptly notify court of barriers to performances under plan (Line 178 &gt;&gt;);</p> <p>Amends §39.811, adding 30 day requirement for final written order to be issued following TPR (Line 457&gt;&gt;).</p>	
38	<p>Amends §843.08, expanding penalties for false impersonation to add impersonation of a <u>school guardian</u>, as described in §30.15(1)(k), or a <u>security officer</u> licensed under §493, as a <u>3d Degree Felony</u>; deletes the term "watchman" from §843.08.</p> <p>The felony offense severity ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p> <p><b>**Note**</b> that these changes are effective <u>October 1, 2019</u>.</p>	
39	<p>Amends §843.19, expanding definitions of police dogs and horses to include all dogs and horses used by law enforcement or correctional departments and reclassify them as employees. Increases penalties for intentional/malicious causing great bodily harm or death, 2d Felony; intentional or malicious touch/strike/bodily harm, 1d Misd. Intentional/malicious harrasing, teasing, interference, etc., 2d Misd.</p> <p>*The Level 3 Offense Severity Ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p>	<p>FDLE statute table to be updated;</p> <p>JIS &amp; BM to be updated with new statute language;</p>

Clerk-Related Legislation

	A	B	C	D
40	<b>HB 1057</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-92</b> <b>Motor Vehicles</b> ; Revises provisions relating to motor vehicle lamps, lights, & warning signals; provides requirements & penalties; revises requirements for release statements & pickup notices for damaged or dismantled motor vehicles; authorizes entity that processes certain transactions or certificates for derelict or salvage motor vehicles to be authorized electronic filing system agent; authorizes DHSMV to adopt rules	<b>10/1/2019</b>	<b>Traffic</b>
41	<b>SB 1080</b>	<b>SIGNED BY GOVERNOR 6/25/19 Ch. 2019-133</b> <b>Hazing</b> : Expanding the crime of hazing, a third degree felony, to include when a person solicits others to commit or is actively involved in the planning of hazing; expanding the crime of hazing, a first degree misdemeanor, to include when a person solicits others to commit or is actively involved in the planning of hazing; providing that a person may not be prosecuted if certain conditions are met, etc.	<b>10/1/2019</b>	<b>Criminal</b>
42	<b>HB 409</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-71</b> <b>Electronic Legal Documents</b> ; amends F.S. 117, and enacts add'l provisions re/ electronic court documents and related notarial acts; requiring the clerk of the circuit court to record certain instruments; creates §.732.526, electronic filing of wills.	<b>1/1/2020</b>	<b>COURTS, Official Records</b>
43	<b>HB 7121</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-41</b> <b>Public Records/Lottery</b> ; Provides that certain information held by Department of Lottery is confidential & exempt from public record requirements; provides for retroactive application; provides public necessity statement; provides directive to Division of Law Revision.	<b>5/14/2019</b>	<b>FYI Only</b>
44	<b>HB 7107</b>	<b>ADDED 7/1/19</b> <b>SIGNED</b> <b>BY GOVERNOR 6/28/19 Ch. 2019-166</b> <b>Controlled</b> <b>Substances</b> ; Schedules certain drug product containing cannabidiol to Schedule V.	<b>6/28/2019</b>	<b>FYI Only - Criminal</b>
45	<b>HB 311</b>	<b>SIGNED BY GOVERNOR 6/13/19 Ch. 2019-101</b> <b>Autonomous Vehicles</b> ; Autonomous Vehicles; Exempts autonomous vehicles & operators from certain prohibitions; provides that human operator is not required to operate fully autonomous vehicle; authorizes fully autonomous vehicle to operate regardless of presence of human operator; provides that automated driving system is deemed operator of autonomous vehicle operating with system engaged; authorizes Florida Turnpike Enterprise to enter into agreements to fund & operate facilities; provides requirements for insurance & operation of on-demand autonomous vehicle networks; revises registration requirements for autonomous vehicles; provides for uniformity of laws governing autonomous vehicles.	<b>7/1/2019</b>	<b>FYI only</b> <b>Traffic</b>
46	<b>HB 475</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-76</b> <b>Certificates of Title for Vessels</b> ; Revises & provides requirements for application for and issuance of certificate of title for vessel; revises & provides duties of DHSMV related to issuance, renewal, replacement, or cancellation of certificate; revises & provides requirements for transferring ownership interest; provides requirements related to security interest in vessel; provides for rights of vessel purchasers; provides for repeal of certain provisions on specified dates; provides that principles & law of equity supplement provisions of act; authorizes DHSMV to adopt rules; provides construction & applicability regarding transactions, certificates of title, & records entered into or created, actions or proceedings commenced, & security interests perfected before effective date of act.	<b>7/1/2023</b>	<b>FYI only</b> <b>Criminal</b>

Clerk-Related Legislation

	E	F
40	Amends §§ 316.235, 316.2397, 316.2398, 316.224, 319.30; 320.03; 322.01; Authorizes and prohibits certain lighting equipment and warning signals on certain vehicles; classifies all prohibitions as non-moving traffic violations, punishable under Ch. 318.	FDLE statute table to be updated JIS & BM to be updated with new statute language;
41	Amends §1006.63 to redefine HAZING; expands the 3d Felony to include solicitation of others; expands the 1d Misd. to include solicitation of others; provides immunity from prosecution for first reporter of an incident to 911 or campus police, or first person to administer aid to a victim with intent to stabilize until first responders arrive.	FDLE statute table to be updated;
42	Amends §28.222, adding electronically created and signed documents to list of instruments the Clerk shall record; Amends §695.03 re/acknowledgment or proof requirement for real property instruments to be recorded Additional:	
43	NO CLERK RELATED functions or processes involved	
44	NO CLERK RELATED functions or processes involved Amends the Florida Comprehensive Drug Abuse Prevention and Control Act in § 893.	
45	NO CLERK RELATED functions or processes involved This bill expands on the §316.85, <i>Autonomous Vehicles</i> , added in 2016, but w/o any substance. Lists definitions, requirements and exemptions from rest of §316 requirements for autonomous vehicles	
46	Effective July 1, 2023; incorporates the Uniform Certificate of Title for Vessels Act into Florida's existing vessel titling law; <u>renumbers an existing criminal penalty</u>	FDLE statute table to be updated

Clerk-Related Legislation

	A	B	C	D
47	<b>SB 910</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-61</b> <b>Court-ordered Treatment Programs;</b> Providing that veterans who were discharged or released under any condition, individuals who are current or former United States Department of Defense contractors, and individuals who are current or former military members of a foreign allied country are eligible in a certain Military Veterans and Servicemembers Court Program, etc.	<b>7/1/2019</b>	<b>FYI Only</b>
48	<b>HB 591</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-38</b> <b>Pub. Rec./Public Utility Held Customer Information and Data</b> amends Ch. 119, F.S., to exempt certain information held by a local government utility SB 6 Florida Statutes (previously signed) •Effective July 3, 3019; revises Florida Statutes, and specifically makes conforming changes in ss. 741.30 and 784.046, F.S.	<b>7/1/2019</b> <b>7/3/2019</b>	<b>FYI Only</b>
49	<b>HB 281</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-55</b> <b>Pub.Rec./Voters and Voter Registration;</b> Provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; provides for future legislative review & repeal; provides for retroactive application; provides statement of public necessity.	<b>7/1/2019</b>	<b>FYI Only</b>
50	<b>HB 595</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-81</b> <b>Alcohol or Drug Overdose Prosecutions:</b> Prohibits arrest or penalty under specified provisions of person seeking medical assistance for individual experiencing alcohol-related or drug-related overdose or for himself or herself; prohibits this protection from being grounds for suppression of evidence in other prosecutions.	<b>7/1/2019</b>	<b>FYI Criminal</b>
51	<b>HB 5011</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-95</b> <b>Courts;</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; revising the number of county court judges in certain counties, etc.	<b>7/1/2019</b>	<b>FYI Only</b>
52	<b>SB 1418</b>	<b>SIGNED BY GOVERNOR 6/25/19 Ch. 2019-134</b> <b>Mental Health;</b> Requiring service providers to disclose information from a clinical record under certain circumstances relating to threats to cause serious bodily injury or death; requiring psychiatrists to disclose certain patient communications for purposes of notifying law enforcement agencies of certain threats; revising responsibilities of the Department of Education and the Statewide Office for Suicide Prevention, etc.	<b>7/1/2019</b>	<b>FYI Only</b>
53	<b>HB 7009</b>	<b>SIGNED BY GOVERNOR 5/14/19 cH. 2019-28</b> <b>OGSR/Identification and Location Information/Department of Health;</b> Removes scheduled repeal of exemption from public record requirements for certain personal identifying & location information of specified personnel of DOH, their spouses & children.	<b>10/1/2019</b>	<b>FYI Only Records, Civil, Criminal</b>
54	<b>HB 7025</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-30</b> <b>OGSR/Treatment-based Drug Court Programs;</b> Amending provisions relating to an exemption from public records requirements for certain information relating to screenings for participation in treatment-based drug court programs and subsequent treatment status reports; removing the scheduled repeal of the exemption, etc.	<b>10/1/2019</b>	<b>FYI Only Criminal, MH, Guardianship, Family Law,</b>

Clerk-Related Legislation

	E	F
47	NO CLERK RELATED functions or processes involved Expands eligibility for certain Veterans' and Servicemembers' Drug Court Program.	
48	NO CLERK RELATED functions or processes involved	
49	NO CLERK RELATED functions or processes involved	
50	NO CLERK RELATED functions or processes involved Exempts someone experiencing, reporting or seeking medical intervention for someone experiencing an alcohol or drug overdose from criminal liability if certain criteria are met.	
51	NO CLERK RELATED functions or processes involved	
52	NO CLERK RELATED functions or processes involved.	
53	NO CLERK RELATED functions or processes involved Amends §119.071(4) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for DOH employees entirely.	
54	NO CLERK RELATED functions or processes involved Amends §397.334 removes the scheduled repeal of the exemption for records of screenings/evaluations for treatment-based drug court programs. *NO CHANGE* TO SUBSTANCE OF EXEMPTION	Make DPTI docket code confidential and not appear on Secure Web

Clerk-Related Legislation

	A	B	C	D
55	<b>SB 7034</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-16 OGSR/Automated License Plate Recognition System</b> ; Amending provisions which provides a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and for personal identifying information of an individual in data generated from such images; removing the scheduled repeal of the exemption, etc.	<b>10/1/2019</b>	<b>FYI Only</b>
56	<b>HB 611</b>	<b>SIGNED BY GOVERNOR 6/24/19 Ch. 2019-125 Motor Vehicle Racing</b> ; Increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction, etc.	<b>10/1/2019</b>	<b>FYI Traffic</b>
57	<b>HB 1033</b>	<b>ADDED 7/1/19</b> <b>SIGNED BY</b> <b>GOVERNOR 6/27/19 Ch. 2019-160</b> <b>Continuing Care</b> <b>Contracts</b> ; Revises & provides provisions related to continuing care contracts including financing, refinancing, procedures & standards for certificates of authority & provisional certificates, escrowed funds, provider acquisitions, expansion of facilities, rulemaking, filing of information, management contracts, minimum standards, procedures for providers not meeting standards, & composition of Continuing Care Advisory Council.	<b>1/1/2020</b>	<b>FYI Criminal</b>
58				
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Clerk-Related Legislation

	E	F
55	NO CLERK RELATED functions or processes involved §316.0777 amended to delete scheduled repeal of exemption- no change to substance of exemption.	
56	NO CLERK RELATED functions or processes involved- Amends §316.191 criteria for arrest to read "has probably cause to believe" and deletes "determines" .	
57	§ 651.1065 (2) Adds criminal penalties for soliciting or accepting new continuing care contracts by impaired or insolvent facilities or providers under certain circumstances, under §§ 775.082, 775.083; 775.084	FDLE statute table to be updated; JIS & BM to be updated with new statute language;
58		
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60		
61		
62		
63		

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>

**Sent:** Thursday, June 06, 2019 9:11 AM EDT

**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>

**CC:** Erika Bowen <EABowen@leoncountyfl.gov>

**Subject:** Legislative spreadsheet, updated

**Attachment(s):** "2019 Legislative Spreadsheet\_Passed-Signed\_Updated 6-5-19.xlsx"

Good morning ~ attached is the spreadsheet updated as of last night (four additional bills were presented to the Governor yesterday for signature, and are so noted). I have left the bills in the original order to avoid confusion since you are already working on Monday's version – this version just contains my notes from a thorough reading of each bill.

- My notes are in **purple**, to distinguish from managers/supervisors' input. For the bills which still showing comments in red, I am still reviewing and will be updating those comments today. As of today, I have only received input from Kristy Mickler – and haven't had a chance to look at her comments, but will factor them in this morning.
- Bills which are "**FYI only**" have been left on the sheet because FCCC is monitoring them – they are highlighted in grey to distinguish.
- **HB 7021** and **7023** have been moved to a separate "**CLERK only**" spreadsheet, also in the G-drive folder.
- Location, again, for the spreadsheets: [G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet\\_Passed-Signed\\_Updated 6-5-19](G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet_Passed-Signed_Updated 6-5-19)
- As additional bills are presented to the Governor, or are signed into law, I will update this version and notify everyone of the changes.

## Stacey Allen

Staff Attorney

Direct: (850) 606-4121

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**From:** Gwen Marshall

**Sent:** Monday, June 3, 2019 5:29 PM

**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>

**Cc:** Erika Bowen <EABowen@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>

**Subject:** RE: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

Good afternoon,

Attached for your review is the a copy of the most recent legislation that was passed and signed by the Governor. The worksheet is sorted by divisions so that you can easily determine which bill pertains to your individual departments.

At your earliest convenience, please forward to Stacey any existing policy and/or procedure within you division that the attached legislation might impact. If a policy doesn't exist, please let Stacey know as soon as possible.

Thank you,  
Gwen

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

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**From:** Stacey Allen

**Sent:** Tuesday, May 28, 2019 8:30 AM

**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>;

FL-LEON-19-1045-A, 19-1046-A-000457

Lorenzo Howard <[LLHoward@leoncountyfl.gov](mailto:LLHoward@leoncountyfl.gov)>; Lillian Spell <[LFSpell@leoncountyfl.gov](mailto:LFSpell@leoncountyfl.gov)>

Cc: Gwen Marshall <[GMarshall@leoncountyfl.gov](mailto:GMarshall@leoncountyfl.gov)>; Darlene Green <[DGreen@leoncountyfl.gov](mailto:DGreen@leoncountyfl.gov)>; Erika Bowen <[EABowen@leoncountyfl.gov](mailto:EABowen@leoncountyfl.gov)>

Subject: FW: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

Importance: High

As of Friday pm, I've updated our internal spreadsheet to incorporate the 26 bills signed by the Governor last week. It can be found at [G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet Passed-Signed](#). **\*Please distribute\*** to supervisors/lead workers as appropriate to add their input *this week*, if possible, as to anticipated implementation measures. I am currently working on updating the existing policy/procedure on implementation of legislative changes. Thank you!  
&#128521;

## Stacey Allen

Staff Attorney

Direct: (850) 606-4121

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From: Legislative <[legislative@flclerks.com](mailto:legislative@flclerks.com)>

Sent: Friday, May 24, 2019 2:59 PM

Subject: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

Importance: High

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers, Clerks' and Comptrollers' staff	<b>Category:</b>	Clerk and Comptroller Administration, Legislative, Courts, Records, IT
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legislative alert regarding the Governor's recent action on bills of interest to Clerks and Comptrollers.
<b>Executive summary:</b>	Along with <a href="#">CS/CS/HB 337 Courts</a> , Governor Ron DeSantis signed an additional 25 bills into law this week, including some that may be of interest to Clerks and Comptrollers, listed below by general subject area and effective date. Clerks will be alerted when additional bills are signed. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual <i>Legislation of Interest</i> document, and related advisories, once all final bill action has been taken.		
<b>Clerk outreach:</b>	No external outreach is needed.		

### Dear Court Clerks and Comptrollers:

Along with [CS/CS/HB 337 Courts](#), Governor Ron DeSantis signed an additional [25 bills into law](#) this week. A full list of bills that have been sent to the Governor—along with the due date for his action—may be accessed [via this link](#).

Included among the bills signed yesterday are some that may be of interest to Clerks and Comptrollers. These are listed below by general subject area and effective date; brief descriptions of each bill are also included.

Clerks will be alerted when additional bills are signed by the Governor. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual *Legislation of Interest* document, and related advisories, once all final bill action has been taken.

#### Priority:

##### [SB 186 Public Records/Victims of Mass Violence](#)

- Effective upon becoming a law; expands the applicability of a current public records exemption to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence, as defined by the bill

##### [HB 861 Local Government Financial Reporting](#)

- Effective upon becoming a law; requires county and municipal budget officers to submit certain information to EDR within a specified timeframe using a format developed by EDR

##### [CS/CS/SB 838 Public Records/Mental Health Treatment and Services](#)

- Effective July 1, 2019; provides a public records exemption for records related to procedures under the Baker Act

#### Courts:

##### [SB 1136 Cyberharassment](#)

- Effective July 1, 2019; redefines certain terms related to cyberharassment

##### [CS/CS/HB 7065 Insurance Assignment Agreements](#)

- Effective July 1, 2019; makes changes to the assignment of benefits, or "AOB," process

##### [CS/SB 160 Prohibited Acts in Connection with Obscene or Lewd Materials](#)

- Effective October 1, 2019; prohibits specified actions involving a child-like sex doll; provides criminal penalties

#### Public Records:

FL-LEON-19-1045-A, 19-1046-A-000458

[CS/HB 281 Pub. Rec./Voters and Voter Registration](#)

- Effective July 1, 2019; provides a public records exemption for information related to a voter applicant's or voter's prior felony conviction, and whether such person had their voting rights restored by the clemency board or by Amendment 4

[CS/CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect](#)

- Effective July 1, 2019; expands the current public records exemption that protects the name of a Florida central abuse hotline reporter to also protect any information that would identify such reporter

**Wildlife/Boating:**

[CS/CS/CS/SB 1666 Vessels](#)

- Effective July 1, 2019; revises boating safety identification requirements for certain persons; specifies fines for violations related to no-discharge zones

**Miscellaneous:**

[CS/CS/SB 1024 Blockchain Technology](#)

- Effective upon becoming a law; establishes the Florida Blockchain Task Force within the Department of Financial Services

Thank you,

Sara



**SARA SANDERS**, *Legislative Manager*  
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Clerk-Related Legislation

	A	B	C	D
1	<b>**NOTE**</b>			
2		<b>Bills PASSED, ordered ENROLLED on date shown; NOT SIGNED by Governor as of 6/5/19</b>		
3		<b>BILLS SIGNED INTO LAW on date shown, eff. date shown</b>		
4		<b>*ATTY NOTES on substance of bills in purple to distinguish from MGR/Supers' input. *For bills that are le</b>		
5		<b>*FYI ONLY bills are listed only for general information purposes - NO CLERK RELATED functions o</b>		
6		<b>*Two bills relating only to CLERK as elected official are tracked on separate spreadsheet.</b>		
7	<b>* This spreadsheet will be updated many times, and the date last updated will be reflected in the "last modified" column after document n</b>			
8	<b>* If you want to print, note that this spreadsheet is formatted for 8.5 x 14 (legal) paper.</b>			
9	<b>* UBAL = "upon becoming a law". If UBAL is was noted previously but has since been signed by Governor, effective date will reflect acco</b>			
10	<b>*Before inputting remarks, read the ENTIRE bill. Go to <a href="http://m.flsenate.gov">http://m.flsenate.gov</a>, insert just the bill #, search, and click on blue button "Bill Text</b>			
11				
12	<b>Bill #</b>	<b>Bill Description</b>	<b>Effective Date</b>	<b>Departments/ Divisions Affected</b>
13	<b>ê THESE BILLS were ordered ENROLLED on date shown - not S</b>			
14	<b>HB 7099</b>	<b>Child Welfare:</b> Requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring certain judicial orders to specify that the Department of Children and Families has placement and care responsibility for certain children; authorizing psychiatric nurses to prescribe psychotropic medications to certain children; requiring a young adult in extended foster care to provide certain documentation or execute a consent for release of certain records; revising the determinations a court must make to return a child to the custody of his or her parents; revising membership of the Children and Youth Cabinet; revising eligibility for Medicaid coverage for children eligible for the Guardianship Assistance Program, etc. <b>5/1/19 PASSED BY HOUSE, Ordered engrossed, enrolled -HJ 1124 See Comments for portions of bill relating to Clerk duties/procedures à</b>	<b>7/1/2019</b>	<b>Family Law/ Dependency</b>
15	<b>HB 7081</b>	<b>PRESENTED TO THE GOVERNOR 6/5/19 - must act on it by 6/20/19 or becomes law</b> <b>State Court System Administration;</b> Requires security background investigations for foreign language court interpreters & mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments. <b>*5/3/19 PASSED Senate 40-0, House ordered enrolled. See Comments for portions of bill relating to Clerk duties/procedures à</b>	<b>7/1/2019</b>	<b>Criminal</b>

Clerk-Related Legislation

	E	F
1		
2		
3		
4	lengthy, 50pp. line #s are referenced	
5	r processes involved.	
6		
7	ame in folder	
8		
9	rdingly.	
10	t [PDF]", which will be the ENROLLED bill, or the SIGNED Law.	
11		<b>2019</b>
12	<b>Comments &amp; Questions</b>	<b>Implementation Actions</b>
13	IGNED as of 6/5/19 ê	
14	Amends §39.402 requirements for Orders placing child in shelter care; (line 122); adds language to be included in all orders for placement (line 187); amends requirement for initial review of placement from 3 mos. to 60 days (line 443>>)	
15	Amends §812.014, re/electronic judgments, fingerprints in petit theft cases (line 320>>); Amends §921.241, re/ electronic records, fingerprints in felony cases (line 359>>); re-enacts portions of §775.084 re/requirements for determinations of, and hearings on, habitual felony offender, 3x violent felony offender, violent career criminal (line 468>>).	

Clerk-Related Legislation

	A	B	C	D
16	HB 91	<p><b>Judicial Process;</b> Provides that person who acquires for value lien on property during course of specified legal actions takes such lien free of claims in certain circumstances; specifies effect of valid, recorded lis pendens in certain circumstances; revises authority of special process servers; requires that civil witness subpoenas be served by certain persons; revises requirements for substituted service on spouse; revises requirements for documenting service; revises requirements for service on LLC's; revises provisions on service outside state; authorizes certain persons to electronically sign return-of-service; exempts certified process servers from certain window suncreening restrictions. Substituted for HB 91 *4/3/19 PASSED SENATE 39-0, 4/4/19 Ordered enrolled -HJ 575 See <a href="#">Comments for portions of bill relating to Clerk duties/procedures</a> à</p>	UBAL	COURTS Civil Official Records
17	HB 611	<p><b>Motor Vehicle Racing;</b> Increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction, etc. 4/26/19 PASSED SENATE 39-0, House ordered enrolled</p>	10/1/2019	FYI only (Traffic)
18	HB 311	<p><b>Autonomous Vehicles;</b> Autonomous Vehicles; Exempts autonomous vehicles &amp; operators from certain prohibitions; provides that human operator is not required to operate fully autonomous vehicle; authorizes fully autonomous vehicle to operate regardless of presence of human operator; provides that automated driving system is deemed operator of autonomous vehicle operating with system engaged; authorizes Florida Turnpike Enterprise to enter into agreements to fund &amp; operate facilities; provides requirements for insurance &amp; operation of on-demand autonomous vehicle networks; revises registration requirements for autonomous vehicles; provides for uniformity of laws governing autonomous vehicles.5/1/19 PASSED SENATE 37-0, Ordered enrolled -HJ 1129</p>	7/1/2019	FYI only (Traffic)
19	SB 262	<p><b>Child Welfare;</b> Providing for the name of a child's guardian ad litem or attorney ad litem to be entered on court orders in dependency proceedings; requiring cooperation between certain parties and the court to achieve permanency for a child as soon as possible; requiring the court during an adjudicatory hearing to advise parents in plain language of certain requirements to achieve reunification with their child, etc *4/30/19 PASSED SENATE 112-0, Ordered enrolled -SJ 648 Most of bill pertains to judiciary and *Most of provisions related to <a href="#">DCF-Judiciary requirements, see comments</a> à</p>	10/1/2019	Family Law / Dependency

Clerk-Related Legislation

	E	F
16	<p><b>Amends §48.021</b>, now requiring service by sheriff of all <u>initial</u> "nonenforceable civil process" (line 89&gt;); <b>Amends §48.194</b>, deleting requirement for <u>affidavit of service to be filed by out of state agency</u>; <b>Amends §48.21</b> to require that all pleadings/documents served are listed on the Return of Service, and allowing for electronic sig. of server on the return (line 169&gt;&gt;)  <b>*FYI only</b>, also adds process server vehicles as exempt from window tint restrictions.</p>	
17	<p><b>FYI only</b> - Amends §316.191 criteria for arrest to read "has probably cause to believe" and deletes "determines" ,</p>	
18	<p><b>No language regarding Clerk or monetary fines:</b>  This bill expands on the §316.85, <i>Autonomous Vehicles</i>, added in 2016, but w/o any substance. Lists definitions, requirements and exemptions from rest of §316 requirements for autonomous vehicles,</p>	
19	<p><b>Amends §39.001</b> requiring GAL or AAL's name be entered on court orders to be readily identifiable by parties (line 69)  <b>FYI only:</b> Requires action or compliance by parties w/in 1 year after removal or adjudication (line 85&gt;&gt;);  <b>Amends §39.402</b> to limit total days of continuances by Court or parties to 60 days w/in 12 mo. period (line 134&gt;&gt;); <b>Amends §39.507</b> to require parents stay in contact w/attys, case mgr, keep contact info updated; to promptly notify court of barriers to performances under plan (Line 178 &gt;&gt;); <b>Amends §39.811</b>, adding 30 day requirement for final written order to be issued following TPR (Line 457&gt;&gt;).</p>	



Clerk-Related Legislation

	A	B	C	D
20	<b>HB 595</b>	<b>Alcohol or Drug Overdose Prosecutions:</b> Prohibits arrest or penalty under specified provisions of person seeking medical assistance for individual experiencing alcohol-related or drug-related overdose or for himself or herself; prohibits this protection from being grounds for suppression of evidence in other prosecutions.* <b>4/24/19 PASSED SENATE 39-0, House ordered enrolled -HJ 848 -</b>	<b>7/1/2019</b>	<b>FYI Only (Criminal)</b>
21	<b>HB 7125</b>	<b>Public Safety:</b> Amends s. 322.34, Creates & revises numerous provisions relating to public safety including increases in threshold amounts for certain theft offenses; elimination or reduction of length of driver license revocation for certain offenses; creates & revises provisions relating to expungement & sealing of records; revises provisions relating to inmate transitional assistance; revises provisions relating to probation violations; revises provisions relating to crime victim assistance. Substituted for SB 642; <b>5/3/19 HOUSE PASSED 110-0, Ordered engrossed, then enrolled See comments for portions of bill relating to Clerk duties/procedures à</b>	<b>10/1/2019</b>	<b>Traffic Criminal Collections (?)</b>
22	<b>SB 1080</b>	<b>Hazing:</b> Expanding the crime of hazing, a third degree felony, to include when a person solicits others to commit or is actively involved in the planning of hazing; expanding the crime of hazing, a first degree misdemeanor, to include when a person solicits others to commit or is actively involved in the planning of hazing; providing that a person may not be prosecuted if certain conditions are met, etc. <b>5/2/19 SENATE PASSED 40-0, Ordered engrossed, enrolled -SJ 868 See comments for portions of bill relating to Clerk duties/procedures à</b>	<b>10/1/2019</b>	<b>Criminal</b>
23	<b>HB 563</b>	<b>Unemployment Compensation;</b> Prohibits certain victims of domestic violence from being disqualified for benefits; prohibits employment records of employing units & employers from being charged in certain circumstances. Substituted for SB 990 <b>*4/30/19 PASSED HOUSE 39-0 Ordered enrolled -HJ 1098 See comments for portions of bill relating to H/R à</b>	<b>7/1/2019</b>	<b>HR</b>

Clerk-Related Legislation

	E	F
20	<p><b>FYI only:</b> Exempts someone experiencing, reporting or seeking medical intervention for someone experiencing an alcohol or drug overdose from criminal liability if certain criteria are met.</p>	
21	<p><b>Bill is 389 pp.</b></p> <ul style="list-style-type: none"> <li>• Updates the felony threshold from \$300 to \$750 (lines 2331, 2387&gt;&gt;, 2421, 5394&gt;&gt;)</li> <li>• Reduces certain DL suspensions from 1 YR to 6 Mo. (lines 885&gt;&gt;1011) which is the Federal minimum requirement</li> <li>• Expands definition of CYBER-STALKING (lines 2077--2113), updates other computer-related crimes</li> <li>• Significantly deals with sealing and expunging of records, including listing those offenses that are not eligible; adds automatic sealing provisions</li> <li>• Increases the min/mand. amts for possession for certain drug trafficking offenses</li> <li>• Updates several issues re/criminal justice data transparency initiative</li> <li>• Requires additional info be provided re/drug courts and community courts</li> </ul>	
22	<p>Amends §1006.63 to redefine HAZING; expands the 3d Felony to include solicitation of others; expands the 1d Misd. to include solicitation of others; provides immunity from prosecution for first reporter of an incident to 911 or campus police, or first person to administer aid to a victim with intent to stabilize until first responders arrive.</p>	<p>FDLE statute table to be updated;</p>
23	<p>Amends §443.101, prohibiting certain victims of domestic violence from being disqualified for UC benefits for voluntarily leaving work; prohibits the employment record of an employing unit from being charged in certain circumstances; Amends §443.131, to add circumstance under which the employment record of an employing unit may not be charged.</p>	

Clerk-Related Legislation

	A	B	C	D
24	<b>SB 1418</b>	<b>Mental Health;</b> Requiring service providers to disclose information from a clinical record under certain circumstances relating to threats to cause serious bodily injury or death; requiring psychiatrists to disclose certain patient communications for purposes of notifying law enforcement agencies of certain threats; revising responsibilities of the Department of Education and the Statewide Office for Suicide Prevention, etc. <b>5/1/19: HOUSE PASSED 113-0; Senate ordered enrolled -SJ 766</b>	<b>7/1/2019</b>	<b>FYI only</b>
25	<b>HB 5011</b>	<b>PRESENTED TO THE GOVERNOR 6/5/19 - must act on it by 6/20/19 or becomes law</b> <b>Courts;</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; revising the number of county court judges in certain counties, etc.	<b>7/1/2019</b>	<b>FYI only</b>
26	<b>HB 409</b>	<b>PRESENTED TO THE GOVERNOR 6/5/19 - must act on it by 6/20/19 or becomes law</b> <b>Electronic Legal Documents;</b> amends F.S. 117, and enacts add'l provisions re/ electronic court documents and related notarial acts; requiring the clerk of the circuit court to record certain instruments; creates F.S.732.526, electronic filing of wills. <b>5/2/19: SENATE PASSED 39-0, Ordered enrolled -HJ 1157</b> See comments for portions of bill relating to Clerk duties/procedures à	<b>1/1/2020</b>	<b>COURTS, Official Records</b>
27	<b>HB 851</b>	<b>Human Trafficking;</b> Human Trafficking; Requires Department of Legal Affairs to establish certain direct-support organization; provides for future review & repeal; provides for instruction on human trafficking; requires specified licensees or certificate holders to post human trafficking public awareness signs in place of work; provides penalties; requires specified continuing education for certain persons; requires Department of Law Enforcement to establish continued employment training component relating to human trafficking; provides appropriations. *Substituted for SB 540, <b>5/3/19 SENATE PASSED 36-0, House ordered engrossed, then enrolled</b> See comments for portions of bill relating to Clerk duties/procedures à	<b>7/1/2019</b>	<b>COURTS Criminal</b>
28	<b>ê SIGNED INTO LAW ON DATE INDICATED</b>			

Clerk-Related Legislation

	E	F
24	NO CLERK RELATED functions or processes involved.	
25	NO CLERK RELATED functions or processes involved	
26	Amends §28.222, adding electronically created and signed documents to list of instruments the Clerk shall record; Amends §695.03 re/acknowledgment or proof requirement for real property instruments to be recorded Additional:	
27	Creates §943.0433, Solicitation for Prostitution Public Database under FDLE; §796.07(5)(e) REQUIRES CLERK to forward the criminal history of any person found guilty, or who enters a plea of guilty or no contest, to solicitation, to FDLE, for addition to the database. §450.45(e) creates a 1st Deg. Misd. for person who owns, operates, or manages an adult theater in violation of any requirements of §450.045 (failing to keep ID/photo documentation of all employees for 3 yrs following employment)	FDLE statute table to be updated JIS & BM to be updated with new statute language; criminal policies and procedures to be updated
28	ê	

	A	B	C	D
29	<b>HB 7009</b>	<b>SIGNED BY GOVERNOR 5/14/19 cH. 2019-28</b> OGSR/Identification and Location Information/Department of Health; Removes scheduled repeal of exemption from public record requirements for certain personal identifying & location information of specified personnel of DOH, their spouses & children.	10/1/2019	FYI only Records, Civil, Criminal
30	<b>SB 248</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-12</b> Public Records/Civilian Personnel Employed by a Law Enforcement Agency; Expanding exemptions from public records requirements for agency personnel information by defining the term “home addresses” for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; providing for legislative review and repeal of the exemptions; providing statements of public necessity, etc.	7/1/2019	FYI - Records *Also* HR (Personnel) Finance (Auditing)
31	<b>SB 96</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-9</b> Police, Fire, and Search and Rescue Dogs and Police Horses; Increasing the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, police canines or horses, fire canines, or SAR canines, etc.	10/1/2019	Criminal
32	<b>HB 7121</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-41</b> Public Records/Lottery; Provides that certain information held by Department of Lottery is confidential & exempt from public record requirements; provides for retroactive application; provides public necessity statement; provides directive to Division of Law Revision.	5/14/2019	FYI only

Clerk-Related Legislation

	E	F
29	Amends §119.071(4) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for <u>DOH employees</u> entirely.	
30	Amends §119.071(4)(d) AGENCY PERSONNEL INFORMATION by <u>removing the scheduled repeal date of exemption for</u> : LEOs, DFS & OFR employees, firefighters, judiciary, magistrates, ALJs, OECC & CSE hearing officers, HR for local govt agencies, code enforcement officers, GALs, DBPR investigators, Tax Collectors, DOH investigators, "impaired practitioner" consultants, EM personnel, IG or IA auditors/investigators, addiction treatment centers personnel, CPT/Child Advocacy Center staff; <b>**unchanged: EXEMPT STATUS</b> only attaches if requested by individual or their agency by written request to custodian of records; <b>**ADDS (4)(d)4. Any written request for RELEASE of information</b> must be notarized and must specify information to be released, and the party to whom information is to be released.	update redaction procedures to remove reporting name. update confidential record procedure.
31	Amends §843.19, expanding definitions of police dogs and horses to include all dogs and horses used by law enforcement or correctional departments and reclassify them as employees. Increases penalties for intentional/malicious causing great bodily harm or death, 2d Felony; intentional or malicious touch/strike/bodily harm, 1d Misd. Intentional/malicious harrasing, teasing, interference, etc., 2d Misd. *The Level 3 Offense Severity Ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes. Line #120	FDLE statute table to be updated; JIS & BM to be updated with new statute language;
32	NO CLERK RELATED functions or processes involved	

Clerk-Related Legislation

	A	B	C	D
33	<b>HB 845</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-39</b> Public Records/Petition for Certain Protective Injunctions; Providing an exemption from public records requirements for all information contained in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity, etc.	7/1/2019	<b>Court Records Family Law-DV</b>
34	<b>HB 591</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-38</b> Pub. Rec./Public Utility Held Customer Information and Data amends Ch. 119, F.S., to exempt certain information held by a local government utility SB 6 Florida Statutes (previously signed) •Effective July 3, 3019; revises Florida Statutes, and specifically makes conforming changes in ss. 741.30 and 784.046, F.S.	7/1/2019 7/3/2019	<b>FYI only</b>
35	<b>SB 7030</b>	<b>SIGNED BY GOVERNOR 5/8/19 Ch. 2019-22</b> Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission: Requiring sheriffs to establish a school guardian program or contract with another sheriff's office that has established a program under a certain condition; requiring the Office of Safe Schools to annually provide training for specified personnel; requiring district school boards and school district superintendents to partner with security agencies to establish or assign safe-school officers; revising requirements for school district zero-tolerance policies; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts, etc.	5/8/2019* <b>*EXCEPT AS NOTED for Clerk-related provisions</b>	<b>FYI Criminal</b>
36	<b>HB 7025</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-30</b> OGSR/Treatment-based Drug Court Programs; Amending provisions relating to an exemption from public records requirements for certain information relating to screenings for participation in treatment-based drug court programs and subsequent treatment status reports; removing the scheduled repeal of the exemption, etc.	10/1/2019	<b>FYI Only Criminal, MH, Guardianship, Family Law,</b>

Clerk-Related Legislation

	E	F
33	<p>Adds a third public records exemption for DV cases under § 119.0714(1)(k), to include "any information" that can be used to identify either party to a petition, until the respondent has been personally served.</p>	<p>Senators will have to program these cases to be confidential and not appear on the SecureWeb until we receive the return of service</p>
34	<p>NO CLERK RELATED functions or processes involved</p>	
35	<p>Section 2 (line #301&gt;&gt;) Amends §843.08 to include false impersonation of a school guardian, as described in §30.15(1)(k), or a security officer licensed under §493, as a 3d Degree Felony; deletes the term "watchman" from §843.08.</p> <p>The felony offense severity ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p> <p><b>**Note** that these changes are effective October 1, 2019.</b></p>	
36	<p>Amends §397.334 removes the scheduled repeal of the exemption for records of screenings/evaluations for treatment-based drug court programs.</p> <p><b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b></p>	<p>Make DPTI docket code confidential and not appear on Secure Web (Is this in wrong box?)</p>



	A	B	C	D
37	HB 7123	<p><b>SIGNED BY GOVERNOR 5/15/19 Ch. 2019-42</b>                      Taxation Requiring that all of the proceeds from filing fees for trial and appellate proceedings be deposited into the State Courts Revenue Trust Fund; providing a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment rendered unable to be used due to Hurricane Michael; reducing tax rates on rental or licensee fees for the use of real property; revising an insurer's authority to reduce certain tax installment payments for purposes of determining if a certain tax penalty is imposed, etc. Effective upon becoming a law, except as otherwise expressly provided; provides tax relief and aid in hurricane preparation; <a href="#">See comments for portions of bill relating to Collections/Finance à</a></p>	5/15/2019 *EXCEPT AS NOTED for individual sections>	CLERK, Collections, Finance
38	HB 107	<p><b>SIGNED BY GOVERNOR 5/17/19 Ch. 2019-44</b>                      Wireless Communications While Driving; Requiring a law enforcement officer to inform a motor vehicle operator of certain rights; requiring such officer to record the race and ethnicity of a violator when issuing a citation; requiring law enforcement agencies to report such information to the Department of Highway Safety and Motor Vehicles; prohibiting a person from operating a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; authorizing a law enforcement officer during a specified period to stop motor vehicles to issue warnings to persons who are driving while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; requiring all law enforcement agencies to maintain such information and report it to the Department of Highway Safety and Motor Vehicles in a form and manner determined by the department, etc.</p>	7/1/2019 *EXCEPT AS NOTED for specific sections >	Traffic Collections
39	SB 7016	<p><b>SIGNED BY GOVERNOR 4/15/19 Ch. 2019-8</b>                      State-Administered Retirement Systems                      Establishes employer contribution rates for the Florida Retirement System for the upcoming state fiscal year</p>	7/1/2019	HR
40	SB 7034	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-16</b>                      OGSRA/Automated License Plate Recognition System; Amending provisions which provides a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and for personal identifying information of an individual in data generated from such images; removing the scheduled repeal of the exemption, etc.</p>	10/1/2019	FYI only

Clerk-Related Legislation

	E	F
37	<p><b>*Amends §28.241, eff. 1/1/20:</b> \$100 Pro Hac Vice Atty Fee now remitted lump sum to DOR for deposit to St Cts Rev Trust Fund</p> <p><b>*Amends §201.02, eff. 7/1/19:</b> eliminates requirement that transfer deed between spouses be recorded w/in 1 yr of marriage to be exempt from RE tax</p> <p><b>*Amends §318.14(9), eff. 1/1/20:</b> returns the 9% of civil traffic infraction penalty when dr school elected to <b>CLERK's BUDGET</b> (previously deposited to State Courts Revenue Trust Fund); increases the % of reduction in ticket cost under driver's school election from 9% to 18%</p> <p><b>*Amends §318.15(1)(b), eff. 1/1/20:</b> conforms % reduction language to new §318.14(9).</p>	
38	<p><b>Eff. 7/1/19: §316.305 amended to make texting while driving a primary ticketable offense (defined as actively typing in, or reading letters, #s, into a device while the vehicle engaged); §316.305(3) adds search &amp; seizure of a wireless device once driver stopped;</b></p> <p><b>Eff. 10/1/19: §316.306 Driver prohibited from operating the vehicle while using a wireless device in a <u>handheld manner</u> when in a <u>designated school crossing, school zone, or work zone area</u> (when workers present). §316.306(4)(a) provides for points, penalties, waiver of both by Clerk upon driver safety completion. §316.306(4)(a)(5) All proceeds collected by Clerk under <u>§316.06</u> shall be remitted to DOR for deposit in EMSTF, DOH.</b></p> <p><b>*10/1/19 -12/31/19,</b> LEO may issue verbal/written warning instead of ticket to educate/inform public about new law.</p>	<p><b>Update current charge information (texting to use of handheld wireless communication device while driving</b></p> <p>Fines collected by Clerk under <b>§316.305</b> still governed by §318.21, but 100% of fines collected under <b>§316.306</b> are remitted to DOR for DOH's EMSTF.</p>
39		
40	<p><b>§316.0777 amended to delete scheduled repeal of exemption</b></p> <p><b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b></p>	

Clerk-Related Legislation

	A	B	C	D
41	<b>SB 124</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-10</b> Dependent Children; Specifying the venue in proceedings for the appointment of a guardian for a child who has been adjudicated dependent; authorizing a court to receive and consider any information provided by the Guardian Ad Litem Program and the child's attorney ad litem if a child is under the jurisdiction of a dependency court, etc.	4/26/2019	Family Law
42	<b>SB 7006</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-13</b> Uniform Interstate Depositions and Discovery Act: Designating the "Uniform Interstate Depositions and Discovery Act"; requiring a party to submit a foreign subpoena to a clerk of court in this state for the issuance of a subpoena in this state; <b>requiring the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed</b> ; requiring that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure, etc	7/1/2019	COURTS Civil

Clerk-Related Legislation

	E	F
41	<p>Relates to the venue for guardianship appointment proceedings for an incapacitated child or young adult under the jurisdiction of a dependency court. Possible increase in guardianship petitions.</p>	
42	<p>Requires the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed; requires that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure. *Does NOT apply to criminal subpoenas</p>	<p>JIS &amp; BM to be updated with new statute language; civil intake policies and procedures to be updated</p>

Clerk-Related Legislation

	A	B	C	D
43	<p><b>SB 7014</b></p>	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-15</b> Government                      Accountability: Specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner, may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying that any person who willfully fails or refuses to provide access to an employee, officer, or agent of an entity under audit is subject to a penalty; revising the definition of the term "financial audit"; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls, etc.</p>	<p>7/1/2019</p>	<p>CLERK, Finance</p>
44	<p><b>HB 337</b></p>	<p><b>SIGNED BY GOVERNOR 5/24/19 Ch. 2019-58</b>                      Courts: Jurisdiction of County Courts: Requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts; provides county court civil filing fees for claims of specified value; provides for distribution of fees; provides that certain mediation fee is not applicable to certain appeals; authorizing certain defendants to demand that a court issue a ruling related to proper court venue; authorizes court to dismiss certain civil cases if specified criteria are met.</p>	<p>7/1/2019</p>	<p>County Civil /                      County to Circuit                      Appeals</p>

Clerk-Related Legislation

	E	F
43	<p>Requires CCOC to notice the Legislature with a copy of corrective plans (for Clerks that do not meet workload performance standards to be submitted no later than 45 days from the preceding quarterly period;</p> <ul style="list-style-type: none"> <li>Revises the membership of the auditor selection committee for counties, etc., and allows certain employees to serve in an advisory capacity;</li> <li>Requires the establishment of internal controls designed to prevent and detect fraud, waste, and abuse;</li> <li>Requires counties, municipalities, special districts, and water management districts to maintain certain budget document on their websites for a specific amount of time;</li> </ul>	
44	<ul style="list-style-type: none"> <li>Adds new section 1, amending s. 26.012, to provide that circuit courts have appellate jurisdiction of county courts except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This paragraph is repealed on January 1, 2023, presumably to allow OSCA time to provide a review of appellate jurisdictions (see next bullet point).</li> <li>The current Senate version requires OSCA to report to the Governor and Legislature regarding recommendations on the jurisdiction of county courts by March 1, 2021. This delete-all changes this to by February 1, 2021. <ul style="list-style-type: none"> <li>As an additional note, this paragraph continues to include the requirement that Clerks provide claim value data and necessary case event data to OSCA to be used in the development of the report.</li> <li>The Senate texts, including this amendment, also requires OSCA to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit and DCAs.</li> </ul> </li> </ul>	<p>modify filing fees and distribution for appeals, and create new court action type for county court. Civil supers need to weigh in.</p>

Clerk-Related Legislation

	A	B	C	D
45	<b>SB 186</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-46</b> Public Records/Victim of Mass Violence; Defining the term “killing of a victim of mass violence”; expanding an existing exemption from public records requirements for a photograph or a video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or a video or audio recording held by an agency which depicts or records the killing of a victim of mass violence; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. <i>See comments for portions of bill relating to Clerk duties/procedures à</i>	5/23/2019	Evidence Court Records
46	<b>HB 861</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-56</b> Local Government Financial Reporting; Requires county & municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments & final budgets to remain posted on each entity’s official website for specified period of time; requires EDR to create form by specified date.	5/23/2019	FINANCE
47	<b>SB 838</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-51</b> Public Records/Mental Health Treatment and Services; Providing an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	MH Court Records

Clerk-Related Legislation

	E	F
45	<p>Expands public records exemption for a photo, video or audio recording depicting the killing of a law enforcement officer who was acting in accordance with his or her official duties to include a photo, video or audio recording depicting the killing of a victim of mass violence, as defined by the bill.</p> <p>Transfers, renumbers, and expands the current criminal penalties in §406.136 to new §119.071(2)(p), as follows:</p> <ul style="list-style-type: none"> <li>▫ §119.071(2)(p)6.a.: willful knowing violation of this section is a 3d Felony. [renumbered from § 406.136(6)(a)]</li> <li>▫ §119.071(2)(p)6.b.: willfull and knowing violation of a court order issued pursuant to the provisions of the section is a 3d Felony. [renumbered from § 406.136(6)(b)]</li> </ul>	<p>Update confidential judicial records policy to include the additional exemptions and WHO can view and what proof of relationship must be presented.</p>
46	<p>Amends §129.03(3) and §166.241 to require county budget officers leave proposed budget posted on its public website for <u>at least 45 days</u>, and leave posted on public website <u>at least 2 years</u> following adoption. Adding (d) requiring electronic submission of information to OEDR</p>	
47	<p>Creates §394.464, making all petitions for vol/invol.admission for MH treatment, court orders, and related records filed with or by the court as of 7/1/2019, exempt from public record under 119.07(1).</p>	<p>Will this be the whole record or just pleadings within? Update redaction procedures or make case case confidential?</p>



Clerk-Related Legislation

	A	B	C	D
48	<b>SB 1136</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-53</b> Cyberharassment; Redefining the terms “personal identifying information” and “sexually cyberharass”; providing criminal penalties, etc.	7/1/2019	Criminal, Family Law (DV) Civil
49	<b>HB 160</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-45</b> Prohibited Acts in Connection with Obscene or Lewd Materials; Prohibiting a person from knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions; having in his or her possession, custody, or control with the intent to commit such actions; or advertising in any manner an obscene, child-like sex doll; providing criminal penalties, etc.	10/1/2019	Criminal
50	<b>HB 281</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-55</b> Pub.Rec./Voters and Voter Registration; Provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; provides for future legislative review & repeal; provides for retroactive application; provides statement of public necessity.	7/1/2019	FYI only
51	<b>SB 318</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-49</b> Public Records/Child Abuse, Abandonment, or Neglect; Prohibiting the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	Courts
52	<b>HB 741</b>	<b>SIGNED BY GOVERNOR 5/31/19 Ch. 2019-59</b> Anti-Semitism: Specifies that the term "religion" includes anti-Semitism for purposes of hate crime statute; specifies duties of law enforcement agencies; defines "anti-Semitism"; prohibits discrimination in Florida K-20 public education system based on religion; requires public K-20 educational institutions to consider anti-Semitism under certain instances of discrimination. Substituted for SB 1272	5/31/2019	Criminal

Clerk-Related Legislation

	E	F
48	<p>§784.049 amended to revise leg. Intent; redefines "personal identification information" and "sexually cyberharass"; incl. requirement of a reasonable expectation of privacy as to image or information disseminated or published; Reenacts §§901.15(16), 901.41(5) and 933.18(11), re arrest w/o warrant, prearrest diversion programs; circumstances for issuance of warrant on private dwelling; *Retains CIVIL c/a for injunctive relief/damages/attys fees</p>	<p>FDLE statute table to be updated 784.049(2)(b) - should we redact the victim info?</p>
49	<p>Amends § 847.011 to include possession of "child-like sex doll" with intent to commit various acts or transactions in list of prohibited acts in connection with obscene, lewd, etc., materials: First offense is 3d Felony; 2nd or subsequent offense is 2d Felony; Adds knowing possession w/o intent as a 1d Misd.; 2nd or subsequent offense is 3d Felony Offense Severity Ranking Chart, Level 6, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p>	<p>FDLE statute table to be updated Add new statute to JIS &amp; BM</p>
50	<p>NO CLERK RELATED functions or processes involved</p>	
51	<p>additional redaction requirements</p>	<p>update redaction procedures to remove reporting name. Also update confidential record procedure.</p>
52	<p>FDLE statute table to be updated</p>	<p>JIS &amp; BM to be updated with new statute language</p>

From: Stacey Allen <SAAllen@leoncountyfl.gov>  
Sent: Monday, June 10, 2019 9:11 AM EDT  
To: Gwen Marshall <GMarshall@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>  
CC: Erika Bowen <EABowen@leoncountyfl.gov>  
Subject: Legislative spreadsheet, updated  
Attachment(s): "2019 Legislative Spreadsheet\_Passed-Signed\_Updated 6-9-19.xlsx"

Good morning ~ several more bills were signed by Governor DeSantis on Friday, and the spreadsheet has been updated. A reminder that some of these are already in effect as of the date signed into law, and some go into effect July 1. Input for all bills - unless "FYI only" - needed from managers/supervisors "ASAP" ... thanks!

\* Please remember to close out the spreadsheet once you've saved your edits, so that it can be opened by others.

Stacey Allen  
Staff Attorney  
Direct: (850) 606-4121

From: Stacey Allen  
Sent: Thursday, June 6, 2019 9:12 AM  
To: Gwen Marshall <GMarshall@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>  
Cc: Erika Bowen <EABowen@leoncountyfl.gov>  
Subject: Legislative spreadsheet, updated

Good morning ~ attached is the spreadsheet updated as of last night (four additional bills were presented to the Governor yesterday for signature, and are so noted). I have left the bills in the original order to avoid

confusion since you are already working on Monday's version - this version just contains my notes from a thorough reading of each bill.

My notes are in purple, to distinguish from managers/supervisors' input. For the bills which still showing comments in red, I am still reviewing and will be updating those comments today. As of today, I have only received input from Kristy Mickler - and haven't had a chance to look at her comments, but will factor them in this morning.

Bills which are "FYI only" have been left on the sheet because FCCC is monitoring them - they are highlighted in grey to distinguish.

HB 7021 and 7023 have been moved to a separate "CLERK only" spreadsheet, also in the G-drive folder.

Location, again, for the spreadsheets: G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet\_Passed-Signed\_Updated 6-5-19

As additional bills are presented to the Governor, or are signed into law, I will update this version and notify everyone of the changes.

Stacey Allen  
Staff Attorney  
Direct: (850) 606-4121

From: Gwen Marshall  
Sent: Monday, June 3, 2019 5:29 PM  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>  
Cc: Erika Bowen <EABowen@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>  
Subject: RE: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law

Good afternoon,

Attached for your review is the a copy of the most recent legislation that was passed and signed by the Governor. The worksheet is sorted by divisions so that you can easily determine which bill pertains to your individual departments.

At your earliest convenience, please forward to Stacey any existing policy and/or procedure within you division that the attached legislation might impact. If a policy doesn't exist, please let Stacey know as soon as possible.

Thank you,  
Gwen

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 | (850) 606-4013 (f)  
www.clerk.leon.fl.us

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

From: Stacey Allen  
Sent: Tuesday, May 28, 2019 8:30 AM  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>  
Cc: Gwen Marshall <GMarshall@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Erika Bowen <EABowen@leoncountyfl.gov>  
Subject: FW: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law  
Importance: High

As of Friday pm, I've updated our internal spreadsheet to incorporate the 26 bills signed by the Governor last week. It can be found at G:\COURTS DEPARTMENT\Legislation\2019\2019 Legislative Spreadsheet\_Passed-Signed. \*Please distribute\* to supervisors/lead workers as appropriate to add their input this week, if possible, as to anticipated implementation measures. I am currently working on updating the existing policy/procedure on implementation of legislative changes. Thank you!

Stacey Allen  
Staff Attorney  
Direct: (850) 606-4121

From: Legislative <legislative@flclerks.com>  
Sent: Friday, May 24, 2019 2:59 PM

Subject: LEGISLATIVE ALERT: Governor signs an additional 25 bills into law  
Importance: High

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX

Intended audience:

Clerks and Comptrollers, Clerks' and Comptrollers' staff

Category:

Clerk and Comptroller Administration, Legislative, Courts, Records,

IT

Priority:

Medium

Action required:

Please review the following legislative alert regarding the Governor's recent action on bills of interest to Clerks and Comptrollers.

Executive summary:

Along with CS/CS/HB 337 Courts, Governor Ron DeSantis signed an additional 25 bills into law this week, including some that may be of interest to Clerks and Comptrollers, listed below by general subject area and effective date. Clerks will be alerted when additional bills are signed. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual Legislation of Interest document, and related advisories, once all final bill action has been taken.

Clerk outreach:

No external outreach is needed.

Dear Court Clerks and Comptrollers:

Along with CS/CS/HB 337 Courts, Governor Ron DeSantis signed an additional 25 bills into law this week. A full list of bills that have been sent to the Governor—along with the due date for his action—may be accessed via this link.

Included among the bills signed yesterday are some that may be of interest to Clerks and Comptrollers. These are listed below by general subject area and effective date; brief descriptions of each bill are also included.

Clerks will be alerted when additional bills are signed by the Governor. Please note that all bills of interest to Clerks and Comptrollers that passed the 2019 regular session of the Florida Legislature will be summarized and published in the association's annual Legislation of Interest document, and related advisories, once all final bill action has been taken.

Priority:

SB 186 Public Records/Victims of Mass Violence

Effective upon becoming a law; expands the applicability of a current public records exemption to also include a photograph or video or audio recording that depicts or records the killing of a victim of mass violence, as defined by the bill

HB 861 Local Government Financial Reporting

Effective upon becoming a law; requires county and municipal budget officers to submit certain information to EDR within a specified timeframe using a format developed by EDR

CS/CS/SB 838 Public Records/Mental Health Treatment and Services

Effective July 1, 2019; provides a public records exemption for records related to procedures under the Baker Act

Courts:

SB 1136 Cyberharassment

Effective July 1, 2019; redefines certain terms related to cyberharassment

CS/CS/HB 7065 Insurance Assignment Agreements

Effective July 1, 2019; makes changes to the assignment of benefits, or "AOB," process

CS/SB 160 Prohibited Acts in Connection with Obscene or Lewd Materials

Effective October 1, 2019; prohibits specified actions involving a child-like sex doll; provides criminal penalties

Public Records:

CS/HB 281 Pub. Rec./Voters and Voter Registration

Effective July 1, 2019; provides a public records exemption for information related to a voter applicant's or voter's prior felony conviction, and whether such person had their voting rights restored by the clemency board or by Amendment 4

CS/CS/CS/SB 318 Public Records/Child Abuse, Abandonment, or Neglect

Effective July 1, 2019; expands the current public records exemption that protects the name of a Florida central abuse hotline reporter to also protect any information that would identify such reporter

Wildlife/Boating:

CS/CS/CS/SB 1666 Vessels

Effective July 1, 2019; revises boating safety identification requirements for certain persons; specifies fines for violations related to no-discharge zones

Miscellaneous:

CS/CS/SB 1024 Blockchain Technology

Effective upon becoming a law; establishes the Florida Blockchain Task Force within the Department of Financial Services

Thank you,

Sara



Clerk-Related Legislation

	A	B	C	D
1	<b>**NOTE**</b>			
2		<b>Bills PASSED, ordered ENROLLED on date shown; NOT SIGNED by Governor as of 6/9/19</b>		
3		<b>BILLS SIGNED INTO LAW on date shown, eff. date shown</b>		
4		<b>*ATTY NOTES on substance of bills in purple to distinguish from MGR/Supers' input. *For bills that are le</b>		
5		<b>*FYI ONLY bills are listed only for general information purposes - NO CLERK RELATED functions o</b>		
6		<b>*Two bills relating only to CLERK as elected official are tracked on separate spreadsheet.</b>		
7	<b>* This spreadsheet will be updated many times, and the date last updated will be reflected in the "last modified" column after document n</b>			
8	<b>* If you want to print, note that this spreadsheet is formatted for 8.5 x 14 (legal) paper.</b>			
9	<b>* UBAL = "upon becoming a law". If UBAL is was noted previously but has since been signed by Governor, effective date will reflect acco</b>			
10	<b>*Before inputting remarks, read the ENTIRE bill. Go to <a href="http://m.flsenate.gov">http://m.flsenate.gov</a>, insert just the bill #, search, and click on blue button "Bill Text</b>			
11				
12	<b>Bill #</b>	<b>Bill Description</b>	<b>Effective Date</b>	<b>Departments/ Divisions Affected</b>
13	<b>ê THESE BILLS were ordered ENROLLED on date shown - not S</b>			
14	<b>HB 7099</b>	<b>Child Welfare:</b> Requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring certain judicial orders to specify that the Department of Children and Families has placement and care responsibility for certain children; authorizing psychiatric nurses to prescribe psychotropic medications to certain children; requiring a young adult in extended foster care to provide certain documentation or execute a consent for release of certain records; revising the determinations a court must make to return a child to the custody of his or her parents; revising membership of the Children and Youth Cabinet; revising eligibility for Medicaid coverage for children eligible for the Guardianship Assistance Program, etc. <b>5/1/19 PASSED BY HOUSE, Ordered engrossed, enrolled -HJ 1124 See Comments for portions of bill relating to Clerk duties/procedures à</b>	<b>7/1/2019</b>	<b>Family Law / Dependency</b>
15	<b>HB 851</b>	<b>Human Trafficking:</b> Human Trafficking; Requires Department of Legal Affairs to establish certain direct-support organization; provides for future review & repeal; provides for instruction on human trafficking; requires specified licensees or certificate holders to post human trafficking public awareness signs in place of work; provides penalties; requires specified continuing education for certain persons; requires Department of Law Enforcement to establish continued employment training component relating to human trafficking; provides appropriations. *Substituted for SB 540, <b>5/3/19 SENATE PASSED 36-0, House ordered engrossed, then enrolled See comments for portions of bill relating to Clerk duties/procedures à</b>	<b>7/1/2019</b>	<b>COURTS Criminal</b>

Clerk-Related Legislation

	E	F
1		
2		
3		
4	lengthy, 50pp. line #s are referenced	
5	r processes involved.	
6		
7	ame in folder	
8		
9	rdingly.	
10	t [PDF]", which will be the ENROLLED bill, or the SIGNED Law.	
11		<b>2019</b>
12	<b>Comments &amp; Questions</b>	<b>Implementation Actions</b>
13	SIGNED as of 6/9/19 ê	
14	<p>Amends §39.402 requirements for Orders placing child in shelter care; (line 122); adds language to be included in all orders for placement (line 187); amends requirement for initial review of placement from 3 mos. to 60 days (line 443&gt;&gt;)</p>	
15	<p>Creates §943.0433, Solicitation for Prostitution Public Database under FDLE; §796.07(5)(e) REQUIRES CLERK to forward the criminal history of any person found guilty, or who enters a plea of guilty or no contest, to solicitation, to FDLE, for addition to the database.</p> <p>§450.45(e) creates a 1st Deg. Misd. for person who owns, operates, or manages an adult theater in violation of any requirements of §450.045 (failing to keep ID/photo documentation of all employees for 3 yrs following employment)</p>	<p>FDLE statute table to be updated JIS &amp; BM to be updated with new statute language; criminal policies and procedures to be updated</p>

Clerk-Related Legislation

	A	B	C	D
16	SB 262	<p><b>Child Welfare</b>; Providing for the name of a child’s guardian ad litem or attorney ad litem to be entered on court orders in dependency proceedings; requiring cooperation between certain parties and the court to achieve permanency for a child as soon as possible; requiring the court during an adjudicatory hearing to advise parents in plain language of certain requirements to achieve reunification with their child, etc. <b>*4/30/19 PASSED SENATE 112-0, Ordered enrolled -SJ 648 Most of bill pertains to judiciary and *Most of provisions related to DCF-Judiciary requirements, see comments à</b></p>	10/1/2019	Family Law / Dependency
17	HB 7125	<p><b>Administration of Justice</b>: Providing for reallocation of unencumbered funds returned to the Crime Stoppers Trust Fund; increasing threshold amounts for certain theft offenses; revising criminal penalties for the third or subsequent offense of driving while license suspended, revoked, canceled, or disqualified; requiring the Department of Children and Families to provide rehabilitation to criminal offenders designated as sexually violent predators; establishing eligibility criteria for expunction of a criminal history record by a person found to have acted in lawful self-defense; creating the Task Force on the Criminal Punishment Code adjunct to the Department of Legal Affairs, etc. APPROPRIATION: \$250,000  <b>5/3/19 HOUSE PASSED 110-0, Ordered engrossed, then enrolled See comments for portions of bill relating to Clerk duties/procedures à</b></p>	10/1/2019	Traffic Criminal Collections (?)
18	SB 1080	<p><b>Hazing</b>: Expanding the crime of hazing, a third degree felony, to include when a person solicits others to commit or is actively involved in the planning of hazing; expanding the crime of hazing, a first degree misdemeanor, to include when a person solicits others to commit or is actively involved in the planning of hazing; providing that a person may not be prosecuted if certain conditions are met, etc. <b>5/2/19 SENATE PASSED 40-0, Ordered engrossed, enrolled -SJ 868 See comments for portions of bill relating to Clerk duties/procedures à</b></p>	10/1/2019	Criminal

Clerk-Related Legislation

	E	F
16	<p><b>Amends §39.001</b> requiring GAL or AAL's name be entered on court orders to be readily identifiable by parties (line 69)</p> <p><b>FYI only:</b> Requires action or compliance by parties w/in 1 year after removal or adjudication (line 85&gt;&gt;);</p> <p><b>Amends §39.402</b> to limit total days of continuances by Court or parties to 60 days w/in 12 mo. period (line 134&gt;&gt;); <b>Amends §39.507</b> to require parents stay in contact w/attys, case mgr, keep contact info updated; to promptly notify court of barriers to performances under plan (Line 178 &gt;&gt;); <b>Amends §39.811</b>, adding 30 day requirement for final written order to be issued following TPR (Line 457&gt;&gt;).</p>	
17	<p><b>Bill is 389 pp.</b></p> <ul style="list-style-type: none"> <li>• <b>Updates the felony threshold from \$300 to \$750 (lines 2331, 2387&gt;&gt;, 2421, 5394&gt;&gt;)</b></li> <li>• <b>Reduces certain DL suspensions from 1 YR to 6 Mo. (lines 885&gt;&gt;1011) which is the Federal minimum requirement</b></li> <li>• <b>Expands definition of CYBER-STALKING (lines 2077--2113), updates other computer-related crimes</b></li> <li>• <b>Significantly deals with sealing and expunging of records, including listing those offenses that are not eligible; adds automatic sealing provisions</b></li> <li>• <b>Increases the min/mand. amts for possession for certain drug trafficking offenses</b></li> <li>• <b>Updates several issues re/criminal justice data transparency initiative</b></li> <li>• <b>Requires additional info be provided re/drug courts and community courts</b></li> </ul>	
18	<p><b>Amends §1006.63 to redefine HAZING; expands the 3d Felony to include solicitation of others; expands the 1d Misd. to include solicitation of others; provides immunity from prosecution for first reporter of an incident to 911 or campus police, or first person to administer aid to a victim with intent to stabilize until first responders arrive.</b></p>	<p>FDLE statute table to be updated;</p>

Clerk-Related Legislation

	A	B	C	D
19	HB 311	<p><b>PRESENTED TO THE GOVERNOR 6/5/19 - must act on it by 6/20/19 or becomes law</b></p> <p><b>Autonomous Vehicles;</b> Autonomous Vehicles; Exempts autonomous vehicles &amp; operators from certain prohibitions; provides that human operator is not required to operate fully autonomous vehicle; authorizes fully autonomous vehicle to operate regardless of presence of human operator; provides that automated driving system is deemed operator of autonomous vehicle operating with system engaged; authorizes Florida Turnpike Enterprise to enter into agreements to fund &amp; operate facilities; provides requirements for insurance &amp; operation of on-demand autonomous vehicle networks; revises registration requirements for autonomous vehicles; provides for uniformity of laws governing autonomous vehicles.</p>	7/1/2019	FYI only (Traffic)
20	HB 611	<p><b>Motor Vehicle Racing;</b> Increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction, etc. <b>4/26/19 PASSED SENATE 39-0, House ordered enrolled</b></p>	10/1/2019	FYI only (Traffic)
21	SB 1418	<p><b>Mental Health;</b> Requiring service providers to disclose information from a clinical record under certain circumstances relating to threats to cause serious bodily injury or death; requiring psychiatrists to disclose certain patient communications for purposes of notifying law enforcement agencies of certain threats; revising responsibilities of the Department of Education and the Statewide Office for Suicide Prevention, etc. <b>5/1/19: HOUSE PASSED 113-0; Senate ordered enrolled -SJ 766</b></p>	7/1/2019	FYI only
22	<b>ê SIGNED INTO LAW ON DATE INDICATED</b>			
23	SB 248	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-12</b></p> <p><b>Public Records/Civilian Personnel Employed by a Law Enforcement Agency;</b> Expanding exemptions from public records requirements for agency personnel information by defining the term “home addresses” for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; providing for legislative review and repeal of the exemptions; providing statements of public necessity, etc.</p>	7/1/2019	FYI - Records *Also* HR (Personnel) Finance (Auditing)

Clerk-Related Legislation

	E	F
19	<p><b>No language regarding Clerk or monetary fines:</b>                      This bill expands on the §316.85, <i>Autonomous Vehicles</i>, added in 2016, but w/o any substance. Lists definitions, requirements and exemptions from rest of §316 requirements for autonomous vehicles,</p>	
20	<p><b>FYI only -</b> Amends §316.191 criteria for arrest to read "has probably cause to believe" and deletes "determines" ,</p>	
21	<p><b>NO CLERK RELATED functions or processes involved.</b></p>	
22	<p>ê</p>	
23	<p><b>Amends §119.071(4)(d) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for:</b> LEOs, DFS &amp; OFR employees, firefighters, judiciary, magistrates, ALJs, OECC &amp; CSE hearing officers, HR for local govt agencies, code enforcement officers, GALs, DBPR investigators, Tax Collectors, DOH investigators, "impaired practitioner" consultants, EM personnel, IG or IA auditors/investigators, addiction treatment centers personnel, CPT/Child Advocacy Center staff;  <b>**unchanged: EXEMPT STATUS</b> only attaches if requested by individual or their agency by written request to custodian of records;  <b>**ADDS (4)(d)4. Any written request for RELEASE of information</b> must be notarized and must specify information to be released, and the party to whom information is to be released.</p>	<p><b>update redaction procedures to remove reporting name. update confidential record procedure.</b></p>

Clerk-Related Legislation

	A	B	C	D
24	<b>SB 96</b>	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-9</b>                      Police, Fire, and Search and Rescue Dogs and Police Horses; Increasing the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, police canines or horses, fire canines, or SAR canines, etc.</p>	10/1/2019	<b>Criminal</b>
25	<b>HB 845</b>	<p><b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-39</b>                      Public Records/Petition for Certain Protective Injunctions; Providing an exemption from public records requirements for all information contained in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity, etc.</p>	7/1/2019	<b>Court Records Family Law-DV</b>
26	<b>SB 7030</b>	<p><b>SIGNED BY GOVERNOR 5/8/19 Ch. 2019-22</b>                      Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission: Requiring sheriffs to establish a school guardian program or contract with another sheriff's office that has established a program under a certain condition; requiring the Office of Safe Schools to annually provide training for specified personnel; requiring district school boards and school district superintendents to partner with security agencies to establish or assign safe-school officers; revising requirements for school district zero-tolerance policies; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts, etc.</p>	5/8/2019* *EXCEPT AS NOTED for Clerk-related provisions	<b>FYI Criminal</b>

	E	F
24	<p>Amends §843.19, expanding definitions of police dogs and horses to include all dogs and horses used by law enforcement or correctional departments and reclassify them as employees. Increases penalties for intentional/malicious causing great bodily harm or death, 2d Felony; intentional or malicious touch/strike/bodily harm, 1d Misd. Intentional/malicious harrasing, teasing, interference, etc., 2d Misd.</p> <p>*The Level 3 Offense Severity Ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes. Line #120</p>	<p>FDLE statute table to be updated; JIS &amp; BM to be updated with new statute language;</p>
25	<p>Adds a third public records exemption for DV cases under § 119.0714(1)(k), to include "any information" that can be used to identify either party to a petition, until the respondent has been personally served.</p>	<p>Senes will have to program these cases to be confidential and not appear on the SecureWeb until we receive the return of service</p>
26	<p>Section 2 (line #301&gt;&gt;) Amends §843.08 to include false impersonation of a school guardian, as described in §30.15(1)(k), or a security officer licensed under §493, as a 3d Degree Felony; deletes the term "watchman" from §843.08.</p> <p>The felony offense severity ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p> <p><b>**Note** that these changes are effective October 1, 2019.</b></p>	



	A	B	C	D
27	HB 7123	<p><b>SIGNED BY GOVERNOR 5/15/19 Ch. 2019-42</b></p> <p>Taxation Requiring that all of the proceeds from filing fees for trial and appellate proceedings be deposited into the State Courts Revenue Trust Fund; providing a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment rendered unable to be used due to Hurricane Michael; reducing tax rates on rental or licensee fees for the use of real property; revising an insurer's authority to reduce certain tax installment payments for purposes of determining if a certain tax penalty is imposed, etc. Effective upon becoming a law, except as otherwise expressly provided; provides tax relief and aid in hurricane preparation; <a href="#">See comments for portions of bill relating to Collections/Finance à</a></p>	5/15/2019 *EXCEPT AS NOTED for individual sections>	CLERK, Collections, Finance
28	HB 107	<p><b>SIGNED BY GOVERNOR 5/17/19 Ch. 2019-44</b></p> <p>Wireless Communications While Driving; Requiring a law enforcement officer to inform a motor vehicle operator of certain rights; requiring such officer to record the race and ethnicity of a violator when issuing a citation; requiring law enforcement agencies to report such information to the Department of Highway Safety and Motor Vehicles; prohibiting a person from operating a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; authorizing a law enforcement officer during a specified period to stop motor vehicles to issue warnings to persons who are driving while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; requiring all law enforcement agencies to maintain such information and report it to the Department of Highway Safety and Motor Vehicles in a form and manner determined by the department, etc.</p>	7/1/2019 *EXCEPT AS NOTED for specific sections >	Traffic Collections
29	SB 7016	<p><b>SIGNED BY GOVERNOR 4/15/19 Ch. 2019-8</b></p> <p>State-Administered Retirement Systems Establishes employer contribution rates for the Florida Retirement System for the upcoming state fiscal year</p>	7/1/2019	HR
30	SB 124	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-10</b> Dependent Children; Specifying the venue in proceedings for the appointment of a guardian for a child who has been adjudicated dependent; authorizing a court to receive and consider any information provided by the Guardian Ad Litem Program and the child's attorney ad litem if a child is under the jurisdiction of a dependency court, etc. <a href="#">See comments for portions of bill relating to Clerk duties/procedures à</a></p>	4/26/2019	Family Law

Clerk-Related Legislation

	E	F
27	<p><b>*Amends §28.241, eff. 1/1/20:</b> \$100 Pro Hac Vice Atty Fee now remitted lump sum to DOR for deposit to St Cts Rev Trust Fund</p> <p><b>*Amends §201.02, eff. 7/1/19:</b> eliminates requirement that transfer deed between spouses be recorded w/in 1 yr of marriage to be exempt from RE tax</p> <p><b>*Amends §318.14(9), eff. 1/1/20:</b> returns the 9% of civil traffic infraction penalty when dr school elected to <b>CLERK's BUDGET</b> (previously deposited to State Courts Revenue Trust Fund); increases the % of reduction in ticket cost under driver's school election from 9% to 18%</p> <p><b>*Amends §318.15(1)(b), eff. 1/1/20:</b> conforms % reduction language to new §318.14(9).</p>	
28	<p><b>Eff. 7/1/19: §316.305 amended to make texting while driving a primary ticketable offense (defined as actively typing in, or reading letters, #s, into a device while the vehicle engaged); §316.305(3) adds search &amp; seizure of a wireless device once driver stopped;</b></p> <p><b>Eff. 10/1/19: §316.306 Driver prohibited from operating the vehicle while using a wireless device in a handheld manner when in a designated school crossing, school zone, or work zone area (when workers present).</b></p> <p><b>§316.306(4)(a) provides for points, penalties, waiver of both by Clerk upon driver safety completion. §316.306(4)(a)(5) All proceeds collected by Clerk under under §316.06 shall be remitted to DOR for deposit in EMSTF, DOH.</b></p> <p><b>*10/1/19 -12/31/19, LEO may issue verbal/written warning instead of ticket to educate/inform public about new law.</b></p>	<p><b>Update current charge information (texting) to use of handheld wireless communication device while driving</b></p> <p>Fines collected by Clerk under <b>§316.305</b> still governed by §318.21, but 100% of fines collected under <b>§316.306</b> are remitted to DOR for DOH's EMSTF.</p>
29	<p><b>Amends 121.71 (4) and (5), increasing required employer contribution rate for membership class and subclass</b></p>	
30	<p><b>Amends § 744.1097, to provide for venue in guardianship proceeding for child/YA who is already under jurisdiction of a dependency court, to be county of residency or county where dependency is proceeding. Other changes relate to Court's consideration of GAL reports from related dependency case, and DCF's obligations for noticing parties.</b></p>	<p><b>Possible increase in guardianship petitions. (?) Update procedure for new guardianship filings, for clerk to verify that Leon Co. is either the residence of the subject, or that there is a related dependency case pending.</b></p>

Clerk-Related Legislation

	A	B	C	D
31	SB 7006	<b>SIGNED BY GOVERNOR 426/19 Ch. 2019-13</b> Uniform Interstate Depositions and Discovery Act: Designating the “Uniform Interstate Depositions and Discovery Act”; requiring a party to submit a foreign subpoena to a clerk of court in this state for the issuance of a subpoena in this state; requiring the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed; requiring that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure, etc	7/1/2019	COURTS Civil

Clerk-Related Legislation

	E	F
31	<p>Amends §92.251, making Florida a party to the Uniform Interstate Depositions and Discovery Act: Requires a party needing service in Florida to present a subpoena for issuance to a Florida Clerk of Court, who must promptly issue same and process for service as it would any local subpoena. Also requires that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure. *Does NOT apply to criminal subpoenas</p>	<p>JIS &amp; BM to be updated with new statute language; civil intake policies and procedures to be updated with procedure for handling subpoenas presented for issuance from another state.</p>

Clerk-Related Legislation

	A	B	C	D
32	<p><b>SB 7014</b></p>	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-15</b>      Government                      Accountability: Specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner, may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying that any person who willfully fails or refuses to provide access to an employee, officer, or agent of an entity under audit is subject to a penalty; revising the definition of the term "financial audit"; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls, etc.</p>	<p>7/1/2019</p>	<p><b>CLERK</b>      <b>Finance</b></p>
33	<p><b>HB 337</b></p>	<p><b>SIGNED BY GOVERNOR 5/24/19 Ch. 2019-58</b>                      Courts: Jurisdiction of County Courts: Requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts; provides county court civil filing fees for claims of specified value; provides for distribution of fees; provides that certain mediation fee is not applicable to certain appeals; authorizing certain defendants to demand that a court issue a ruling related to proper court venue; authorizes court to dismiss certain civil cases if specified criteria are met.</p>	<p>7/1/2019</p>	<p><b>County Civil / County to Circuit Appeals</b></p>

Clerk-Related Legislation

	E	F
32	<p>Amends §11.45 definitions to include "abuse" and "fraud"; §11.47, adds failure or refusal to "provide access to an employee, officer, or agent of an entity subject to an audit" a 1d Misd. Amends §28.35 to require CCOC to notice, and provide corrective action plans, to Legislature within 45 days of each qrtly. reporting period (last day of March, June, Sept., Dec.) as to clerks not meeting workload performance standards, Amends §218.31, definition of "financial audit"; §218.32, preparation of verified reports by local gov. entities (LGEs), requiring information requested by DEO to be provided w/in 45 days; §218.33; requires LGEs to establish and maintain internal controls to achieve specified purposes.</p>	
33	<p>• Adds new section 1, amending s. 26.012, to provide that circuit courts have appellate jurisdiction of county courts except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This paragraph is repealed on January 1, 2023, presumably to allow OSCA time to provide a review of appellate jurisdictions (see next bullet point).</p> <p>• The current Senate version requires OSCA to report to the Governor and Legislature regarding recommendations on the jurisdiction of county courts by March 1, 2021. This delete-all changes this to by February 1, 2021.</p> <ul style="list-style-type: none"> <li>o As an additional note, this paragraph continues to include the requirement that Clerks provide claim value data and necessary case event data to OSCA to be used in the development of the report.</li> <li>o The Senate texts, including this amendment, also requires OSCA to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit and DCAs.</li> </ul>	<p>modify filing fees and distribution for appeals, and create new court action type for county court. Civil supers need to weigh in.</p>

Clerk-Related Legislation

	A	B	C	D
34	<b>SB 186</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-46</b> Public Records/Victim of Mass Violence; Defining the term “killing of a victim of mass violence”; expanding an existing exemption from public records requirements for a photograph or a video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or a video or audio recording held by an agency which depicts or records the killing of a victim of mass violence; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. <i>See comments for portions of bill relating to Clerk duties/procedures à</i>	5/23/2019	<b>Evidence Court Records</b>
35	<b>HB 861</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-56</b> Local Government Financial Reporting; Requires county & municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments & final budgets to remain posted on each entity's official website for specified period of time; requires EDR to create form by specified date.	5/23/2019	<b>FINANCE</b>
36	<b>SB 838</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-51</b> Public Records/Mental Health Treatment and Services; Providing an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	<b>MH Court Records</b>

Clerk-Related Legislation

	E	F
34	<p>Expands public records exemption for a photo, video or audio recording depicting the killing of a law enforcement officer who was acting in accordance with his or her official duties to include a photo, video or audio recording depicting the killing of a victim of mass violence, as defined by the bill.</p> <p>Transfers, renumbers, and expands the current criminal penalties in §406.136 to new §119.071(2)(p), as follows:</p> <ul style="list-style-type: none"> <li>▫ §119.071(2)(p)6.a.: willful knowing violation of this section is a 3d Felon.y [renumbered from §406.136(6)(a)]</li> <li>▫ §119.071(2)(p)6.b.: willful and knowing violation of a court order issued pursuant to the provisions of the section is a 3d Felony. [renumbered from § 406.136(6)(b)]</li> </ul>	<p>Update confidential judicial records policy to include the additional exemptions and WHO can view and what proof of relationship must be presented.</p>
35	<p>Amends §129.03(3) and §166.241 to require county budget officers leave proposed budget posted on its public website for <u>at least 45 days</u>, and leave posted on public website <u>at least 2 years</u> following adoption. Adding (d) requiring electronic submission of information to OEDR</p>	
36	<p>Creates §394.464, making all petitions for vol/invol.admission for MH treatment, court orders, and related records filed with or by the court as of 7/1/2019, exempt from public record under 119.07(1).</p>	<p>Will this be the whole record or just pleadings within? Update redaction procedures or make case case confidential?</p>



Clerk-Related Legislation

	A	B	C	D
37	<b>SB 1136</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-53</b> Cyberharassment; Redefining the terms “personal identifying information” and “sexually cyberharass”; providing criminal penalties, etc.	7/1/2019	<b>Criminal, Family Law (DV) Civil</b>
38	<b>HB 160</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-45</b> Prohibited Acts in Connection with Obscene or Lewd Materials; Prohibiting a person from knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions; having in his or her possession, custody, or control with the intent to commit such actions; or advertising in any manner an obscene, child-like sex doll; providing criminal penalties, etc.	10/1/2019	<b>Criminal</b>
39	<b>SB 318</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-49</b> Public Records/Child Abuse, Abandonment, or Neglect; Prohibiting the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	<b>Court records Civil, Dependency</b>
40	<b>HB 741</b>	<b>SIGNED BY GOVERNOR 5/31/19 Ch. 2019-59</b> Anti-Semitism: Specifies that the term "religion" includes anti-Semitism for purposes of hate crime statute; specifies duties of law enforcement agencies; defines "anti-Semitism"; prohibits discrimination in Florida K-20 public education system based on religion; requires public K-20 educational institutions to consider anti-Semitism under certain instances of discrimination.	5/31/2019	<b>Criminal</b>

Clerk-Related Legislation

	E	F
37	<p>§784.049 amended to revise leg. Intent; redefines "personal identification information" and "sexually cyberharass"; incl. requirement of a reasonable expectation of privacy as to image or information disseminated or published; Reenacts §§901.15(16), 901.41(5) and 933.18(11), re arrest w/o warrant, prearrest diversion programs; circumstances for issuance of warrant on private dwelling; *Retains CIVIL c/a for injunctive relief/damages/attys fees</p>	<p>FDLE statute table to be updated 784.049(2)(b) - should we redact the victim info?</p>
38	<p>Amends § 847.011 to include possession of "child-like sex doll" with intent to commit various acts or transactions in list of prohibited acts in connection with obscene, lewd, etc., materials: First offense is 3d Felony; 2nd or subsequent offense is 2d Felony; Adds knowing possession w/o intent as a 1d Misd.; 2nd or subsequent offense is 3d Felony Offense Severity Ranking Chart, Level 6, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p>	<p>FDLE statute table to be updated Add new statute to JIS &amp; BM</p>
39	<p>Amends §39.202 and expands public records exemption under §119.07(1) to make "identifying information" (as well as name) of a reporter confidential;</p>	<p>Update policies and procedures as to §119 public records exemptions; Update redaction procedures to include "identifying information" as well as name of reporter.</p>
40	<p>Amends §1000.05 to add religion into types of illegal discrimination within education system; requires a public K-20 educational institution to treat anti-Semitic discrimination by students and employees identically to treatment of acts of racial discrimination.</p>	<p>FDLE statute table to be updated JIS &amp; BM to be updated with new statute language</p>

Clerk-Related Legislation

	A	B	C	D
41	HB 7081	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch.</b> <b>State</b></p> <p><b>Court System Administration;</b> Requires security background investigations for foreign language court interpreters &amp; mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments. <b>See Comments for portions of bill relating to Clerk duties/procedures à</b></p>	7/1/2019	Criminal
42	HB 91	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch.</b> <b>Judicial</b></p> <p><b>Process;</b> Provides that person who acquires for value lien on property during course of specified legal actions takes such lien free of claims in certain circumstances; specifies effect of valid, recorded lis pendens in certain circumstances; revises authority of special process servers; requires that civil witness subpoenas be served by certain persons; revises requirements for substituted service on spouse; revises requirements for documenting service; revises requirements for service on LLC's; revises provisions on service outside state; authorizes certain persons to electronically sign return-of-service; exempts certified process servers from certain window sunscreens restrictions. <b>See Comments for portions of bill relating to Clerk duties/procedures à</b></p>	UBAL	COURTS Civil Official Records
43	HB 563	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch.</b></p> <p><b>Unemployment Compensation;</b> Prohibits certain victims of domestic violence from being disqualified for benefits; prohibits employment records of employing units &amp; employers from being charged in certain circumstances. Substituted for SB 990</p> <p><b>See comments for portions of bill relating to H/R à</b></p>	7/1/2019	HR
44	HB 409	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch.</b></p> <p><b>Electronic Legal Documents;</b> amends F.S. 117, and enacts add'l provisions re/ electronic court documents and related notarial acts; requiring the clerk of the circuit court to record certain instruments; creates F.S.732.526, electronic filing of wills. <b>See comments for portions of bill relating to Clerk duties/procedures à</b></p>	1/1/2020	COURTS, Official Records
45	HB 7121	<p><b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-41</b></p> <p><b>Public Records/Lottery;</b> Provides that certain information held by Department of Lottery is confidential &amp; exempt from public record requirements; provides for retroactive application; provides public necessity statement; provides directive to Division of Law Revision.</p>	5/14/2019	FYI only

Clerk-Related Legislation

	E	F
41	Amends §812.014, re/electronic judgments, fingerprints in petit theft cases (line 320>>); Amends §921.241, re/ electronic records, fingerprints in felony cases (line 359>>); re-enacts portions of §775.084 re/requirements for determinations of, and hearings on, habitual felony offender, 3x violent felony offender, violent career criminal (line 468>>).	
42	Amends §48.021, now requiring service by sheriff of all <u>initial</u> "noneforceable civil process" (line 89>); Amends §48.194, deleting requirement for <u>affidavit</u> of service to be filed by out of state agency; Amends §48.21 to require that all pleadings/documents served are listed on the Return of Service, and allowing for electronic sig. of server on the return (line 169>>) *FYI only, also adds process server vehicles as exempt from window tint restrictions.	
43	Amends §443.101, prohibiting certain victims of domestic violence from being disqualified for UC benefits for voluntarily leaving work; prohibits the employment record of an employing unit from being charged in certain circumstances; Amends §443.131, to add circumstance under which the employment record of an employing unit may not be charged.	
44	Amends §28.222, adding electronically created and signed documents to list of instruments the Clerk shall record; Amends §695.03 re/acknowledgment or proof requirement for real property instruments to be recorded Additional:	
45	NO CLERK RELATED functions or processes involved	

Clerk-Related Legislation

	A	B	C	D
46	<b>HB 591</b>	<p><b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-38</b></p> <p>Pub. Rec./Public Utility Held Customer Information and Data amends Ch. 119, F.S., to exempt certain information held by a local government utility SB 6 Florida Statutes (previously signed) •Effective July 3, 3019; revises Florida Statutes, and specifically makes conforming changes in ss. 741.30 and 784.046, F.S.</p>	<p>7/1/2019</p> <p>7/3/2019</p>	<p><b>FYI only</b></p>

Clerk-Related Legislation

	E	F
46	NO CLERK RELATED functions or processes involved	

Clerk-Related Legislation

	A	B	C	D
47	<b>HB 7009</b>	<b>SIGNED BY GOVERNOR 5/14/19 cH. 2019-28</b> OGSR/Identification and Location Information/Department of Health; Removes scheduled repeal of exemption from public record requirements for certain personal identifying & location information of specified personnel of DOH, their spouses & children.	10/1/2019	<b>FYI only Records, Civil, Criminal</b>
48	<b>HB 7025</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-30</b> OGSR/Treatment-based Drug Court Programs; Amending provisions relating to an exemption from public records requirements for certain information relating to screenings for participation in treatment-based drug court programs and subsequent treatment status reports; removing the scheduled repeal of the exemption, etc.	10/1/2019	<b>FYI Only Criminal, MH, Guardianship, Family Law,</b>
49	<b>SB 7034</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-16</b> OGSR/Automated License Plate Recognition System; Amending provisions which provides a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and for personal identifying information of an individual in data generated from such images; removing the scheduled repeal of the exemption, etc.	10/1/2019	<b>FYI only</b>
50	<b>HB 281</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-55</b> Pub.Rec./Voters and Voter Registration; Provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; provides for future legislative review & repeal; provides for retroactive application; provides statement of public necessity.	7/1/2019	<b>FYI only</b>
51	<b>HB 595</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch.</b> <b>Alcohol or Drug Overdose Prosecutions:</b> Prohibits arrest or penalty under specified provisions of person seeking medical assistance for individual experiencing alcohol-related or drug-related overdose or for himself or herself; prohibits this protection from being grounds for suppression of evidence in other prosecutions.	7/1/2019	<b>FYI Only (Criminal)</b>
52	<b>HB 5011</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch.</b> <b>Courts;</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; revising the number of county court judges in certain counties, etc.	7/1/2019	<b>FYI only</b>
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Clerk-Related Legislation

	E	F
47	Amends §119.071(4) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for <u>DOH employees</u> entirely.	
48	Amends §397.334 removes the scheduled repeal of the exemption for records of screenings/evaluations for treatment-based drug court programs. <b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b>	Make DPTI docket code confidential and not appear on Secure Web (Is this in wrong box?)
49	§316.0777 amended to delete scheduled repeal of exemption <b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b>	
50	NO CLERK RELATED functions or processes involved	
51	<b>FYI only:</b> Exempts someone experiencing, reporting or seeking medical intervention for someone experiencing an alcohol or drug overdose from criminal liability if certain criteria are met.	
52	NO CLERK RELATED functions or processes involved	
53		
54		
55		
56		
57		



**From:** Stacey Allen <SAAllen@leoncountyfl.gov>

**Sent:** Tuesday, June 11, 2019 10:42 AM EDT

**To:** Adrian Stewart <AJStewart@leoncountyfl.gov>; Erika Bowen <EABowen@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Shannon Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Andre Moore <ARMoore@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Mecita Logan <MBLogan@leoncountyfl.gov>; Suni Satyavarapu <SSatyavarapu@leoncountyfl.gov>; Susan M. Horn <SMHorn@leoncountyfl.gov>; Theresa L. Moore <TLMoore@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Yolaine Cousar <YLCousar@leoncountyfl.gov>; Bill Kristoph <WMKristo@leoncountyfl.gov>; Mike Murphy <MLMurphy@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Suzanne Tompkins <SuzanneT@leoncountyfl.gov>; Brittnee Clark <BFClark@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Liz Alford <ELAlford@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Sharon Drinkard <sdrinkar@leoncountyfl.gov>; Gwen Hall <GJHall@leoncountyfl.gov>

**CC:** Gwen Marshall <GMarshall@leoncountyfl.gov>

**Subject:** legislative update - sorted by category

**Attachment(s):** "2019 Legislative Spreadsheet\_Passed-Signed\_Updated 6-11-19 - Sorted by DIVISION.xls"

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**From:** Adrian Stewart

**Sent:** Monday, June 10, 2019 5:07 PM

**To:** Erika Bowen <EABowen@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Andre Moore <ARMoore@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Mecita Logan <MBLogan@leoncountyfl.gov>; Suni Satyavarapu <SSatyavarapu@leoncountyfl.gov>; Susan M. Horn <SMHorn@leoncountyfl.gov>; Theresa L. Moore <TLMoore@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Yolaine Cousar <YLCousar@leoncountyfl.gov>; Bill Kristoph <WMKristo@leoncountyfl.gov>; Mike Murphy <MLMurphy@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Suzanne Tompkins <SuzanneT@leoncountyfl.gov>; Brittnee Clark <BFClark@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Liz Alford <ELAlford@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Sharon Drinkard <sdrinkar@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Gwen Hall <GJHall@leoncountyfl.gov>

**Cc:** Gwen Marshall <GMarshall@leoncountyfl.gov>

**Subject:** RE: Management & Finance Meetings - Tuesday, June 11th

Please bring a copy of the attached docs to this meeting.

---

**From:** Erika Bowen <EABowen@leoncountyfl.gov>

**Sent:** Thursday, June 6, 2019 9:13 AM

**To:** Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Andre Moore <ARMoore@leoncountyfl.gov>; Becary C. McMillan <BAMcMillan@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Mecita Logan <MBLogan@leoncountyfl.gov>; Suni Satyavarapu <SSatyavarapu@leoncountyfl.gov>; Susan M. Horn <SMHorn@leoncountyfl.gov>; Theresa L. Moore <TLMoore@leoncountyfl.gov>; Timothy A. Shopmyer <TAShopmyer@leoncountyfl.gov>; Yolaine Cousar <YLCousar@leoncountyfl.gov>; Bill Kristoph <WMKristo@leoncountyfl.gov>; Mike Murphy <MLMurphy@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Suzanne Tompkins <SuzanneT@leoncountyfl.gov>; Brittnee Clark <BFClark@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Kimberly M. Wilder <KMWilder@leoncountyfl.gov>; Lillian Spell <LFSpell@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Jamey Maine <JFMaine@leoncountyfl.gov>; Kim Curry <KMCurry@leoncountyfl.gov>; Kristy Mickler <KCMickler@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Liz Alford <ELAlford@leoncountyfl.gov>; Lorenzo Howard <LLHoward@leoncountyfl.gov>; Patti Graham <PAGraham@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; Robyn Peters <RSPeters@leoncountyfl.gov>; Sharon Drinkard <sdrinkar@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Adrian Stewart <AJStewart@leoncountyfl.gov>; Gwen Hall <GJHall@leoncountyfl.gov>

**Cc:** Gwen Marshall <GMarshall@leoncountyfl.gov>

**Subject:** Management & Finance Meetings - Tuesday, June 11th

**Importance:** High

FL-LEON-19-1045-A,19-1046-A-000512

Good morning,

Next Tuesday's Management and Finance meetings will be held simultaneously from 9:00a.m. – 12:00p.m., in the 5<sup>th</sup> floor Board Commission Chamber. The agenda will be forthcoming. Please let me know if you have questions.

Thanks,

**Erika Bowen, MSM**

Executive Assistant to the Clerk

GWEN MARSHALL, Clerk of the Circuit Court and Comptroller

Ph: 850.606.4011

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

Clerk-Related Legislation

	A	B	C	D
1	<b>**NOTE**</b>			
2		<b>Bills PASSED, ordered ENROLLED on date shown; NOT SIGNED by Governor as of 6/10/19</b>		
3		<b>BILLS SIGNED INTO LAW on date shown, eff. date shown</b>		
4		<b>*ATTY NOTES on substance of bills in purple to distinguish from MGR/Supers' input. *For bills that are lengthy, 5000 characters or more, the text will be truncated.</b>		
5		<b>*FYI ONLY bills are listed only for general information purposes - NO CLERK RELATED functions or processes involved.</b>		
6		<b>*Two bills relating only to CLERK as elected official are tracked on separate spreadsheet.</b>		
7	<b>* This spreadsheet will be updated many times, and the date last updated will be reflected in the "last modified" column after document name in folder</b>			
8	<b>* If you want to print, note that this spreadsheet is formatted for 8.5 x 14 (legal) paper.</b>			
9	<b>* UBAL = "upon becoming a law". If UBAL is was noted previously but has since been signed by Governor, effective date will reflect accordingly.</b>			
10	<b>*Before inputting remarks, read the ENTIRE bill. Go to <a href="http://m.flsenate.gov">http://m.flsenate.gov</a>, insert just the bill #, search, and click on blue button "Bill Text [PDF]", which will be the best source for the bill text.</b>			
11				
12	Bill #	Bill Description	Effective Date	Departments/ Divisions Affected
13	<b>FAMILY LAW</b>			
14	HB 7099	<b>Child Welfare:</b> Requiring the central abuse hotline to accept certain reports or calls for investigation for children who do not live in this state; requiring certain judicial orders to specify that the Department of Children and Families has placement and care responsibility for certain children; authorizing psychiatric nurses to prescribe psychotropic medications to certain children; requiring a young adult in extended foster care to provide certain documentation or execute a consent for release of certain records; revising the determinations a court must make to return a child to the custody of his or her parents; revising membership of the Children and Youth Cabinet; revising eligibility for Medicaid coverage for children eligible for the Guardianship Assistance Program, etc. <b>5/1/19 PASSED BY HOUSE, Ordered engrossed, enrolled -HJ 1124 See Comments for portions of bill relating to Clerk duties/procedures à</b>	7/1/2019	FAMILY LAW Dependency
15	SB 262	<b>Child Welfare;</b> Providing for the name of a child's guardian ad litem or attorney ad litem to be entered on court orders in dependency proceedings; requiring cooperation between certain parties and the court to achieve permanency for a child as soon as possible; requiring the court during an adjudicatory hearing to advise parents in plain language of certain requirements to achieve reunification with their child, etc <b>*4/30/19 PASSED SENATE 112-0, Ordered enrolled -SJ 648 Most of bill pertains to judiciary and *Most of provisions related to DCF-Judiciary requirements, see comments à</b>	10/1/2019	FAMILY LAW Dependency

Clerk-Related Legislation

	E	F
1		
2		
3		
4	<b>Opp. line #s are referenced</b>	
5	<b>Involved.</b>	
6		
7		
8		
9		
10	<b>ENROLLED bill, or the SIGNED Law.</b>	
11		<b>2019</b>
12	<b>Atty Comments</b>	<b>Implementation Actions</b>
13		
14	<p><b>Amends §39.402</b> requirements for Orders placing child in shelter care; (line 122); adds language to be included in all orders for placement (line 187); amends requirement for initial review of placement from 3 mos. to 60 days (line 443&gt;&gt;)</p>	
15	<p><b>Amends §39.001</b> requiring GAL or AAL's name be entered on court orders to be readily identifiable by parties (line 69)  <b>FYI only:</b> Requires action or compliance by parties w/in 1 year after removal or adjudication (line 85&gt;&gt;);  <b>Amends §39.402</b> to limit total days of continuances by Court or parties to 60 days w/in 12 mo. period (line 134&gt;&gt;); <b>Amends §39.507</b> to require parents stay in contact w/attys, case mgr, keep contact info updated; to promptly notify court of barriers to performances under plan (Line 178 &gt;&gt;); <b>Amends §39.811</b>, adding 30 day requirement for final written order to be issued following TPR (Line 457&gt;&gt;).</p>	

Clerk-Related Legislation

	A	B	C	D
16	HB 845	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-39</b> Public Records/Petition for Certain Protective Injunctions; Providing an exemption from public records requirements for all information contained in a petition for certain protective injunctions, and any related affidavit, notice of hearing, and temporary injunction, until the respondent has been personally served; providing a statement of public necessity, etc.	7/1/2019	FAMILY LAW (DV) Court Records
17	SB 124	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-10</b> Dependent Children; Specifying the venue in proceedings for the appointment of a guardian for a child who has been adjudicated dependent; authorizing a court to receive and consider any information provided by the Guardian Ad Litem Program and the child's attorney ad litem if a child is under the jurisdiction of a dependency court, etc. <i>See comments for portions of bill relating to Clerk duties/procedures à</i>	4/26/2019	FAMILY LAW Dependency Guardianship
18	SB 1136	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-53</b> Cyberharassment; Redefining the terms "personal identifying information" and "sexually cyberharass"; providing criminal penalties, etc.	7/1/2019	FAMILY LAW (DV) Civil Criminal
19	SB 318	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-49</b> Public Records/Child Abuse, Abandonment, or Neglect; Prohibiting the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	FAMILY LAW (Dependency) CIVIL COURT RECORDS
20	SB 838	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-51</b> Public Records/Mental Health Treatment and Services; Providing an exemption from public records requirements for petitions for voluntary and involuntary admission for mental health treatment, court orders, related records, and personal identifying information regarding persons seeking mental health treatment and services; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	7/1/2019	MH Court Records

Clerk-Related Legislation

	E	F
16	<p>Adds a third public records exemption for DV cases under § 119.0714(1)(k), to include "any information" that can be used to identify either party to a petition, until the respondent has been personally served.</p>	<p>Sene will have to program these cases to be confidential and not appear on the SecureWeb until we receive the return of service</p>
17	<p>Amends § 744.1097, to provide for venue in guardianship proceeding for child/YA who is already under jurisdiction of a dependency court, to be county of residency or county where dependency is proceeding. Other changes relate to Court's consideration of GAL reports from related dependency case, and DCF's obligations for noticing parties.</p>	<p>Possible increase in guardianship petitions. (?) Update procedure for new guardianship filings, for clerk to verify that Leon Co. is either the residence of the subject, or that there is a related dependency case pending.</p>
18	<p>§784.049 amended to revise leg. Intent; redefines "personal identification information" and "sexually cyberharass"; incl. requirement of a reasonable expectation of privacy as to image or information disseminated or published; Reenacts §§901.15(16), 901.41(5) and 933.18(11), re arrest w/o warrant, prearrest diversion programs; circumstances for issuance of warrant on private dwelling; *Retains CIVIL c/a for injunctive relief/damages/attys fees</p>	<p>FDLE statute table to be updated 784.049(2)(b) - should we redact the victim info?</p>
19	<p>Amends §39.202 and expands public records exemption under §119.07(1) to make "identifying information" (as well as name) of a reporter confidential;</p>	<p>Update policies and procedures as to §119 public records exemptions; Update redaction procedures to include "identifying information" as well as name of reporter.</p>
20	<p>Creates §394.464, making all petitions for vol/invol.admission for MH treatment, court orders, and related records filed with or by the court as of 7/1/2019, exempt from public record under 119.07(1).</p>	<p>Will this be the whole record or just pleadings within? Update redaction procedures or make case case confidential?</p>

Clerk-Related Legislation

	A	B	C	D
21	<b>SB 1418</b>	<b>Mental Health;</b> Requiring service providers to disclose information from a clinical record under certain circumstances relating to threats to cause serious bodily injury or death; requiring psychiatrists to disclose certain patient communications for purposes of notifying law enforcement agencies of certain threats; revising responsibilities of the Department of Education and the Statewide Office for Suicide Prevention, etc. <b>5/1/19: HOUSE PASSED 113-0; Senate ordered enrolled -SJ 766</b>	<b>7/1/2019</b>	<b>MH - FYI only</b>
22	<b>CRIMINAL, TRAFFIC</b>			
23	<b>SB 1080</b>	<b>Hazing:</b> Expanding the crime of hazing, a third degree felony, to include when a person solicits others to commit or is actively involved in the planning of hazing; expanding the crime of hazing, a first degree misdemeanor, to include when a person solicits others to commit or is actively involved in the planning of hazing; providing that a person may not be prosecuted if certain conditions are met, etc. <b>5/2/19 SENATE PASSED 40-0, Ordered engrossed, enrolled -SJ 868 See comments for portions of bill relating to Clerk duties/procedures à</b>	<b>10/1/2019</b>	<b>CRIMINAL</b>
24	<b>HB 851</b>	<b>Human Trafficking:</b> Human Trafficking; Requires Department of Legal Affairs to establish certain direct-support organization; provides for future review & repeal; provides for instruction on human trafficking; requires specified licensees or certificate holders to post human trafficking public awareness signs in place of work; provides penalties; requires specified continuing education for certain persons; requires Department of Law Enforcement to establish continued employment training component relating to human trafficking; provides appropriations. *Substituted for SB 540, <b>5/3/19 SENATE PASSED 36-0, House ordered engrossed, then enrolled See comments for portions of bill relating to Clerk duties/procedures à</b>	<b>7/1/2019</b>	<b>COURTS CRIMINAL</b>

Clerk-Related Legislation

	E	F
21	NO CLERK RELATED functions or processes involved.	
22		
23	Amends §1006.63 to redefine HAZING; expands the 3d Felony to include solicitation of others; expands the 1d Misd. to include solicitation of others; provides immunity from prosecution for first reporter of an incident to 911 or campus police, or first person to administer aid to a victim with intent to stabilize until first responders arrive.	FDLE statute table to be updated;
24	Creates §943.0433, Solicitation for Prostitution Public Database under FDLE; §796.07(5)(e) REQUIRES CLERK to forward the criminal history of any person found guilty, or who enters a plea of guilty or no contest, to solicitation, to FDLE, for addition to the database. §450.45(e) creates a 1st Deg. Misd. for person who owns, operates, or manages an adult theater in violation of any requirements of §450.045 (failing to keep ID/photo documentation of all employees for 3 yrs following employment)	FDLE statute table to be updated JIS & BM to be updated with new statute language; criminal policies and procedures to be updated



Clerk-Related Legislation

	A	B	C	D
25	HB 7125	<p><b>Administration of Justice:</b> Providing for reallocation of unencumbered funds returned to the Crime Stoppers Trust Fund; increasing threshold amounts for certain theft offenses; revising criminal penalties for the third or subsequent offense of driving while license suspended, revoked, canceled, or disqualified; requiring the Department of Children and Families to provide rehabilitation to criminal offenders designated as sexually violent predators; establishing eligibility criteria for expunction of a criminal history record by a person found to have acted in lawful self-defense; creating the Task Force on the Criminal Punishment Code adjunct to the Department of Legal Affairs, etc. APPROPRIATION: \$250,000</p> <p><b>5/3/19 HOUSE PASSED 110-0, Ordered engrossed, then enrolled</b> See comments for portions of bill relating to Clerk duties/procedures à</p>	10/1/2019	CRIMINAL Traffic Collections (?)
26	HB 741	<p><b>SIGNED BY GOVERNOR 5/31/19 Ch. 2019-59</b></p> <p><b>Anti-Semitism:</b> Specifies that the term "religion" includes anti-Semitism for purposes of hate crime statute; specifies duties of law enforcement agencies; defines "anti-Semitism"; prohibits discrimination in Florida K-20 public education system based on religion; requires public K-20 educational institutions to consider anti-Semitism under certain instances of discrimination.</p>	5/31/2019	CRIMINAL
27	HB 7081	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-98</b></p> <p><b>State Court System Administration;</b> Requires security background investigations for foreign language court interpreters &amp; mediators; provides disqualification factors for parenting coordinators; authorizes disclosure of certain testimony or evidence in certain circumstances; provides immunity for certain persons; revises provisions relating to judicial retirement to conform to revisions to the mandatory retirement age; authorizes electronic records of criminal judgments. See Comments for portions of bill relating to Clerk duties/procedures à</p>	7/1/2019	CRIMINAL

Clerk-Related Legislation

	E	F
25	<p><b>Bill is 389 pp.</b></p> <ul style="list-style-type: none"> <li>• Updates the felony threshold from \$300 to \$750 (lines 2331, 2387&gt;&gt;, 2421, 5394&gt;&gt;)</li> <li>• Reduces certain DL suspensions from 1 YR to 6 Mo. (lines 885&gt;&gt;1011) which is the Federal minimum requirement</li> <li>• Expands definition of CYBER-STALKING (lines 2077--2113), updates other computer-related crimes</li> <li>• Significantly deals with sealing and expunging of records, including listing those offenses that are not eligible; adds automatic sealing provisions</li> <li>• Increases the min/mand. amts for possession for certain drug trafficking offenses</li> <li>• Updates several issues re/criminal justice data transparency initiative</li> <li>• Requires additional info be provided re/drug courts and community courts</li> </ul>	
26	<p>Amends §1000.05 to add religion into types of illegal discrimination within education system; requires a public K-20 educational institution to treat anti-Semitic discrimination by students and employees identically to treatment of acts of racial discrimination.</p>	<p><b>FDLE statute table to be updated JIS &amp; BM to be updated with new statute language</b></p>
27	<p>Amends §812.014, re/electronic judgments, fingerprints in petit theft cases (line 320&gt;&gt;); Amends §921.241, re/ electronic records, fingerprints in felony cases (line 359&gt;&gt;); re-enacts portions of §775.084 re/requirements for determinations of, and hearings on, habitual felony offender, 3x violent felony offender, violent career criminal (line 468&gt;&gt;).</p>	

Clerk-Related Legislation

	A	B	C	D
28	HB 160	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-45</b> Prohibited Acts in Connection with Obscene or Lewd Materials; Prohibiting a person from knowingly selling, lending, giving away, distributing, transmitting, showing, or transmuting; offering to commit such actions; having in his or her possession, custody, or control with the intent to commit such actions; or advertising in any manner an obscene, child-like sex doll; providing criminal penalties, etc.	10/1/2019	CRIMINAL
29	SB 96	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-9</b> Police, Fire, and Search and Rescue Dogs and Police Horses; Increasing the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, police canines or horses, fire canines, or SAR canines, etc.	10/1/2019	CRIMINAL
30	SB 1136	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-53</b> Cyberharassment; Redefining the terms “personal identifying information” and “sexually cyberharass”; providing criminal penalties, etc.	7/1/2019	CRIMINAL Family Law (DV) Civil

Clerk-Related Legislation

	E	F
28	<p>Amends § 847.011 to include possession of "child-like sex doll" with intent to commit various acts or transactions in list of prohibited acts in connection with obscene, lewd, etc., materials:                      First offense is 3d Felony; 2nd or subsequent offense is 2d Felony;                      Adds knowing possession w/o intent as a 1d Misd.; 2nd or subsequent offense is 3d Felony                      Offense Severity Ranking Chart, Level 6, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p>	<p>FDLE statute table to be updated Add new statute to JIS &amp; BM</p>
29	<p>Amends §843.19, expanding definitions of police dogs and horses to include all dogs and horses used by law enforcement or correctional departments and reclassify them as employees. Increases penalties for intentional/malicious causing great bodily harm or death, 2d Felony; intentional or malicious touch/strike/bodily harm, 1d Misd. Intentional/malicious harrasing, teasing, interference, etc., 2d Misd.                      *The Level 3 Offense Severity Ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes. Line #120</p>	<p>FDLE statute table to be updated;                      JIS &amp; BM to be updated with new statute language;</p>
30	<p>§784.049 amended to revise leg. Intent; redefines "personal identification information" and "sexually cyberharass"; incl. requirement of a reasonable expectation of privacy as to image or information disseminated or published; Reenacts §§901.15(16), 901.41(5) and 933.18(11), re arrest w/o warrant, prearrest diversion programs; circumstances for issuance of warrant on private dwelling;                      *Retains CIVIL c/a for injunctive relief/damages/attys fees</p>	<p>FDLE statute table to be updated                      784.049(2)(b) - should we redact the victim info?</p>

Clerk-Related Legislation

	A	B	C	D
31	SB 7030	<p><b>SIGNED BY GOVERNOR 5/8/19 Ch. 2019-22</b></p> <p>Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission: Requiring sheriffs to establish a school guardian program or contract with another sheriff's office that has established a program under a certain condition; requiring the Office of Safe Schools to annually provide training for specified personnel; requiring district school boards and school district superintendents to partner with security agencies to establish or assign safe-school officers; revising requirements for school district zero-tolerance policies; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts, etc.</p>	<p>5/8/2019*</p> <p>*EXCEPT AS NOTED for Clerk-related provisions</p>	CRIMINAL
32	HB 5	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-64</b></p> <p>Ballot Measures; Providing that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election; requiring the Office of Program Policy Analysis and Government Accountability, upon receiving a certain notice, to procure a certified public accountant for a performance audit; requiring a supervisor of elections to verify petition signatures and retain signature forms in a specified manner; providing that an initiative sponsor's failure to comply with the specified requirements renders any referendum held void; requiring a paid petition circulator to register with the Secretary of State and provide certain information; prohibiting compensation for initiative petition circulators based on the number of petition forms gathered; providing penalties for failure to register as a petition circulator, etc. <a href="#">See Comments for portions of bill relating to Clerk duties/procedures à</a></p>	6/7/2019	Criminal
33	HB 1121	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-93</b></p> <p>Support Organizations; Requires DEP to submit report to Legislature; abrogates scheduled repeal of provisions governing DEP, DOS, FWCC, &amp; DACS support organizations; repeals Florida Intergovernmental Relations Foundation &amp; directs EOG &amp; foundation to satisfy liabilities &amp; transfer funds; authorizes court to order persons convicted of certain violations to pay additional assessment; authorizes specified citizen support organization to pay certain rewards.</p>	7/1/2019	Criminal Collections

Clerk-Related Legislation

	E	F
31	<p><b>Section 2 (line #301&gt;&gt;) Amends §843.08 to include false impersonation of a school guardian, as described in §30.15(1)(k), or a security officer licensed under §493, as a 3d Degree Felony; deletes the term "watchman" from §843.08.</b></p> <p>The felony offense severity ranking chart, §921.0022, is reenacted at the bill's conclusion to incorporate reference to the above changes.</p> <p><b>**Note** that these changes are effective October 1, 2019.</b></p>	
32	<p><b>Creates §104.186, making compensation to petition circulator a 1d Misd.</b></p> <p><b>Creates §104.187, making violations of 100.371(3) (failing to register as a petition circulator) a 2d Misd.</b></p>	<p><b>FDLE statute table to be updated</b></p> <p><b>JIS &amp; BM to be updated with new statute language; criminal policies and procedures to be updated</b></p>
33	<p><b>Creates §379.2231, defining the terms "convicted" and "conviction"; authorizing a court to order persons convicted of certain violations to pay an additional assessment;</b></p>	<p><b>FDLE statute table to be updated</b></p> <p><b>JIS &amp; BM to be updated with new statute language; Collection policies/procedures need updating (?)</b></p>

	A	B	C	D
34	HB 107	<p><b>SIGNED BY GOVERNOR 5/17/19 Ch. 2019-44</b></p> <p>Wireless Communications While Driving; Requiring a law enforcement officer to inform a motor vehicle operator of certain rights; requiring such officer to record the race and ethnicity of a violator when issuing a citation; requiring law enforcement agencies to report such information to the Department of Highway Safety and Motor Vehicles; prohibiting a person from operating a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; authorizing a law enforcement officer during a specified period to stop motor vehicles to issue warnings to persons who are driving while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone; requiring all law enforcement agencies to maintain such information and report it to the Department of Highway Safety and Motor Vehicles in a form and manner determined by the department, etc.</p>	7/1/2019 *EXCEPT AS NOTED for specific sections >	Traffic Collections
35	HB 1057	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-92</b></p> <p>Motor Vehicles; Revises provisions relating to motor vehicle lamps, lights, &amp; warning signals; provides requirements &amp; penalties; revises requirements for release statements &amp; pickup notices for damaged or dismantled motor vehicles; authorizes entity that processes certain transactions or certificates for derelict or salvage motor vehicles to be authorized electronic filing system agent; authorizes DHSMV to adopt rules</p>	10/1/2019	Traffic
36	HB 311	<p><b>PRESENTED TO THE GOVERNOR 6/5/19 - must act on it by 6/20/19 or becomes law</b></p> <p><b>Autonomous Vehicles;</b> Autonomous Vehicles; Exempts autonomous vehicles &amp; operators from certain prohibitions; provides that human operator is not required to operate fully autonomous vehicle; authorizes fully autonomous vehicle to operate regardless of presence of human operator; provides that automated driving system is deemed operator of autonomous vehicle operating with system engaged; authorizes Florida Turnpike Enterprise to enter into agreements to fund &amp; operate facilities; provides requirements for insurance &amp; operation of on-demand autonomous vehicle networks; revises registration requirements for autonomous vehicles; provides for uniformity of laws governing autonomous vehicles.</p>	7/1/2019	FYI only (Traffic)
37	HB 611	<p><b>Motor Vehicle Racing;</b> Increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction, etc. <b>4/26/19 PASSED SENATE 39-0, House ordered enrolled</b></p>	10/1/2019	FYI only (Traffic)
38	<b>CIVIL</b>			

Clerk-Related Legislation

	E	F
34	<p><b>Eff. 7/1/19: §316.305 amended to make texting while driving a primary ticketable offense (defined as actively typing in, or reading letters, #s, into a device while the vehicle engaged); §316.305(3) adds search &amp; seizure of a wireless device once driver stopped;</b></p> <p><b>Eff. 10/1/19: §316.306 Driver prohibited from operating the vehicle while using a wireless device in a <u>handheld manner</u> when in a <u>designated school crossing, school zone, or work zone area</u> (when workers present). §316.306(4)(a) provides for points, penalties, waiver of both by Clerk upon driver safety completion. §316.306(4)(a)(5) All proceeds collected by Clerk under under §316.06 shall be remitted to DOR for deposit in EMSTF, DOH. 10/1/19 -12/31/19, LEO may issue verbal/written warning instead of ticket to educate/inform public about new law.</b></p>	<p><b>Update current charge information (texting) to use of handheld wireless communication device while driving</b></p> <p><b>Fines collected by Clerk under §316.305 still governed by §318.21, but 100% of fines collected under §316.306 are remitted to DOR for DOH's EMSTF.</b></p>
35	<p><b>Amends §§ 316.235, 316.2397, 316.2398, 316.224, 319.30; 320.03; 322.01;</b></p> <p><b>Authorizes and prohibits certain lighting equipment and warning signals on certain vehicles; classifies all prohibitions as non-moving traffic violations, punishable under Ch. 318.</b></p>	<p><b>FDLE statute table to be updated</b></p> <p><b>JIS &amp; BM to be updated with new statute language;</b></p>
36	<p><b>No language regarding Clerk or monetary fines:</b></p> <p><b>This bill expands on the §316.85, <i>Autonomous Vehicles</i>, added in 2016, but w/o any substance. Lists definitions, requirements and exemptions from rest of §316 requirements for autonomous vehicles,</b></p>	
37	<p><b>FYI only - Amends §316.191 criteria for arrest to read "has probably cause to believe" and deletes "determines" ,</b></p>	
38		



Clerk-Related Legislation

	A	B	C	D
39	HB 91	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-67</b></p> <p>Judicial Process; Provides that person who acquires for value lien on property during course of specified legal actions takes such lien free of claims in certain circumstances; specifies effect of valid, recorded lis pendens in certain circumstances; revises authority of special process servers; requires that civil witness subpoenas be served by certain persons; revises requirements for substituted service on spouse; revises requirements for documenting service; revises requirements for service on LLC's; revises provisions on service outside state; authorizes certain persons to electronically sign return-of-service; exempts certified process servers from certain window sunscreening restrictions. <a href="#">See Comments for portions of bill relating to Clerk duties/procedures à</a></p>	6/7/2019	<p><b>COURTS</b></p> <p>Civil</p> <p>Official Records</p>
40	SB 7006	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-13</b> Uniform Interstate Depositions and Discovery Act: Designating the "Uniform Interstate Depositions and Discovery Act"; requiring a party to submit a foreign subpoena to a clerk of court in this state for the issuance of a subpoena in this state; requiring the clerk of court to promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed; requiring that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure, etc</p>	7/1/2019	<p><b>COURTS</b></p> <p>Civil</p>
41	SB 318	<p><b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-49</b> Public Records/Child Abuse, Abandonment, or Neglect; Prohibiting the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.</p>	7/1/2019	<p><b>CIVIL COURT</b></p> <p>RECORDS FAMILY</p> <p>LAW (Dependency)</p>

Clerk-Related Legislation

	E	F
39	<p>Amends §48.021, now requiring service by sheriff of all <u>initial</u> "noneforceable civil process" (line 89&gt;); Amends §48.194, deleting requirement for <u>affidavit</u> of service to be filed by out of state agency; Amends §48.21 to require that all pleadings/documents served are listed on the Return of Service, and allowing for electronic sig. of server on the return (line 169&gt;&gt;)                      *FYI only, also adds process server vehicles as exempt from window tint restrictions.</p>	
40	<p>Amends §92.251, making Florida a party to the Uniform Interstate Depositions and Discovery Act: Requires a party needing service in Florida to present a subpoena for issuance to a Florida Clerk of Court, who must promptly issue same and process for service as it would any local subpoena. Also requires that the service of the subpoena be served in compliance with the laws of this state and the Florida Rules of Civil Procedure. *Does NOT apply to criminal subpoenas</p>	<p>JIS &amp; BM to be updated with new statute language; civil intake policies and procedures to be updated with procedure for handling subpoenae presented for issuance from another state.</p>
41	<p>Amends §39.202 and expands public records exemption under §119.07(1) to make "identifying information" (as well as name) of a reporter confidential;</p>	<p>Update policies and procedures as to §119 public records exemptions; Update redaction procedures to include "identifying information" as well as name of reporter.</p>

Clerk-Related Legislation

	A	B	C	D
42	HB 337	<p><b>SIGNED BY GOVERNOR 5/24/19 Ch. 2019-58</b></p> <p>Courts: Jurisdiction of County Courts: Requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts; provides county court civil filing fees for claims of specified value; provides for distribution of fees; provides that certain mediation fee is not applicable to certain appeals; authorizing certain defendants to demand that a court issue a ruling related to proper court venue; authorizes court to dismiss certain civil cases if specified criteria are met.</p>	7/1/2019	<p><b>County CIVIL County to Circuit Appeals</b></p>
43	<b>CLERK, FINANCE, HR</b>			

Clerk-Related Legislation

	E	F
42	<ul style="list-style-type: none"> <li>• Adds new section 1, amending s. 26.012, to provide that circuit courts have appellate jurisdiction of county courts except for appeals of county court orders or judgments where the amount in controversy is greater than \$15,000. This paragraph is repealed on January 1, 2023, presumably to allow OSCA time to provide a review of appellate jurisdictions (see next bullet point).</li> <li>• The current Senate version requires OSCA to report to the Governor and Legislature regarding recommendations on the jurisdiction of county courts by March 1, 2021. This delete-all changes this to by February 1, 2021.               <ul style="list-style-type: none"> <li>o As an additional note, this paragraph continues to include the requirement that Clerks provide claim value data and necessary case event data to OSCA to be used in the development of the report.</li> <li>o The Senate texts, including this amendment, also requires OSCA to include a review of fees to ensure that the court system is adequately funded, and to report on the appellate jurisdictions of the circuit and DCAs.</li> </ul> </li> </ul>	<p style="color: green; font-weight: bold;">modify filing fees and distribution for appeals, and create new court action type for county court. Civil supers need to weigh in.</p>
43		

Clerk-Related Legislation

	A	B	C	D
44	HB 7123	<p><b>SIGNED BY GOVERNOR 5/15/19 Ch. 2019-42</b></p> <p>Taxation Requiring that all of the proceeds from filing fees for trial and appellate proceedings be deposited into the State Courts Revenue Trust Fund; providing a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment rendered unable to be used due to Hurricane Michael; reducing tax rates on rental or licensee fees for the use of real property; revising an insurer's authority to reduce certain tax installment payments for purposes of determining if a certain tax penalty is imposed, etc. Effective upon becoming a law, except as otherwise expressly provided; provides tax relief and aid in hurricane preparation; <a href="#">See comments for portions of bill relating to Collections/Finance à</a></p>	<p>5/15/2019 *EXCEPT AS NOTED for individual sections&gt;</p>	<p>CLERK, Collections, Finance</p>

Clerk-Related Legislation

	E	F
44	<p><b>*Amends §28.241, eff. 1/1/20:</b> \$100 Pro Hac Vice Atty Fee now remitted lump sum to DOR for deposit to St Cts Rev Trust Fund</p> <p><b>*Amends §201.02, eff. 7/1/19:</b> eliminates requirement that transfer deed between spouses be recorded w/in 1 yr of marriage to be exempt from RE tax</p> <p><b>*Amends §318.14(9), eff. 1/1/20:</b> returns the 9% of civil traffic infraction penalty when dr school elected to <b>CLERK's BUDGET</b> (previously deposited to State Courts Revenue Trust Fund); increases the % of reduction in ticket cost under driver's school election from 9% to 18%</p> <p><b>*Amends §318.15(1)(b), eff. 1/1/20:</b> conforms % reduction language to new §318.14(9).</p>	

Clerk-Related Legislation

	A	B	C	D
45	SB 7014	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-15</b> Government Accountability: Specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the commissioner, may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying that any person who willfully fails or refuses to provide access to an employee, officer, or agent of an entity under audit is subject to a penalty; revising the definition of the term "financial audit"; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls, etc.</p>	7/1/2019	CLERK Finance
46	HB 861	<p><b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-56</b> Local Government Financial Reporting; Requires county &amp; municipality budget officers to submit certain information to EDR within specified timeframe; requires adopted budget amendments &amp; final budgets to remain posted on each entity's official website for specified period of time; requires EDR to create form by specified date.</p>	5/23/2019	FINANCE

Clerk-Related Legislation

	E	F
45	<p>Amends §11.45 definitions to include "abuse" and "fraud"; §11.47, adds failure or refusal to "provide access to an employee, officer, or agent of an entity subject to an audit" a 1d Misd. Amends §28.35 to require CCOC to notice, and provide corrective action plans, to Legislature within <u>45 days</u> of each qrtly. reporting period (last day of March, June, Sept., Dec.) as to clerks not meeting workload performance standards, Amends §218.31, definition of "financial audit"; §218.32, preparation of verified reports by local gov. entities (LGEs), requiring information requested by DEO to be provided w/in 45 days; §218.33; requires LGEs to establish and maintain internal controls to achieve specified purposes.</p>	
46	<p>Amends §129.03(3) and §166.241 to require county budget officers leave proposed budget posted on its public website for <u>at least 45 days</u>, and leave posted on public website <u>at least 2 years</u> following adoption. Adding (d) requiring electronic submission of information to OEDR</p>	



Clerk-Related Legislation

	A	B	C	D
47	SB 248	<p><b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-12</b>                      Public Records/Civilian Personnel Employed by a Law Enforcement Agency; Expanding exemptions from public records requirements for agency personnel information by defining the term “home addresses” for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; providing for legislative review and repeal of the exemptions; providing statements of public necessity, etc.</p>	7/1/2019	<p>FYI - Records                      *Also*                      HR (Personnel)                      FINANCE (Auditing)</p>
48	SB 7016	<p><b>SIGNED BY GOVERNOR 4/15/19 Ch. 2019-8</b>                      State-Administered Retirement Systems                      Establishes employer contribution rates for the Florida Retirement System for the upcoming state fiscal year</p>	7/1/2019	HR
49	HB 563	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch.</b>                      Unemployment Compensation; Prohibits certain victims of domestic violence from being disqualified for benefits; prohibits employment records of employing units &amp; employers from being charged in certain circumstances. Substituted for SB 990                      See comments for portions of bill relating to H/R à</p>	7/1/2019	HR
50	EVIDENCE / COURT RECORDS / OFFICIAL RECORDS			

Clerk-Related Legislation

	E	F
47	<p><b>Amends §119.071(4)(d) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for:</b> LEOs, DFS &amp; OFR employees, firefighters, judiciary, magistrates, ALJs, OECC &amp; CSE hearing officers, HR for local govt agencies, code enforcement officers, GALSSs, DBPR investigators, Tax Collectors, DOH investigators, "impaired practitioner" consultants, EM personnel, IG or IA auditors/investigators, addiction treatment centers personnel, CPT/Child Advocacy Center staff; <b>**unchanged: EXEMPT STATUS</b> only attaches if requested by individual or their agency by written request to custodian of records; <b>**ADDS (4)(d)4. Any written request for RELEASE of information</b> must be notarized and must specify information to be released, and the party to whom information is to be released.</p>	<p><b>update redaction procedures to remove reporting name. update confidential record procedure.</b></p>
48	<p><b>Amends 121.71 (4) and (5), increasing required employer contribution rate for membership class and subclass</b></p>	
49	<p><b>Amends §443.101, prohibiting certain victims of domestic violence from being disqualified for UC benefits for voluntarily leaving work; prohibits the employment record of an employing unit from being charged in certain circumstances; Amends §443.131, to add circumstance under which the employment record of an employing unit may not be charged.</b></p>	
50		

Clerk-Related Legislation

	A	B	C	D
51	SB 186	<p><b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-46</b>      Public Records/Victim of Mass Violence; Defining the term “killing of a victim of mass violence”; expanding an existing exemption from public records requirements for a photograph or a video or audio recording held by an agency which depicts or records the killing of a law enforcement officer to include a photograph or a video or audio recording held by an agency which depicts or records the killing of a victim of mass violence; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. <i>See comments for portions of bill relating to Clerk duties/procedures à</i></p>	5/23/2019	Evidence Court Records
52	HB 409	<p><b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-71</b>  <b>Electronic Legal Documents;</b> amends F.S. 117, and enacts add'l provisions re/ electronic court documents and related notarial acts; requiring the clerk of the circuit court to record certain instruments; creates F.S.732.526, electronic filing of wills. <i>See comments for portions of bill relating to Clerk duties/procedures à</i></p>	1/1/2020	COURTS, Official Records
53	<b>FYI ONLY - ALL DIVISIONS</b>			

Clerk-Related Legislation

	E	F
51	<p>Expands public records exemption for a photo, video or audio recording depicting the killing of a law enforcement officer who was acting in accordance with his or her official duties to include a photo, video or audio recording depicting the killing of a victim of mass violence, as defined by the bill.</p> <p>Transfers, renumbers, and expands the current criminal penalties in §406.136 to new §119.071(2)(p), as follows:</p> <ul style="list-style-type: none"> <li>▫ §119.071(2)(p)6.a.: willful knowing violation of this section is a 3d Felony. [renumbered from §406.136(6)(a)]</li> <li>▫ §119.071(2)(p)6.b.: willful and knowing violation of a court order issued pursuant to the provisions of the section is a 3d Felony. [renumbered from § 406.136(6)(b)]</li> </ul>	<p>Update confidential judicial records policy to include the additional exemptions and WHO can view and what proof of relationship must be presented.</p>
52	<p>Amends §28.222, adding electronically created and signed documents to list of instruments the Clerk shall record;</p> <p>Amends §695.03 re/acknowledgment or proof requirement for real property instruments to be recorded Additional:</p>	
53		

Clerk-Related Legislation

	A	B	C	D
54	HB 7009	<b>SIGNED BY GOVERNOR 5/14/19 cH. 2019-28</b> OGSR/Identification and Location Information/Department of Health; Removes scheduled repeal of exemption from public record requirements for certain personal identifying & location information of specified personnel of DOH, their spouses & children.	10/1/2019	FYI only Records, Civil, Criminal
55	HB 475	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-76</b> Certificates of Title for Vessels; Revises & provides requirements for application for and issuance of certificate of title for vessel; revises & provides duties of DHSMV related to issuance, renewal, replacement, or cancellation of certificate; revises & provides requirements for transferring ownership interest; provides requirements related to security interest in vessel; provides for rights of vessel purchasers; provides for repeal of certain provisions on specified dates; provides that principles & law of equity supplement provisions of act; authorizes DHSMV to adopt rules; provides construction & applicability regarding transactions, certificates of title, & records entered into or created, actions or proceedings commenced, & security interests perfected before effective date of act.	7/1/2023	FYI-Criminal
56	SB 910	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-61</b> Court-ordered Treatment Programs; Providing that veterans who were discharged or released under any condition, individuals who are current or former United States Department of Defense contractors, and individuals who are current or former military members of a foreign allied country are eligible in a certain Military Veterans and Servicemembers Court Program, etc.	7/1/2019	FYI only
57	HB 7121	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-41</b> Public Records/Lottery; Provides that certain information held by Department of Lottery is confidential & exempt from public record requirements; provides for retroactive application; provides public necessity statement; provides directive to Division of Law Revision.	5/14/2019	FYI only
58	HB 591	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-38</b> Pub. Rec./Public Utility Held Customer Information and Data amends Ch. 119, F.S., to exempt certain information held by a local government utility SB 6 Florida Statutes (previously signed) •Effective July 3, 3019; revises Florida Statutes, and specifically makes conforming changes in ss. 741.30 and 784.046, F.S.	7/1/2019 7/3/2019	FYI only
59	HB 7009	<b>SIGNED BY GOVERNOR 5/14/19 cH. 2019-28</b> OGSR/Identification and Location Information/Department of Health; Removes scheduled repeal of exemption from public record requirements for certain personal identifying & location information of specified personnel of DOH, their spouses & children.	10/1/2019	FYI only CIVIL Criminal Court Records

Clerk-Related Legislation

	E	F
54	Amends §119.071(4) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for <u>DOH employees</u> entirely.	
55	Effective July 1, 2023; incorporates the Uniform Certificate of Title for Vessels Act into Florida's existing vessel titling law; <u>renumbers an existing criminal penalty</u>	FDLE statute table to be updated
56	Expands eligibility for certain Veterans' and Servicemembers' Drug Court Program.	
57	NO CLERK RELATED functions or processes involved	
58	NO CLERK RELATED functions or processes involved	
59	Amends §119.071(4) AGENCY PERSONNEL INFORMATION by removing the scheduled repeal date of exemption for <u>DOH employees</u> entirely.	

Clerk-Related Legislation

	A	B	C	D
60	<b>HB 7025</b>	<b>SIGNED BY GOVERNOR 5/14/19 Ch. 2019-30</b> OGSR/Treatment-based Drug Court Programs; Amending provisions relating to an exemption from public records requirements for certain information relating to screenings for participation in treatment-based drug court programs and subsequent treatment status reports; removing the scheduled repeal of the exemption, etc.	10/1/2019	<b>FYI Only</b> Criminal, MH, Guardianship, Family Law,
61	<b>SB 7034</b>	<b>SIGNED BY GOVERNOR 4/26/19 Ch. 2019-16</b> OGSR/Automated License Plate Recognition System; Amending provisions which provides a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and for personal identifying information of an individual in data generated from such images; removing the scheduled repeal of the exemption, etc.	10/1/2019	<b>FYI only</b>
62	<b>HB 281</b>	<b>SIGNED BY GOVERNOR 5/23/19 Ch. 2019-55</b> Pub.Rec./Voters and Voter Registration; Provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; provides for future legislative review & repeal; provides for retroactive application; provides statement of public necessity.	7/1/2019	<b>FYI only</b>
63	<b>HB 595</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-81</b> <b>Alcohol or Drug Overdose Prosecutions:</b> Prohibits arrest or penalty under specified provisions of person seeking medical assistance for individual experiencing alcohol-related or drug-related overdose or for himself or herself; prohibits this protection from being grounds for suppression of evidence in other prosecutions.	7/1/2019	<b>FYI Only</b> <b>(Criminal)</b>
64	<b>HB 5011</b>	<b>SIGNED BY GOVERNOR 6/7/19 Ch. 2019-95</b> <b>Courts;</b> Authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; revising the number of county court judges in certain counties, etc.	7/1/2019	<b>FYI only</b>
65				
66				
67				
68				
69				

Clerk-Related Legislation

	E	F
60	<p><b>Amends §397.334</b> removes the scheduled repeal of the exemption for records of screenings/evaluations for treatment-based drug court programs.</p> <p><b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b></p>	<p><b>Make DPTI docket code confidential and not appear on Secure Web</b></p>
61	<p><b>§316.0777 amended to delete scheduled repeal of exemption</b></p> <p><b>*NO CHANGE* TO SUBSTANCE OF EXEMPTION</b></p>	
62	<p><b>NO CLERK RELATED functions or processes involved</b></p>	
63	<p><b>FYI only:</b>  <b>Exempts someone experiencing, reporting or seeking medical intervention for someone experiencing an alcohol or drug overdose from criminal liability if certain criteria are met.</b></p>	
64	<p><b>NO CLERK RELATED functions or processes involved</b></p>	
65		
66		
67		
68		
69		



**From:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Sent:** Friday, May 24, 2019 4:17 PM EDT  
**To:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**CC:** Erika Bowen <EABowen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

See you then!

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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---

**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
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**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Subject:** \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

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Hello again Gwen,  
And again thank you so much! Definitely looking forward to you joining the class this Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building).  
All the best,  
Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@admin.fsu.edu](mailto:mschlakman@admin.fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

---

**From:** Mark Schlakman  
**Sent:** Wednesday, May 22, 2019 8:58 PM  
**To:** Gwen Marshall  
**Subject:** RE: Court Cost Fee Schedule, and more...

Hi Gwen,

Thank you so much... I'll peruse this weekend and may indeed have a follow-up question or two next week.

As far as possibly joining the class at the College of Law, would your schedule permit either next Wednesday, May 29<sup>th</sup>; Tuesday, June 11<sup>th</sup>; or on Wednesday, June 12<sup>th</sup>? The course is entitled, **Restoration of felon voting eligibility in Florida after Amendment 4 -- what's clear and what's not!?**

The Colleges of Law, Social Sciences and Public Policy, and Social Work are jointly offering (other main campus grad, honors and undergrad students also registering through either of the two latter colleges)... about two dozen students altogether.

Ideally Mark Earley and Jack Campbell will join for different classes, and also perhaps Maria Matthews from the Division of Elections. As an aside, Walt McNeil joined for a prior iteration of the class.

As I may have mentioned, the class meets on Tuesdays and Wednesdays this summer from 530-720pm so whatever timing/portion of the class might be convenient for you would be great.

Once again, many thanks for considering!

All the best,

Mark

**Mark R. Schlakman, Esq.**  
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**From:** Gwen Marshall [<mailto:GMarshall@leoncountyfl.gov>]  
**Sent:** Wednesday, May 22, 2019 4:14 PM  
**To:** Mark Schlakman  
**Subject:** Court Cost Fee Schedule

Mark,

Per your request, attached is a copy of the statewide Distribution Scheduled of court related filing fees, service charges, costs and fines. Please feel free to contact me if you have any questions on my cell at 850-284-0084.

Regards,

Gwen Marshall  
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**From:** Mark Schlakman <[MSchlakman@admin.fsu.edu](mailto:MSchlakman@admin.fsu.edu)>  
**Sent:** Wednesday, April 17, 2019 8:37 PM  
**To:** Gwen Marshall <[GMarshall@leoncountyfl.gov](mailto:GMarshall@leoncountyfl.gov)>  
**Subject:** FYSA: published today

Greetings Clerk Marshall,

I've attached a column I wrote that was published in the Orlando Sentinel today entitled, **Fines and fees provisions at odds with the language and intent of Amendment 4 | Commentary**. If you weren't already aware I thought this might be of interest. Other recent columns addressed different aspects in the Tallahassee Democrat, Gainesville Sun, Tampa Bay Times, and South Florida Sun Sentinel...

I stopped by the Senate Rules Committee meeting this afternoon toward the end of the meeting to discuss with Senator Rodriguez briefly given that I mention him in the Orlando Sentinel piece and have encouraged him to renew an amendment that he offered in Judiciary, and then withdrew in consultation with Senator Simmons. I was in the elevator with Senator Brandes afterward who acknowledged the piece before I mentioned it. I also shared it with Senator Lee as well as Senators Gibson, Thurston, Braynon and Montford (everyone else slipped away, smiling!)... I previously discussed these issues at length with Senator Simmons amid his drive back to Tallahassee.

All the best,

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**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**Sent:** Thursday, May 30, 2019 3:43 PM EDT  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**CC:** Erika Bowen <EABowen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

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Greetings Gwen,

A quick note once again to underscore my appreciation insofar as the time that you and Ken invested involving the interdisciplinary class yesterday. Moreover, a number of the students conveyed they greatly appreciated... How fortunate those of us who reside in Leon County are that you were elected Clerk of the Court and Comptroller (and more simply that you decided to run), and also that you've assembled such an impressive team. I look forward to maintaining contact regarding these, and other issues as they may emerge. You are inspiring.

Thanks again!

All the best,

Mark

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---

**From:** Gwen Marshall [mailto:GMarshall@leoncountyfl.gov]  
**Sent:** Friday, May 24, 2019 4:18 PM  
**To:** Mark Schlakman  
**Cc:** Erika Bowen; Ken Kent  
**Subject:** RE: \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

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All the best,

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**From:** Mark Schlakman <[MSchlakman@admin.fsu.edu](mailto:MSchlakman@admin.fsu.edu)>  
**Sent:** Wednesday, April 17, 2019 8:37 PM  
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cell# (850) 766-2146

**From:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
**Sent:** Thursday, July 18, 2019 4:47 PM EDT  
**To:** Stacey Allen <SAAllen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>  
**Subject:** RE: A4 QRT Negotiation of Fines

Leon only negotiates interest.

---

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Thursday, July 18, 2019 12:17 PM  
**To:** Ken Kent <KAKent@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
**Subject:** FW: A4 QRT Negotiation of Fines

Please see below – if you have any input, I will share with the group. Thanks!&#128522;

---

**From:** Matt Whyte <Matt.Whyte@ManateeClerk.com>  
**Sent:** Monday, July 15, 2019 3:43 PM  
**To:** Brooks, Jared <Jared.Brooks@myorangeclerk.com>  
**Cc:** Stacey Allen <SAAllen@leoncountyfl.gov>; Rebecca Lober <Rebecca.lobler@brevardclerk.us>; Cyndi Andrews <c.andrews@flclerks.com>; JAS@alachuaclerk.org; achurlydavis@browardclerk.org; mhealy@leeclerk.org; CWebster@hernandoclerk.org; WareM@HillsClerk.com; GHarrell@MarionCountyClerk.org; Ksavor@MyPalmBeachClerk.com; Acoffey@pinellascounty.org; LeannParker@polk-county.net; Vmorgan@siccoc.us; lbaxterp@scgov.net; SDietrich@seminoleclerk.org; Ajames@clerk.org  
**Subject:** RE: A4 QRT Negotiation of Fines

All- as part of the Amendment 4 Quick Response Team, Jared and I have been tasked with working on some guidelines for Clerks to use when determining whether to negotiate civil judgments/liens for fines, court costs, and other monetary obligations. There were some emails going around in late April and early May of this year, so I'll cut and paste what I can find. **Please chime in with your written policies or procedures (if you have any).** You don't need to cc: everyone. If you just want to send your written policies or thoughts, opinions, or suggestions directly to Jared and me, we'll put it all together to present to the Amendment 4 QRT. Thanks!  
Matt

#### Background:

FS 938.30(9) and 938.29(3) give the Clerk the authority to enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debts or liens imposed or collected as part of any financial obligation in any criminal case, fees for court appointed counsel, and due process services.

The "lien" part is pretty straightforward from reading 938.30(6) and (8) and 938.29(2). Clerks can enforce, satisfy, compromise, subordinate, release, or otherwise dispose of those liens that arose from any financial obligation in any criminal case.

The question is what the word "debts" means as used in these statutes. Without a definition of "debts" in s. 938, it's not clear to what "debts" the statutes are referring. Since the statutes specifically reference "liens," one would assume that "debts" means something other than "liens." **Does "debts" mean financial obligations that have been ordered/imposed by the Court (ie, the \$50 per day incarceration fee) but not yet taken to judgment or made a lien?** If a defendant is unable to pay, he can ask the Court to take the monetary obligations to judgment at the time of sentencing or anytime thereafter upon an appropriate showing of inability to pay. See FS 938.30(2)-(6).

#### Some of the feedback from May, 2019:

**Marion- does not negotiate**

**Manatee- no written policies but will consider offers on a case-by-case basis. Recently negotiated an old Trafficking fine when contacted by an attorney offering money from a partition sale.**

**Volusia- no policies but will consider and negotiate on a case-by-case basis on judgments that are at least 1 year old.**

**Palm Beach- Palm Beach negotiates settlements on judgments for fines and costs.** I have attached some of the documents and processes we use.

The rest of this may be too much detail but we started doing this on large, five figure cases (such as drug trafficking) by running a report to find those cases, then narrowing our focus by looking at age of case and if the defendant had a private attorney at the time of the conviction. We then sent letters (one is attached) to the last known address of the defendant and to his attorney. Once that was completed, the local defense attorneys began contacting us on these and on cases we had not reached out on. Our local defense bar and even the PD's office continues to bring all sizes of judgments to us to negotiate even though we no longer send letters.

To reach a settlement amount, we look at the age of the case, and the amount owed. If it is a large sum, we will also do a basic public record and social media search to look for additional information regarding possible ability to pay (a PowerPoint slide is attached). Once a settlement is reached, we record a satisfaction referencing FS 938 (also attached).

Stephen Mathew (Matt) Whyte  
General Counsel/Director of Human Resources for Angelina "Angel" Colonnese  
Manatee County Clerk of the Circuit Court and Comptroller

---

**From:** Brooks, Jared [mailto:Jared.Brooks@myorangeclerk.com]  
**Sent:** Monday, July 15, 2019 3:04 PM  
**To:** Matt Whyte  
**Subject:** A4 QRT Negotiation of Fines

FL-LEON-19-1045-A,19-1046-A-000549

Hello Matt,

Looking forward to working with you on this topic. Alison Churly-Davis (Broward County GC) and I spoke at length about the negotiation of fines/fees so I'm sure she would be interested in participating on the subcommittee.

Jared Brooks, Esq.  
General Counsel  
Office of Tiffany Moore Russell  
Orange County Clerk of Courts

**From:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Sent:** Friday, August 16, 2019 2:26 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion  
Just checking! Thanks

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
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**From:** Ken Kent  
**Sent:** Friday, August 16, 2019 2:26 PM  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Subject:** RE: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

Good afternoon Clerk Marshall,  
I received this advisory.  
Thanks,  
Ken  
Kenneth A. Kent, MPA  
Civil Courts Director  
Clerk of the Circuit Court  
& Comptroller – Leon County  
301 South Monroe Street, #100  
Tallahassee, FL 32301  
850.606.4126  
[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

---

**From:** Gwen Marshall  
**Sent:** Friday, August 16, 2019 2:25 PM  
**To:** Ken Kent <[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)>; Stacey Allen <[SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov)>; Shannon Cash-Russell <[ShannonC@leoncountyfl.gov](mailto:ShannonC@leoncountyfl.gov)>; Darlene Green <[DGGreen@leoncountyfl.gov](mailto:DGGreen@leoncountyfl.gov)>; Sene Bauman <[SEBauman@leoncountyfl.gov](mailto:SEBauman@leoncountyfl.gov)>  
**Subject:** FW: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

Did everyone get this?

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---

**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>  
**Sent:** Friday, August 16, 2019 1:59 PM  
**Subject:** Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Legal Opinion**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legal opinion concerning several issues related to the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the		



	constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.
<b>Clerk outreach:</b>	No external outreach is needed

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

ANewman@FLClerks.com

[www.FLClerks.com](http://www.FLClerks.com)

[f/FloridaClerks](https://www.facebook.com/FloridaClerks)

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**From:** Ken Kent  
**Sent:** Friday, August 16, 2019 2:25 PM EDT  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
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Good afternoon Clerk Marshall,  
I received this advisory.  
Thanks,  
Ken  
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Civil Courts Director  
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**To:** Ken Kent <KAKent@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>  
**Subject:** FW: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

Did everyone get this?

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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---

**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>  
**Sent:** Friday, August 16, 2019 1:59 PM  
**Subject:** Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Legal Opinion**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legal opinion concerning several issues related to the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

[www.FLClerks.com](http://www.FLClerks.com)

[f/FloridaClerks](https://www.facebook.com/FloridaClerks)

[/FloridaClerks](https://www.instagram.com/FloridaClerks)

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**From:** Stacey Allen <SAAllen@leoncountyfl.gov>

**Sent:** Friday, August 16, 2019 2:27 PM EDT

**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>

**Subject:** RE: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

Yes. I am on FCCC's direct email list for advisory bulletins and legislative updates – am receiving duplicates via the new SMT group distribution list ...

**From:** Gwen Marshall

**Sent:** Friday, August 16, 2019 2:25 PM

**To:** Ken Kent <KAKent@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Darlene Green <DGreen@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>

**Subject:** FW: Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

Did everyone get this?

Gwen Marshall

Clerk of the Circuit Courts and Comptroller

Leon County

(850) 606-4005 | (850) 606-4013 (T)

[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>

**Sent:** Friday, August 16, 2019 1:59 PM

**Subject:** Advisory - 19-070 - Restoration of Voting Rights - Legal Opinion

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please review the attached Advisory regarding **Restoration of Voting Rights - Legal Opinion**.

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks and Comptrollers	<b>Category:</b>	Clerk Administration, Courts
<b>Priority:</b>	Medium	<b>Action required:</b>	Please review the following legal opinion concerning several issues related to the restoration of voting rights.
<b>Executive Summary:</b>	The Amendment 4 Quick Response Team, through the FCCC, has requested and received a legal opinion from FCCC General Counsel, Greenberg Traurig, concerning several issues related to restoration of voting rights, both the constitutional and statutory language. Specifically, these issues address several of the financial aspects of the law. The full legal opinion is attached.		
<b>Clerk outreach:</b>	No external outreach is needed		

Thank you,



**ALLISON L. NEWMAN**, Member Outreach Manager

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

[www.FLClerks.com](http://www.FLClerks.com) [f/FloridaClerks](https://www.facebook.com/FloridaClerks) [/FloridaClerks](https://www.instagram.com/FloridaClerks)

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**From:** Ken Kent

**Sent:** Monday, June 17, 2019 4:27 PM EDT

**To:** Erika Bowen <EABowen@leoncountyfl.gov>

**Subject:** RE: Clerk Marshall Speaks to FSU Law Class

**Attachment(s):** "RE featured guest speaker -- interdisciplinary class FSU College of Law on Wednesday, May 29th @ 530pm (in room #331, which is on the third floor of the original brick building).msg"

Hi Erika,

Here is draft for your consideration:

**Clerk Marshall speaks at FSU College of Law**

On May 29, 2019, Clerk Marshall spoke to students in an interdisciplinary course at the FSU College of Law. The course was entitled, **Restoration of felon voting eligibility in Florida after Amendment 4 -- what's clear and what's not!?** Approximately 24 students including graduate and undergraduate students in the Colleges of Law, Social Sciences and Public Policy, and Social Work participated.

Clerk Marshall described the role of the Clerk in maintaining Court records, processing court-ordered payments and providing those records to the public. The presentation was well received with the instructor noting afterwards that a number of the students conveyed they greatly appreciated the information Clerk Marshall provided.

If your class or civic group would like for Clerk Marshall to speak at a future event please contact us.

Also, enclosed is the email string from the instructor, Mark R. Schlakman, Esq., senior program director, at the Florida State University Center for the Advancement of Human Rights. Please let me know if you would like any additional information.

Thanks,

Ken

Kenneth A. Kent, MPA

Civil Courts Director

Clerk of the Circuit Court

& Comptroller – Leon County

301 South Monroe Street, #100

Tallahassee, FL 32301

850.606.4126

[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)

[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

---

**From:** Erika Bowen

**Sent:** Monday, June 10, 2019 3:17 PM

**To:** Ken Kent <KAKent@leoncountyfl.gov>

**Subject:** Clerk Marshall Speaks to FSU Law Class

Hi Ken,

Could you please provide a write up about Clerk Marshall speaking to the Interdisciplinary Law class at FSU, it will be included in the July Newsletter. I would love to have the write up by Thursday, June 13<sup>th</sup>.

Thanks,

Erika Bowen, MSM

Executive Assistant to the Clerk

GWEN MARSHALL, Clerk of the Circuit Court and Comptroller

Ph: 850.606.4011

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**Sent:** Thursday, May 30, 2019 3:43 PM EDT  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**CC:** Erika Bowen <EABowen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings Gwen,

A quick note once again to underscore my appreciation insofar as the time that you and Ken invested involving the interdisciplinary class yesterday. Moreover, a number of the students conveyed they greatly appreciated... How fortunate those of us who reside in Leon County are that you were elected Clerk of the Court and Comptroller (and more simply that you decided to run), and also that you've assembled such an impressive team. I look forward to maintaining contact regarding these, and other issues as they may emerge. You are inspiring.

Thanks again!

All the best,

Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@admin.fsu.edu](mailto:mschlakman@admin.fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

---

**From:** Gwen Marshall [mailto:GMarshall@leoncountyfl.gov]  
**Sent:** Friday, May 24, 2019 4:18 PM  
**To:** Mark Schlakman  
**Cc:** Erika Bowen; Ken Kent  
**Subject:** RE: \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

See you then!

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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---

**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**Sent:** Friday, May 24, 2019 4:11 PM  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Subject:** \*featured guest speaker -- interdisciplinary class/FSU College of Law on Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building)

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello again Gwen,

And again thank you so much! Definitely looking forward to you joining the class this Wednesday, May 29th @ 5:30pm (in room #331, which is on the third floor of the original brick building).

All the best,

Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@admin.fsu.edu](mailto:mschlakman@admin.fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

---

**From:** Mark Schlakman  
**Sent:** Wednesday, May 22, 2019 8:58 PM  
**To:** Gwen Marshall  
**Subject:** RE: Court Cost Fee Schedule, and more...

Hi Gwen,

Thank you so much... I'll peruse this weekend and may indeed have a follow-up question or two next week.

As far as possibly joining the class at the College of Law, would your schedule permit either next Wednesday, May 29<sup>th</sup>; Tuesday, June 11<sup>th</sup>; or on Wednesday, June 12<sup>th</sup>? The course is entitled, **Restoration of felon voting eligibility in Florida after Amendment 4 -- what's clear and what's not!?**

The Colleges of Law, Social Sciences and Public Policy, and Social Work are jointly offering (other main campus grad, honors and undergrad students also registering through either of the two latter colleges)... about two dozen students altogether.

Ideally Mark Earley and Jack Campbell will join for different classes, and also perhaps Maria Matthews from the Division of Elections. As an aside, Walt McNeil joined for a prior iteration of the class.

As I may have mentioned, the class meets on Tuesdays and Wednesdays this summer from 530-720pm so whatever timing/portion of the class might be convenient for you would be great.

Once again, many thanks for considering!

All the best,

Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@admin.fsu.edu](mailto:mschlakman@admin.fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

---

**From:** Gwen Marshall [<mailto:GMarshall@leoncountyfl.gov>]  
**Sent:** Wednesday, May 22, 2019 4:14 PM  
**To:** Mark Schlakman  
**Subject:** Court Cost Fee Schedule

Mark,

Per your request, attached is a copy of the statewide Distribution Scheduled of court related filing fees, service charges, costs and fines. Please feel free to contact me if you have any questions on my cell at 850-284-0084.

Regards,

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

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---

**From:** Mark Schlakman <[MSchlakman@admin.fsu.edu](mailto:MSchlakman@admin.fsu.edu)>  
**Sent:** Wednesday, April 17, 2019 8:37 PM  
**To:** Gwen Marshall <[GMarshall@leoncountyfl.gov](mailto:GMarshall@leoncountyfl.gov)>  
**Subject:** FYSA: published today

Greetings Clerk Marshall,

I've attached a column I wrote that was published in the Orlando Sentinel today entitled, **Fines and fees provisions at odds with the language and intent of Amendment 4 | Commentary**. If you weren't already aware I thought this might be of interest. Other recent columns addressed different aspects in the Tallahassee Democrat, Gainesville Sun, Tampa Bay Times, and South Florida Sun Sentinel...



I stopped by the Senate Rules Committee meeting this afternoon toward the end of the meeting to discuss with Senator Rodriguez briefly given that I mention him in the Orlando Sentinel piece and have encouraged him to renew an amendment that he offered in Judiciary, and then withdrew in consultation with Senator Simmons. I was in the elevator with Senator Brandes afterward who acknowledged the piece before I mentioned it. I also shared it with Senator Lee as well as Senators Gibson, Thurston, Braynon and Montford (everyone else slipped away, smiling!)... I previously discussed these issues at length with Senator Simmons amid his drive back to Tallahassee.

All the best,

Mark

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@admin.fsu.edu](mailto:mschlakman@admin.fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

**From:** Erika Bowen <EABowen@leoncountyfl.gov>  
**Sent:** Monday, June 17, 2019 4:31 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: Clerk Marshall Speaks to FSU Law Class

Thanks Ken!

Erika Bowen, MSM  
Executive Assistant to the Clerk  
GWEN MARSHALL, Clerk of the Circuit Court and Comptroller  
Ph: 850.606.4011

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---

**From:** Ken Kent <KAKent@leoncountyfl.gov>  
**Sent:** Monday, June 17, 2019 4:27 PM  
**To:** Erika Bowen <EABowen@leoncountyfl.gov>  
**Subject:** RE: Clerk Marshall Speaks to FSU Law Class

Hi Erika,  
Here is draft for your consideration:

**Clerk Marshall speaks at FSU College of Law**

On May 29, 2019, Clerk Marshall spoke to students in an interdisciplinary course at the FSU College of Law. The course was entitled, **Restoration of felon voting eligibility in Florida after Amendment 4 -- what's clear and what's not!?** Approximately 24 students including graduate and undergraduate students in the Colleges of Law, Social Sciences and Public Policy, and Social Work participated.

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If your class or civic group would like for Clerk Marshall to speak at a future event please contact us.

Also, enclosed is the email string from the instructor, Mark R. Schlakman, Esq., senior program director, at the Florida State University Center for the Advancement of Human Rights. Please let me know if you would like any additional information.

Thanks,  
Ken

Kenneth A. Kent, MPA  
Civil Courts Director  
Clerk of the Circuit Court  
& Comptroller – Leon County  
301 South Monroe Street, #100  
Tallahassee, FL 32301  
850.606.4126  
[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

---

**From:** Erika Bowen  
**Sent:** Monday, June 10, 2019 3:17 PM  
**To:** Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** Clerk Marshall Speaks to FSU Law Class

Hi Ken,

Could you please provide a write up about Clerk Marshall speaking to the Interdisciplinary Law class at FSU, it will be included in the July Newsletter. I would love to have the write up by Thursday, June 13<sup>th</sup>.

Thanks,

Erika Bowen, MSM  
Executive Assistant to the Clerk  
GWEN MARSHALL, Clerk of the Circuit Court and Comptroller  
Ph: 850.606.4011

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From: Ken Kent  
Sent: Wednesday, August 21, 2019 4:16 PM EDT  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>  
Subject: RE: Draft Motion / Order - Amendment 4

Agree with Shannon (as always)

Kenneth A. Kent, MPA  
Civil Courts Director  
Clerk of the Circuit Court  
& Comptroller - Leon County  
301 South Monroe Street, #100  
Tallahassee, FL 32301  
850.606.4126  
KAKent@leoncountyfl.gov

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From: Shannon Cash-Russell  
Sent: Wednesday, August 21, 2019 4:12 PM  
To: Stacey Allen <SAAllen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
Subject: RE: Draft Motion / Order - Amendment 4

Not that I am aware of.

From: Stacey Allen <SAAllen@leoncountyfl.gov>  
Sent: Wednesday, August 21, 2019 4:01 PM  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
Subject: FW: Draft Motion / Order - Amendment 4

I'm assuming "no"?

From: Stacey Allen  
Sent: Tuesday, August 20, 2019 12:27 PM  
To: Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
Subject: FW: Draft Motion / Order - Amendment 4

I am just looking at this discussion that transpired while I was out. I'm assuming you would have mentioned it, but just checking - seen anything like this?

From: Ware, Mark <warem@hillsclerk.com>  
Sent: Friday, August 2, 2019 3:01 PM  
Subject: RE: Draft Motion / Order - Amendment 4

We have not seen this in Hillsborough.

Mark J. Ware  
Associate Legal Counsel/Legal Compliance | Legal Department  
P: (813) 307-7043  
E: Warem@hillsclerk.com | W: www.hillsclerk.com

From: Brooks, Jared <Jared.Brooks@myorangeclerk.com>  
Sent: Friday, August 2, 2019 1:38 PM  
Subject: RE: Draft Motion / Order - Amendment 4

We haven't seen anything similar in Orange.

Jared Brooks, Esq.  
General Counsel  
Office of Tiffany Moore Russell  
Orange County Clerk of Courts

From: Coffey, Amanda S <acoffey@co.pinellas.fl.us>  
Sent: Friday, August 2, 2019 1:17 PM  
Subject: RE: Draft Motion / Order - Amendment 4

Pinellas hasn't, either.

Amanda S. Coffey  
Managing Assistant County Attorney  
Florida Bar Board Certified City, County, and  
Local Government Lawyer  
Pinellas County Attorney's Office

From: Jean A. Sperbeck [mailto:JAS@alachuaclerk.org]  
Sent: Friday, August 2, 2019 12:28 PM  
Subject: RE: Draft Motion / Order - Amendment 4

We have not seen anything like this in Alachua.

From: Churly-Davis, Alison L [mailto:achurlydavis@browardclerk.org]  
Sent: Friday, August 02, 2019 10:18 AM

To: Jean A. Sperbeck; Churly-Davis, Alison L; mhealy@leeclerk.org;  
CWebster@hernandoclerk.org; WareM@HillsClerk.com;  
SAAllen@leoncountyfl.gov; Jared.Brooks@MyOrangeClerk.com;  
Matt.Whyte@ManateeClerk.com; GHarrell@MarionCountyClerk.org;  
Ksavor@MyPalmBeachClerk.com; Coffey, Amanda S; LeannParker@polk-  
county.net; Vmorgan@sjccoc.us; Ibaxterp@scgov.net;  
SDietrich@seminoleclerk.org; Jaimes, Antonio; Guerra, Cindy;  
englishjd@flcjn.net; Codey.Leigh@escambiaclerk.com; HoranJ@ClayClerk.com  
Subject: Draft Motion / Order - Amendment 4

In Broward, we were provided the attached motion and proposed order by our public defender's office. I am wondering if other's have received such a motion and if your office, in addition to your already in place collection efforts, are trying anything "extra" to get these folks to comply with the original court's financial terms to try to generate some funds before such a motion is granted. I also recognized that the motion states that the defendant cannot pay the full outstanding amount, but may be able to partially pay.

Thanks,

Alison Churly-Davis, Esq.  
General Counsel  
Broward County Clerk of Courts

**From:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
**Sent:** Wednesday, August 21, 2019 4:12 PM EDT  
**To:** Stacey Allen <SAAllen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: Draft Motion / Order - Amendment 4

Not that I am aware of.

---

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Wednesday, August 21, 2019 4:01 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4

I'm assuming "no"?

---

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**To:** Shannon Cash-Russell <[ShannonC@leoncountyfl.gov](mailto:ShannonC@leoncountyfl.gov)>; Ken Kent <[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)>  
**Subject:** FW: Draft Motion / Order - Amendment 4

I am just looking at this discussion that transpired while I was out. I'm assuming you would have mentioned it, but just checking – seen anything like this?

---

**From:** Ware, Mark <[warem@hillsclerk.com](mailto:warem@hillsclerk.com)>  
**Sent:** Friday, August 2, 2019 3:01 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen this in Hillsborough.

**Mark J. Ware**  
Associate Legal Counsel/Legal Compliance | Legal Department  
P: (813) 307-7043  
E: [Warem@hillsclerk.com](mailto:Warem@hillsclerk.com) | W: [www.hillsclerk.com](http://www.hillsclerk.com)

---

**From:** Brooks, Jared <[Jared.Brooks@myorangeclerk.com](mailto:Jared.Brooks@myorangeclerk.com)>  
**Sent:** Friday, August 2, 2019 1:38 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We haven't seen anything similar in Orange.

**Jared Brooks, Esq.**  
General Counsel  
**Office of Tiffany Moore Russell**  
**Orange County Clerk of Courts**

---

**From:** Coffey, Amanda S <[acoffey@co.pinellas.fl.us](mailto:acoffey@co.pinellas.fl.us)>  
**Sent:** Friday, August 2, 2019 1:17 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

Pinellas hasn't, either.

**Amanda S. Coffey**  
Managing Assistant County Attorney  
Florida Bar Board Certified City, County, and  
Local Government Lawyer  
Pinellas County Attorney's Office

---

**From:** Jean A. Sperbeck [<mailto:JAS@alachuaclerk.org>]  
**Sent:** Friday, August 2, 2019 12:28 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen anything like this in Alachua.

---

**From:** Churly-Davis, Alison L [<mailto:achurlydavis@browardclerk.org>]  
**Sent:** Friday, August 02, 2019 10:18 AM  
**To:** Jean A. Sperbeck; Churly-Davis, Alison L; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); [Jared.Brooks@MyOrangeClerk.com](mailto:Jared.Brooks@MyOrangeClerk.com); [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); Coffey, Amanda S; [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio; Guerra, Cindy; [englishjd@flcfn.net](mailto:englishjd@flcfn.net); [Codey.Leigh@escambiaclerk.com](mailto:Codey.Leigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)  
**Subject:** Draft Motion / Order - Amendment 4

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Thanks,

Alison Churly-Davis, Esq.  
General Counsel  
Broward County Clerk of Courts

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Wednesday, August 21, 2019 4:20 PM EDT  
**To:** Ken Kent <KAKent@leoncountyfl.gov>; Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
**Subject:** RE: Draft Motion / Order - Amendment 4

Thanks.

---

**From:** Ken Kent  
**Sent:** Wednesday, August 21, 2019 4:17 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Stacey Allen <SAAllen@leoncountyfl.gov>  
**Subject:** RE: Draft Motion / Order - Amendment 4

Agree with Shannon (as always) &#128522;

Kenneth A. Kent, MPA  
Civil Courts Director  
Clerk of the Circuit Court  
& Comptroller – Leon County  
301 South Monroe Street, #100  
Tallahassee, FL 32301  
850.606.4126  
[KAKent@leoncountyfl.gov](mailto:KAKent@leoncountyfl.gov)

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**From:** Shannon Cash-Russell  
**Sent:** Wednesday, August 21, 2019 4:12 PM  
**To:** Stacey Allen <SAAllen@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: Draft Motion / Order - Amendment 4

Not that I am aware of.

---

**From:** Stacey Allen <SAAllen@leoncountyfl.gov>  
**Sent:** Wednesday, August 21, 2019 4:01 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4

I'm assuming "no"?

---

**From:** Stacey Allen  
**Sent:** Tuesday, August 20, 2019 12:27 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** FW: Draft Motion / Order - Amendment 4

I am just looking at this discussion that transpired while I was out. I'm assuming you would have mentioned it, but just checking – seen anything like this?

---

**From:** Ware, Mark <warem@hillsclerk.com>  
**Sent:** Friday, August 2, 2019 3:01 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen this in Hillsborough.

**Mark J. Ware**  
Associate Legal Counsel/Legal Compliance | Legal Department  
P: (813) 307-7043  
E: [Warem@hillsclerk.com](mailto:Warem@hillsclerk.com) | W: [www.hillsclerk.com](http://www.hillsclerk.com)

---

**From:** Brooks, Jared <Jared.Brooks@myorangeclerk.com>  
**Sent:** Friday, August 2, 2019 1:38 PM  
**Subject:** RE: Draft Motion / Order - Amendment 4

We haven't seen anything similar in Orange.

**Jared Brooks, Esq.**  
General Counsel  
**Office of Tiffany Moore Russell**  
Orange County Clerk of Courts

---

**From:** Coffey, Amanda S <acoffey@co.pinellas.fl.us>  
**Sent:** Friday, August 2, 2019 1:17 PM

FL-LEON-19-1045-A,19-1046-A-000567



**Subject:** RE: Draft Motion / Order - Amendment 4

Pinellas hasn't, either.

**Amanda S. Coffey**

Managing Assistant County Attorney  
Florida Bar Board Certified City, County, and  
Local Government Lawyer  
Pinellas County Attorney's Office

---

**From:** Jean A. Sperbeck [<mailto:JAS@alachuaclerk.org>]

**Sent:** Friday, August 2, 2019 12:28 PM

**Subject:** RE: Draft Motion / Order - Amendment 4

We have not seen anything like this in Alachua.

---

**From:** Churly-Davis, Alison L. [<mailto:achurlydavis@browardclerk.org>]

**Sent:** Friday, August 02, 2019 10:18 AM

**To:** Jean A. Sperbeck; Churly-Davis, Alison L.; [mhealy@leeclerk.org](mailto:mhealy@leeclerk.org); [CWebster@hernandoclerk.org](mailto:CWebster@hernandoclerk.org); [WareM@HillsClerk.com](mailto:WareM@HillsClerk.com); [SAAllen@leoncountyfl.gov](mailto:SAAllen@leoncountyfl.gov); [Jared.Brooks@MyOrangeClerk.com](mailto:Jared.Brooks@MyOrangeClerk.com); [Matt.Whyte@ManateeClerk.com](mailto:Matt.Whyte@ManateeClerk.com); [GHarrell@MarionCountyClerk.org](mailto:GHarrell@MarionCountyClerk.org); [Ksavor@MyPalmBeachClerk.com](mailto:Ksavor@MyPalmBeachClerk.com); Coffey, Amanda S; [LeannParker@polk-county.net](mailto:LeannParker@polk-county.net); [Vmorgan@sjccoc.us](mailto:Vmorgan@sjccoc.us); [lbaxterp@scgov.net](mailto:lbaxterp@scgov.net); [SDietrich@seminoleclerk.org](mailto:SDietrich@seminoleclerk.org); Jaimes, Antonio; Guerra, Cindy; [englishjd@fciin.net](mailto:englishjd@fciin.net); [Codey.Laigh@escambiaclerk.com](mailto:Codey.Laigh@escambiaclerk.com); [HoranJ@ClayClerk.com](mailto:HoranJ@ClayClerk.com)

**Subject:** Draft Motion / Order - Amendment 4

In Broward, we were provided the attached motion and proposed order by our public defender's office. I am wondering if other's have received such a motion and if your office, in addition to your already in place collection efforts, are trying anything "extra" to get these folks to comply with the original court's financial terms to try to generate some funds before such a motion is granted. I also recognized that the motion states that the defendant cannot pay the full outstanding amount, but may be able to partially pay.

Thanks,

Alison Churly-Davis, Esq.  
General Counsel  
Broward County Clerk of Courts

**From:** Sara Sanders <ssanders@flclerks.com>

**Sent:** Thursday, May 02, 2019 6:15 PM EDT

**To:** hebertj@gtlaw.com <hebertj@gtlaw.com>; angel.colonneso@manateeclerk.com <angel.colonneso@manateeclerk.com>; avick@citrusclerk.org <avick@citrusclerk.org>; BaggettF@gtlaw.com <BaggettF@gtlaw.com>; allman@flclerks.com <allman@flclerks.com>; BevisA@gtlaw.com <BevisA@gtlaw.com>; bWASHINGTON@madisonclerk.com <bWASHINGTON@madisonclerk.com>; CTimmann@martinclerk.com <CTimmann@martinclerk.com>; Cvancura@martinclerk.com <Cvancura@martinclerk.com>; chrishart@flclerks.com <chrishart@flclerks.com>; ellsperrmann@marioncountyclerk.org <ellsperrmann@marioncountyclerk.org>; determannng@gtlaw.com <determannng@gtlaw.com>; spencerdc@flcfn.net <spencerdc@flcfn.net>; dsunshine@flclerks.com <dsunshine@flclerks.com>; Gwen Marshall <GMarshall@leoncountyfl.gov>; jasonharrell@flclerks.com <jasonharrell@flclerks.com>; jwely@flccoc.org <jwely@flccoc.org>; connellk@unionclerk.com <connellk@unionclerk.com>; kburke@co.pinellas.fl.us <kburke@co.pinellas.fl.us>; Ken Kent <KAKent@leoncountyfl.gov>; kmadok@monroe-clerk.com <kmadok@monroe-clerk.com>; krenspie@flclerks.com <krenspie@flclerks.com>; kdunaway@flclerks.com <kdunaway@flclerks.com>; lroth@clerk.org <lroth@clerk.org>; lgivens@flaglerclerk.com <lgivens@flaglerclerk.com>; nfingerhut@mypalmbeachclerk.com <nfingerhut@mypalmbeachclerk.com>; pchilders@escambiaclerk.com <pchilders@escambiaclerk.com>; poneil@pascoclerk.com <poneil@pascoclerk.com>; richard@REHerring.com <richard@REHerring.com>; ssullivan@flclerks.com <ssullivan@flclerks.com>; sbock@mypalmbeachclerk.com <sbock@mypalmbeachclerk.com>; sdecker@mypalmbeachclerk.com <sdecker@mypalmbeachclerk.com>; Smidtl@gtlaw.com <Smidtl@gtlaw.com>; Stacey Allen <SAAllen@leoncountyfl.gov>; stacybutterfield@polk-county.net <stacybutterfield@polk-county.net>; greent@clayclerk.com <greent@clayclerk.com>; tiffany.moorerussell@myorangeclerk.com <tiffany.moorerussell@myorangeclerk.com>; tbexley@flaglerclerk.com <tbexley@flaglerclerk.com>; trainaj@gtlaw.com <trainaj@gtlaw.com>; Sara Sanders <ssanders@flclerks.com>

**Subject:** RE: FLOOR AMENDMENT FILED: SB 7066 by Rules re: Election Administration - In Senate Returning Messages

This evening, SB 7066 Elections, which is a comprehensive election administration measure making extensive changes to the Florida Election Code, came over to the Senate after passing the House. Sen. Brandes then filed an amendment which essentially amends the text of the Senate's Voting Rights Restoration bill, SB 7086, onto this bill (see amendment 766844, linked below), which includes some of the amendments that have been filed this week.

Sen. Thurston's amendment to the amendment would essentially provide that any required financial obligation is deemed to have been completed to the extent that the financial obligation has been converted to a civil lien.



**SARA SANDERS**, Legislative Manager

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SSanders@FLClerks.com

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**From:** hebertj@gtlaw.com <hebertj@gtlaw.com>

**Sent:** Thursday, May 2, 2019 6:04 PM

**To:** angel.colonneso@manateeclerk.com; avick@citrusclerk.org; BaggettF@gtlaw.com; allman@flclerks.com; BevisA@gtlaw.com; bWASHINGTON@madisonclerk.com; CTimmann@martinclerk.com; Cvancura@martinclerk.com; chrishart@flclerks.com; ellsperrmann@marioncountyclerk.org; determannng@gtlaw.com; spencerdc@flcfn.net; dsunshine@flclerks.com; GMarshall@leoncountyfl.gov; hebertj@gtlaw.com; jasonharrell@flclerks.com; jwely@flccoc.org; connellk@unionclerk.com; kburke@co.pinellas.fl.us; kakent@leoncountyfl.gov; kmadok@monroe-clerk.com; krenspie@flclerks.com; kdunaway@flclerks.com; lroth@clerk.org; lgivens@flaglerclerk.com; nfingerhut@mypalmbeachclerk.com; pchilders@escambiaclerk.com; poneil@pascoclerk.com; richard@REHerring.com; ssanders@flclerks.com; ssullivan@flclerks.com; sbock@mypalmbeachclerk.com; sdecker@mypalmbeachclerk.com; Smidtl@gtlaw.com; saallen@leoncountyfl.gov; stacybutterfield@polk-county.net; greent@clayclerk.com; tiffany.moorerussell@myorangeclerk.com; tbexley@flaglerclerk.com; trainaj@gtlaw.com

**Subject:** FLOOR AMENDMENT FILED: SB 7066 by Rules re: Election Administration - In Senate Returning Messages

AMENDMENTS	SPONSOR	FILED	LAST FLOOR ACTION	FORMAT
704217 - Amendment Remove lines 972-974 and insert:	Diamond	5/1/2019 12:44 PM	House: Adopted 5/1/2019	<a href="#">PDF</a>
↳ 766844 - S Amend. to H Amend. (704217) Delete lines 5 - 11 and insert:	Brandes	5/2/2019 5:18 PM		<a href="#">Web Page</a> <a href="#">PDF</a>
↳ 399974 - S Amend. to S Amend. to H Amend. (766844) Delete lines 297 - 337 and insert:	Thurston	5/2/2019 5:56 PM		<a href="#">Web Page</a> <a href="#">PDF</a>

**CS/SB 7066: Election Administration**

GENERAL BILL by Rules ; Ethics and Elections

FL-LEON-19-1045-A, 19-1046-A-000569

Election Administration; Requiring the Secretary of State to provide signature matching training to certain persons; revising the voter threshold necessary to require the reporting of certain precinct-level results by ballot; requiring sufficient nonpermitted parking for voters at certain early voting locations; authorizing certain individuals to serve as witnesses during the ballot duplication process; revising requirements for vote-by-mail ballot instructions; providing a penalty for certain supervisors who willfully violate the Florida Election Code, etc.

**Effective Date:** Except as otherwise expressly provided in this act, this act shall take effect July 1, 2019

**Last Action:** 5/1/2019 Senate - In returning messages

**Bill Text:** [Web Page](#) | [PDF](#)

**Jesse Hebert**

Assistant Director of Legislative Services

Greenberg Traurig, P.A.

101 East College Avenue | Tallahassee, FL 32301

T 850.425.8515 | C 850.345.5576

[hebertj@gtlaw.com](mailto:hebertj@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)



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**From:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Sent:** Friday, August 09, 2019 2:53 PM EDT  
**To:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**CC:** Sruthi Palaniappan <spalaniappan@college.harvard.edu>; Clayton Morell <cjm17g@my.fsu.edu>; Ken Kent <KAKent@leoncountyfl.gov>  
**Subject:** RE: News from the State Attorney's Office (11th Judicial Circuit) and, more re: A 4!  
**Attachment(s):** "image020.jpg"

Hello Mark,

Thank you for the update on statewide efforts to implement Amendment 4. You are correct, court costs, fines and fees are not automatically converted into a civil judgement. The petitioner has to file a motion requesting that their court costs be converted to a civil judgment. I am open to speak with Ms. Palaniappan on the issue.

In addition, I look forward to seeing Mr. Morell's final product. Thank you both for allowing me to be a part of your projects.

Please feel free to contact me or Kenneth Kent, Civil Courts Director if you have any additional questions at 850-606-4005.

Have a great weekend!

Regards,  
Clerk Marshall

Gwen Marshall  
Clerk of the Circuit Courts and Comptroller  
Leon County  
(850) 606-4005 |(850) 606-4013 (f)  
[www.clerk.leon.fl.us](http://www.clerk.leon.fl.us)

Due to Florida's broad public records law, most written communication to or from this organization is public record and available to the public and media upon request.

---

**From:** Mark Schlakman <MSchlakman@admin.fsu.edu>  
**Sent:** Friday, August 9, 2019 12:31 PM  
**To:** Gwen Marshall <GMarshall@leoncountyfl.gov>  
**Cc:** Sruthi Palaniappan <spalaniappan@college.harvard.edu>; Clayton Morell <cjm17g@my.fsu.edu>  
**Subject:** FW: News from the State Attorney's Office (11th Judicial Circuit) and, more re: A 4!

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Clerk Marshall,

I'm forwarding/sending this message for various reasons...

I thought you might be interested in the following update that I received from Miami-Dade insofar as collaborative efforts undertaken to work through requirements as set forth in the A 4 legislation that the governor signed in late June, which I recall you note some of broadly in your video interview with Clayton Morell (copied)... btw, I watched his rough cut recently. I understand he's refining and intends to send a pre-final version to you and the other interviewees for review and comment before completing his project. Once again, many thanks for visiting with the class and for setting aside time to follow-up with Clayton.

I also wanted to let you know I had the privilege of meeting with Ms. Sruthi Palaniappan (copied) yesterday at Black Dog Café. As you may have discerned from her email address she's a student at Harvard (a rising senior) and SGA president. She's amid an A 4-related project which will take her throughout Florida during the next couple of weeks. The quick gist is she's very sharp and focused upon placing these matters in context. Toward that end she has been/will be interviewing some of the key players on various levels. Not surprisingly from my perspective, some of what she's heard thus far is seemingly difficult to reconcile with "the facts."

For instance, if my recollection of my conversation with her yesterday is accurate, she was told essentially that fines, fees and costs are "automatically" converted into civil judgements or liens. My response was short of definitive however I conveyed that wasn't my understanding... that I wasn't aware that fines, fees and costs are routinely and uniformly converted into civil judgements or liens in Florida, in any given county or especially throughout Florida's 67 counties. Is my understanding correct?

Beyond this issue, I conveyed more simply that you would be an excellent person for Ms. Palaniappan to speak with... to the extent you might be open to... and if you are, a relatively brief call at your mutual convenience might be the best option at this point given both her travel schedule and the various matters that compete for your attention.

Once again, many thanks for continuing interest in these matters, your accessibility and leadership regarding these and so many other important issues.

Respectfully,

Mark  
AMERICAN  
OVERSIGHT

FL-LEON-19-1045-A,19-1046-A-000571

**Note to Clayton:** As I noted when we spoke, I mentioned your project to Ms. Palaniappan yesterday who among other things expressed interest in journalism. She said she'd like to watch it even if not yet finalized if that would be okay with you. So if you're open to sharing an embargoed pre-final version I think that would be great, especially in anticipation of some of her upcoming interviews for additional perspective after you complete your latest round of edits later today.

**Mark R. Schlakman, Esq.**  
senior program director  
[mschlakman@fsu.edu](mailto:mschlakman@fsu.edu)  
The Florida State University  
Center for the Advancement of Human Rights  
426 W. Jefferson St.  
Tallahassee, FL 32301-1602  
tel.# (850) 644-4614/direct  
cell# (850) 766-2146

---

**From:** Katherine Fernandez Rundle [<mailto:katherinefernandezrundlenews@miamisao.com>]  
**Sent:** Friday, August 09, 2019 11:41 AM  
**To:** Mark Schlakman  
**Subject:** News from the State Attorney's Office

Having trouble viewing this email? [Click here](#)

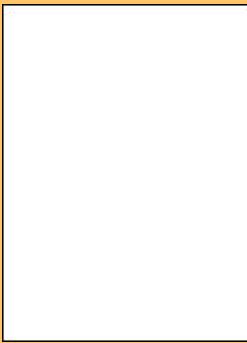
STATE ATTORNEY'S OFFICE NEWSLETTER

REPORT PUBLIC  
CORRUPTION !



Don't Allow the  
Public's Trust to be  
Jeopardized.

Hotline:



Dear Mark,

On July 29th, I hosted a joint press conference alongside community stakeholders to announce a detailed plan to implement Amendment 4 in Miami-Dade County. In November 2018, Amendment 4, which restores the right to vote for individuals with prior felony convictions except for those convicted of murder or a felony sexual offense, was passed by Florida voters with nearly 65% of the vote.

The Florida Legislature then passed a bill that was signed by Governor Ron DeSantis and became law on July 1, 2019. This new law requires convicted felons to pay all fines and fees before their voting rights are restored.

In response, we in the judicial system created a plan to make this law a reality and effectuate the will of the people and the Legislature in our State. There is no question that a well-functioning democracy depends on its citizens having the right and the opportunity to vote.

I want to thank my colleagues and partners in this important endeavor, Public Defender Carlos J. Martinez, Criminal Conflict & Civil Regional Counsel Eugene Zenobi, Clerk of Courts Harvey Ruvin, State Senator Jason Pizzo, State Representative Kionne Mcghee, and particularly Florida Rights Restoration Coalition (FRRC) President Desmond Meade for their diligent work to draft a working plan that complies with the Florida Constitution and the recent legislative directive.

Also, I would be remiss if I didn't mention our courts under the leadership of Chief Judge Bertila Soto and Nushin Safyie as they have been very informative and helpful in the creation of this collaborative effort.

The plan we have developed is about doing something that's right. I believe that restoring the right to vote is "smart justice" because people whose rights are restored tend to reoffend at a lower rate than those whose rights are not restored.

It is my hope that other Florida counties consider implementing a similar plan.

To view/print our collaborative plan, click [here](#).

Sincerely,



305-547-3300

**Quick Links**

[State Attorney](#)

[Victim Services](#)

[Clerk of Court](#)

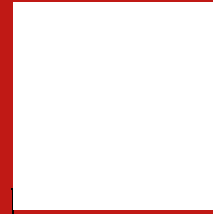
[Miami-Dade Police](#)

**Grand Jury Reports**



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**Our Community Outreach Events**



August 6 - National Night Out, Reeves Park, 528 NW 10 Street, Miami, FL, 33136, 4PM - 8PM

August 6 - National Night Out, Legion Park, 6447 NE 7 Avenue, Miami, FL, 33138, 4PM - 8PM

August 6 - MDPD National Night Out, Highland Oaks Park, 20300 NE 24 Avenue, Miami, FL, 33180, 7PM - 10PM

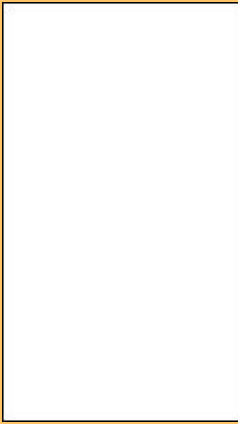
August 6 - Citizen Advisory Committee Meeting, Doral PD, 9101 NW 25 Street, Doral, FL, 33172, 7PM - 8:30PM

August 6 - Hammocks Police District National Night Out, Sugarwood Park, 14551 SW 100 Street, Miami, FL, 33186, 7PM - 10PM

August 7 - Citizens' Crime Watch, 1515 NW 79 Avenue, Doral, FL, 33126, 10AM - 12PM

August 8 - Coconut Grove Crime Watch Meeting, Greater St. Paul AME, 3680 Thomas Avenue,

## State Attorney Recognized With G. Kirk Haas Award



State Attorney Katherine Fernandez Rundle was selected by The Florida Bar President Michelle Suskauer for the prestigious G. Kirk Haas Humanitarian Award during the organization's Annual Meeting held in Boca Raton.

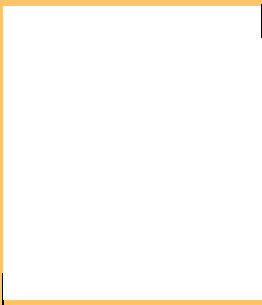
The award was established in 1998 to recognize a Florida Bar member for meritorious service to the legal profession and the recipient is selected by the President of The Florida Bar.

The award recipient then selects a Florida law school and a scholarship is awarded to a second-year student who demonstrates an exceptionally high degree of integrity, ethics, professionalism and concern for others.

"I am really humbled to be recognized with this amazing award," said State Attorney Fernandez Rundle. "I especially want to thank Michelle Suskauer, our President, for having selected me for this prestigious honor and all of my Florida Bar colleagues and friends who are here to celebrate this important moment with me."

We at the SAO congratulate our State Attorney on this well-deserved award!

## Life Sentence for Man Who Murdered Nurse in 1977



Forty-two years ago, in 1977, a beautiful young nurse, Debra Clark, was murdered after being beaten and shot in her Coral Gables townhome. Clark's family was devastated and endured many periods of "darkness" as her killer went unidentified.

Police suspected her lover, Allen Bregman, but couldn't prove he was involved.

However, decades later, DNA linked him to the crime scene by way of a strand of hair found on the victim's dead body.

Source: Department of Corrections

Division Chiefs Lara Penn and Rebecca DiMeglio tried the case against Bregman and a jury found him guilty of Second Degree Murder with a Firearm.

Just weeks ago, Judge Dava Tunis sentenced Bregman, now 78 years old, to life in prison.

"Not only did we succeed in convicting this man of committing a horrific crime, but we brought peace and a sense of justice to Debbie's family", commented State Attorney Katherine Fernandez Rundle. "A couple of weeks ago, Debbie's family sent me a beautiful letter explaining how much everyone's hard work and the great outcome meant to them."

## 12-Year Sentence for Man Trafficking Near School



Miami, FL, 33133,  
6PM - 8PM

August 9 - Miami Police & Model City N.E.T. Back to School Backpack & School Supplies Giveaway, 4709 NW 17 Avenue, Miami, FL, 33142, 10AM - 1PM

August 10 - Buena Vista Community Pride Day, 4835 NW 6 Avenue, Miami, FL, 33127, 10AM - 3PM

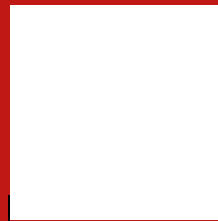
August 10 - Church of the Open Door Annual Health & Back to School Fair, Church of the Open Door, 6001 NW 8 Avenue, Miami, FL, 33127, 10AM - 2PM

August 10 - City of North Miami Beach Mayor Bien-Aime Back to School Bash & Resource Fair, Joe Celestin Center, 1525 NW 135 Street, Miami, FL, 33167, 10AM - 1PM

August 15 - Sealing & Expungement Event, Samuel K. Johnson Youth Center, 4900 NW 12 Avenue, Miami, FL, 33127, 4PM - 7PM

August 17 - Sweet Home Missionary Baptist Church Back to School Community Block Party, West Perrine Park, 10301 SW 170 Terrace, Perrine, FL, 33157, 10AM - 3PM

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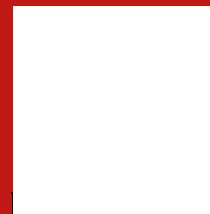
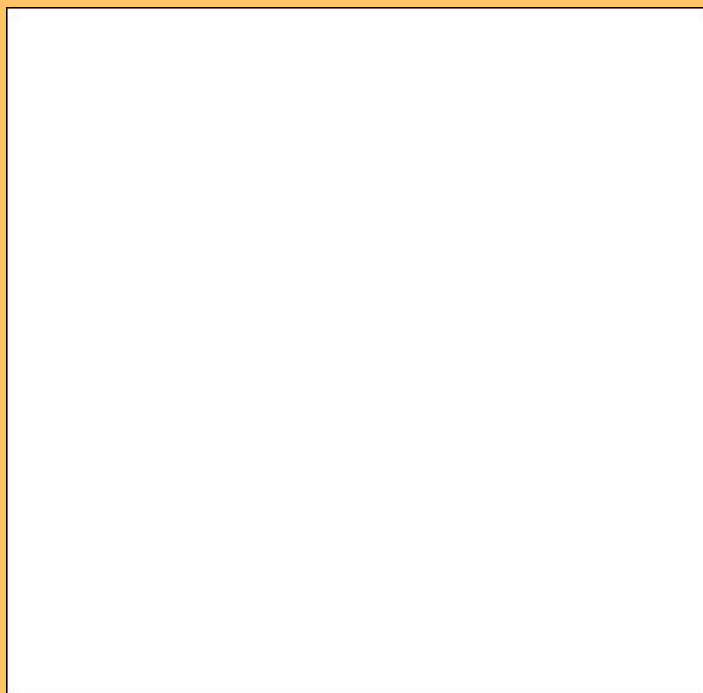


The State Attorney's Office recently collaborated with the United States Attorney's Office (USAO) as well as other law enforcement partners in a case that ultimately led to the 103-month Federal prison sentence of Tavares McCoy for his involvement in drug trafficking from his household located within 1,000 feet of an Opa-Locka elementary school.

After undercover police executed two undercover purchases, a search warrant was executed and 169.1 grams of powder cocaine as well as 33.6 grams of crack cocaine individually packaged for distribution were found inside the house. In addition to the illegal drugs, a loaded Glock 26 firearm as well more than \$2,400 in cash separated in a manner consistent with the sale of drugs, was found.

"I am very proud of my office's partnership with the United States Attorney's Office and even prouder of the work of prosecutor Benjamin Gellis in this case," commented State Attorney Katherine Fernandez Rundle. "Residents who live in the City of Opa-Locka deserve to live in peace and without offenders who are distributing narcotics near their schools. My office will continue to assist the USAO in our collaborative efforts to keep our neighborhoods safe and drug-free."

### Let's Keep Bias Out of Our Criminal Justice System



#### ***A message from State Attorney Katherine Fernandez Rundle:***

We should not have to say that bias has no place in our criminal justice system.

But it needs to be said-and repeated-in light of the 72 Philadelphia police officers who were placed on administrative suspension because they reportedly posted bigoted social media comments on Facebook, or the 70 serving and former U.S. Border Patrol employees who are now under investigation after revelations they were part of a secret Facebook group that mocked lawmakers and immigrants.

Everybody in our criminal justice system should work to protect and serve all parts of every community. There are no exceptions.

I and former Miami Beach Police Chief Dan Oates confronted this exact situation in 2015, when an internal affairs probe discovered that two ranking former police officer administrators sent hundreds of offensive, racist, and pornographic emails to fellow cops through the city email system.

Confronting such conduct and bringing it to light is the only way to eliminate bigotry and bias.

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A subtler problem is eliminating implicit biases, which are unconscious beliefs or attitudes that may influence one's actions.

Recently, I spoke with outgoing San Francisco District Attorney George Gascón, my good friend and colleague, to discuss his experiment with the "blind charging" of the criminal defendants his office will prosecute.

DA Gascón told me that his plan, not yet in effect, will eliminate all specific individual identifiers from the paperwork provided to prosecutors prior to their making charging decisions on their cases. Identifiers would only come into play after a case has been filed.

His accumulated data over an extended period of time could provide significant insight to prosecutors across the country concerned about the impact of implicit biases. I will be most interested to see the impact of this approach once it is implemented and evaluated, as DA Gascon's results may guide prosecutors across the country.

In the Miami-Dade State Attorney's Office, I have long been concerned about the potential influence of implicit biases on the decisions our attorneys make.

As State Attorney, I have worked hard to avoid the issue by recruiting a diverse group of lawyers from around the country. We bolster our recruiting and reach minority law students through our popular internship program.

My efforts have led to real results, as the Daily Business Review recognized:

The Miami-Dade State Attorney has proven that recruiting minority lawyers is possible. And she does it without the benefit of six-figure starting salaries to woo them.

In an international community like Miami-Dade, where our school system indicates that some 56 different languages are spoken at home, our recruitment efforts ensure that our staff reflects the many faces of our community and helps undercut potential implicit biases influencing our cases.

Like a shadow, implicit bias can only be eliminated with the bright lights of education, personal recognition and individual concern. Thus, we have devoted specific parts of our training process, for both new and veteran attorneys, to this issue.

Our diversity and success in fighting potential implicit bias certainly contributed to the Sarasota Herald Tribune's conclusion that "One court that consistently outperforms others when it comes to fairness in sentencing is Miami's 11th Circuit."

Their Pulitzer Prize-winning investigative team spent some two years reviewing Florida's criminal court system and went through hundreds of specific individual files and cases to come to this conclusion.

Bias can never, and should never, play a role in a legal system that so deeply impacts the lives of its citizens. While I am State Attorney, it never will.

### Courthouse Highlights

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Career Criminal/ Robbery Assistant State Attorneys (ASAs) Yasmany Barroso and David Shapiro received a guilty verdict after an hour of deliberations in front of Judge Fernandez, convicting the defendant of Attempted Premeditated First Degree Murder of a Law Enforcement Officer.

Sexual Battery Division Chief (DC) Natalie Snyder and Sex Battery ASA Kelly Hartman convicted a defendant of Capital Sexual Battery and Lewd and Lascivious Molestation on a Child under Twelve.

ASAs Antonio Pena and Katharine (KC) Moore convicted a defendant who committed egregious elderly neglect against her own mother, battered a paramedic who rendered aid, and resisted the officers who arrested her.

Congratulations to ASA K. Philip Harte whose diligence and preparation last year in handling a motion to suppress on a DUI Manslaughter resulted in a favorable opinion from the Third DCA on the issue of the proof required to conduct a compulsory blood draw.

CTA Deanna Andrews and ASA Carlo Chialastri obtained a guilty verdict in a challenging Battery case.

### SAO Profile in Passion



*Our Profile in Passion for this month is a prosecutor who has been with the office for 20 years and is one of the most beloved members of our SAO family. When you mention her name, everyone smiles and says that she is amazing. Her joy is infectious and her dedication to those in the Drug Court Program is unsurpassed. It is our honor to select Akilah Bain for our Profile in Passion.*

Assistant State Attorney Akilah Bain

Akilah Bain was born in Miami at Mount Sinai Hospital. She is the oldest of three siblings and has a brother and sister. Her father, a psychologist who worked with individuals who had substance abuse issues, had a profound impact on Ms. Bain's career.

"When I was 8 years old, my dad told me a story. It was about a time that he was at work and his secretary said that there was a man there to see him but that would not go inside the office. My father went outside to the man who was sitting inside a car. The man was a well-known drug dealer in the neighborhood," said Ms. Bain.

"The drug dealer sought out my father who was known and respected in the

community because one of his clients did not have cash, so she gave him her baby as payment for rocks of crack cocaine. He took the child because he feared for its safety. And then he went directly to my father to hand over the child so that authorities could intervene."

That story touched her in a profound way. She knew that she wanted to help and protect people whether it was as a doctor, a psychologist or a lawyer.

Ms. Bain attended the High School for Advanced Studies which is part of Miami-Dade College. She was in the Dual Enrollment Program which meant that she had 3-4 high school classes and the rest were college level courses for credit.

"At 17 years old, I finished high school but also had received an Associate Degree."

"I was also part of the Summer Law School Program at Florida State University. I had to miss the last couple of weeks of high school so that I could attend. I had a scholarship for that. It was an amazing experience!"

Ms. Bain earned her Bachelor's Degree in English Literature at FSU while working at the Law Library. Then at age 19, she started law school at the University of Miami where she was the youngest in her class.

"After law school, I didn't really know how to use my degree to help people, so I applied to various positions all in the public sector."

Fortunately, Ms. Bain accepted the offer at the SAO and she became an Assistant State Attorney in August of 1999 when she was only 21 years old.

"Once I saw how State Attorney Katherine Fernandez Rundle was open-minded, cutting-edge and implementing innovative programs to help people, I knew that this was the place for me."

Ms. Bain's passion for those who have substance abuse issues have led her to be assigned to Drug Court since 2005. "We have to remember that the people don't live in the Court; they live in the community. We change lives and it's not just individuals but the entire family that we impact. We try our best for longstanding changes."

"My aunt had substance abuse issues and participated in Drug Court. I saw her life completely turn around and she's been clean for 16 years now. I know first-hand that this program works."

Ms. Bain is the mother of three sons (ages 16, 15 and 12) who are her pride and joy. She credits her father's work later in his career with special needs children in helping her identify and address issues with her sons. Two of them are on the autism spectrum and the other had open heart surgery as a small child.

Even though most people would have their hands full with her career and family, Ms. Bain also finds the time to teach spinning at one of the premier local cycling studios. "I teach on average about six classes a week. I teach early morning, early evening and weekends. I enjoy the riders and it is a great way to release stress."

Ms. Bain's advice to all her colleagues is very simple and heartfelt. "Stay positive and self-motivated. No one is happy when they come to Court, so keep that in mind. And most of all, know that you are doing the right thing."

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**From:** Sara Sanders <ssanders@flclerks.com>

**Sent:** Thursday, May 02, 2019 11:34 PM EDT

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**Subject:** RE: AGENDA: Thurs. May 2 - Senate Session - Taxation | Human Trafficking | Electronic Legal Docs | Public Safety | Public Records/Victims of Mass Violence | Voting Rights Restoration

This addresses the Senate's activity from 11:35 this morning until adjournment this evening. Note that the Senate will convene at 10 a.m. tomorrow morning.

### **SENATE SPECIAL ORDER:**

#### **SB 1412 Taxation by Sen. Gruters**

Sen. Stargel asked to take up the House bill, which has significant differences, to amend the Senate language onto the House bill with an additional amendment to the amendment. *Laid on the table. Refer to HB 7123.*

#### **HB 7123 Taxation by Rep. Avila – *Rolled to third reading, as amended***

Taking up the ~~delete-all~~ amendment, 176464, Sen. Stargel explained that this is the substance of the Senate tax package. It provides:

- 5-day back-to-school tax holiday
- 7-day hurricane preparedness holiday
- Further reduces the commercial rent tax from 5.7% to 5.5%
- Provides hurricane relief by allowing a refund of certain sales taxes and motor fuel taxes for agricultural vehicles
- Provides a continuation of contributions for scholarship organizations
- Related to traffic, increases to 18% the current 9% reduction of a civil traffic fine when drivers attend traffic school (*Note that this is new language for this session that was previously reviewed by the REC.*)
- Provides an exemption for donated items to a 501(c)(3) organization
  - Amendment to the amendment 925052: There was a provision that caused an issue with members in this chamber related to local tax referendums and schools; this removes that provision. *Adopted.*

On the amendment as amended, Sen. Lee asked if the bill still contains the hospital repeal exemption. Sen. Stargel stated that is not in this tax package. Sen. Rader asked questions about the timing of the back to school tax holiday. *The amendment was adopted, as amended.*

On the bill as amended, there were no questions. Sen. Stargel closed by saying that this \$120M tax package provides an incredible opportunity for taxpayers and is good for retailers. The bill was rolled to third reading.

#### **SB 540 Human Trafficking by Sen. Book**

Sen. Book asked to take up the House bill to amend the substance of the Senate bill onto the House bill *Laid on the table. Refer to HB 851.*

#### **HB 851 Human Trafficking by Rep. Fitzhagen – *Rolled to third reading, as amended***

Taking up the ~~delete-all~~ amendment, 143836, Sen. Book explained that there are 40M victims of human trafficking, with the federal Department of Health estimating that half of these victims are younger than 18. Human trafficking is now the second largest criminal enterprise in the US, only behind drug trafficking. After last session, Sen. Book spent time in Pasco County with the Sheriff's Office to look at what they're doing to combat human trafficking; she went to West Palm Beach and Miami; and what resulted is this language, which:

- 1) Establishes a direct-support organization within the Department of Legal Affairs, with a 13-member board, that can privately raise money and provide services.
- 2) Provides a training component for law enforcement, hotels, and licensed medical professionals.
- 3) Establishes certain requirements for massage establishments.
- 4) Establishes a Soliciting for Prostitution Database within FDLE that will go after supply and demand. Those that are convicted of soliciting for prostitution will be added to the database and will be removed after five years, unless they are convicted subsequently. Then they will remain in the database permanently.

**Note: This amendment includes Clerks' language that clarifies that Clerks would submit the criminal disposition data required for populating this database to FDLE pursuant to s. 943.052(2), the existing process by which Clerks submit monthly criminal dispositions.**

- Taking up the amendment to the amendment 262778, Sen. Book stated this changes the effective date to January 1, 2021 for the provisions relating to the creation of the Soliciting for Prostitution Public Database. *Adopted.*

On the delete all as amended, Sen. Book stated that this bill will save countless lives. *Adopted.*

On the bill as amended, there were no questions. The bill was rolled to third reading.

### **SENATE THIRD READING:**

#### **HB 409 Electronic Legal Documents – *Final passage, 39-0; the bill now heads to the Governor***

Sen. Brandes explained that the bill authorizes the use of legal validity of online notarization of certain legal documents in Florida.

There was no debate and the bill passed unanimously.

#### **HB 7125 Public Safety – *Passed 39-1, as amended; the bill now heads back to the House***

Sen. Brandes explained that this is the criminal justice bill the Senate discussed yesterday.

Sen. Rodriguez moved to reconsider the vote on the adoption of yesterday's delete-all amendment, 123332, in order to take additional amendments.

- Amendment 321692: Sen. Brandes explained that this adds additional members to the Criminal Punishment Code Task Force: from DJJ and six members approved by the Governor, two of whom must be university professors. *Adopted.*
- Amendment 204146: Sen. Harrell explained that this would allow a respondent to also be able to take advantage of the ability to receive attorney fees too. *Adopted.*

- **Amendment 441458:** Sen. Brandes explained this removes the provision in the bill related to establishing Supreme Court Justice headquarters outside of Leon County that has already passed both chambers. *Adopted.*
- **Amendment 401986:** Sen. Rodriguez explained this removes the prohibition on scholarships for educational or vocational training for those whose rights have been restored. *Adopted.*

*The delete all as amended was adopted.*

During debate on the bill as amended, Sen. Bracy commended Sen. Brandes on a job well done; however, he doesn't feel like it goes far enough without judicial discretion on mandatory minimums and without the aggravated assault resentencing changes. He is tired of submitting to the will of the House and will vote down on the bill. Sen. Bradley also shares the desire to go further on these matters, but believes we wouldn't have gotten here without Sen. Brandes and the Senate leading on this issue.

During close, Sen. Brandes stated that he obviously wanted to do more. Even entertaining lowering the 85% gain-time requirement is bold. He stated that Rep. Renner wants the best criminal justice system in the country, so over the summer Sen. Brandes will be calling members to tour prisons and juvenile facilities. He stated that 1/3 or prisoners are functionally illiterate. We let individuals out with \$50 and a bus pass and then are surprised that they are homeless and reoffending.

The bill passed and is now in House returning messages.

#### **MESSAGES FROM THE HOUSE:**

##### **SB 186 Public Records/Victims of Mass Violence – *Final passage, 40-0; the bill now heads to the Governor***

Sen. Lee moved to concur in House amendment 8047. There were no objections and *the amendment was adopted.*

There was no debate and the bill passed unanimously.

##### **SB 7006 Elections – *Passed 22-17, as amended; the bill now heads back to the House***

Taking up the House amendment, 704217, Sen. Baxley explained it adds drop boxes [for vote-by-mail ballots].

Taking up the Senate amendment, 766844, Sen. Brandes explained that the amendment inserts the contents of SB 7086. The amendment maintains the majority of the provisions of the Senate bill with some modifications. The following terms are defined:

- "Completion of all terms of sentence," which means any portion of the sentence that is contained in the four corners of the sentencing document
- "Felony sexual offense" as those cross-referenced in anything that would require you to register as a sex offender and included all of the offenses listed in Sen. Book's amendment that is pending to SB 7086, and retains the inclusion of similar offenses in another jurisdiction
- "Murder," which retains from the Senate bill the actual killing of a person through pre-meditated murder, felony murder, unlawful distribution of a controlled substance with a proximity cause of death, depraved mind murder, the actual killing of an unborn child by injury of the mother, and the killing of a human as a result of furthering terrorism, and any such offense that occurred in another jurisdiction
- Require certain entities to notify or provide more information on voting rights restoration process, in addition to executive clemency and the restoration of civil rights process
- Prohibit a person from being charged or prosecuted for submitting false voter identification information if the alleged violation occurred between January 8, 2019 and the effective date of the bill [July 1, 2019]
- Provide that for the purposes of determining an applicant's eligibility, provisions of this act must be strictly construed and differing interpretations must be construed in favor of the applicant
- Require additional affirmative statements on voter applications related to whether a person has been convicted of a felony and, if so, has obtained his or her right to vote pursuant to executive clemency or via Art. IV, Florida Constitution.
- Provide that the Department of State (DOS) make the initial determination of whether information is credible and reliable related to an individual's eligibility under Art. IV, and forward that information to the Supervisor of Elections (SOE)
- Provide that the SOE verify and make the final determination of whether a person who registers to vote is eligible under Art. IV; the SOE may request additional assistance from DOS in making a final determination
- As it relates to financial obligations, allow for different means of resolution: 1) fully pay all restitution ordered; 2) full payment of fines and fees ordered as part of the sentence or as a condition of probation or community control; 3) there is a process by which those fines and fees can be waived or be satisfied by the individual affected; or 4) allow those fines and fees to be converted to community service when available; or any combination thereof. So anything that would ultimately allow you to complete the sentence—the full payment of fines and fees, a waiver by the court, conversion to community service, or any combination thereof.

Questions on the amendment: There were a series of questions by a number of Senators. Those of particular interest to Clerks are summarized here:

- Sen. Braynon asked about the options to satisfy the court costs, fines and fees. Specifically, how would the community service option work. Sen. Brandes responded that you would have to go through the Court for this. Sen. Braynon asked if there were any standards: would one have to have a financial hardship? Sen. Brandes responded that there are no defined standards; you would petition the court to allow them to pay fines and fees via community service. Sen. Braynon asked about the waiver option: what would be the reasons for granting this? Sen. Brandes responded that there would be a variety of reasons: an inability to pay; a number of years have passed since the offense. He likened this to some of the things that are done with DL Reinstatement Days, where we allow the courts to look back at the sentence and make some modifications. They may be able to lower the fine or fee to an amount that you would be able to pay. It's really a negotiation of what you're able to pay. As it relates to fines and fees, it's clear that they intended for this amendment to include all things within the four corners of the sentencing document, and that all terms of sentence truly means all terms of sentence that were included on the sentencing document. It is not additional fines that come afterward, or interest. Sen. Brandes pointed to the presentation of Dean Jon Mills before the Supreme Court; his statement was very clear: it included restitution, all fines and fees, everything within the four corners of the sentencing document.
- As it relates to the courts' ability, Sen. Pizzo asked do you believe a court, regardless of how old a case is or how many years have passed since its jurisdiction, by rule or by law, can go back into a case and open it up to accommodate a request of a returning citizen. Sen. Brandes responded that the court doesn't have this authority now, but with the passage of this bill it will be the law. Sen. Pizzo believes that regardless of what comes out of the Legislature it will be challenged in the courts. As it relates to court costs, are these part of a sentence. Sen. Brandes responded that depends on whether they're included in the sentencing document. Sen. Pizzo asked what we do about the thousands of criminal cases where Clerks sent to collections for pennies on the dollar court costs that are not a party, but a third party, to any of these cases. How will a returning citizen handle collections, with interest. First, the interest would not be included. They have the option of full payment; have those fines and fees waived by the court; or converted to community service if that's allowed. Sen. Pizzo asked if the court has the ability to waive court costs? To waive restitution? To waive fines and fees? If statute allows for this, then yes.
- Sen. Rouson asked about the role of the SOE vs. the Secretary of State related to eligibility. Sen. Brandes explained that the SOE would have initial contact, take the information, then provide the voter registration form for review by DOS, and provide the voter with a voter card, pending the outcome of the verification by DOS. Sen. Rouson asked if the SOEs need FTEs? Sen. Brandes responded that the SOEs need no additional authority and this would fall under their day-to-day duties with regard to any other citizen. There are additional funds in the budget for the Florida Commission on Offender Review (FCOR) to review documentation for Amendment 4 or executive clemency to say whether the restitution has been paid in full.
- Sen. Bradley, followed by Sen. Thurston, asked a series of questions related to the Supreme Court's review of Amendment 4 and the presentation by Dean Jon Mills wherein he discussed court costs, fines, fees, and restitution in relation to Amendment 4 and completion of a term of sentence.
- Sen. Stewart asked if the Court could send the Clerk the authority to enter into a payment plan for restitution. Sen. Brandes responded that they may, but full payment of restitution is needed before voting restoration. Even if they enter into a payment plan, that does not give restoration; they would

have to complete the payment plan.

- Sen. Rodriguez called a point of order on the germanity of the language that is being added to the bill. Rules Chair Benacquisto later opined that his point was not well taken because the principle subject of the underlying bill is related to election administration. Sen. Rodriguez then asked a series of questions related to Section 25 [which prohibits a person from being charged or prosecuted for submitting false voter identification information if the alleged violation occurred between January 8, 2019 and the effective date of the bill] and those individuals who have already registered and have been issued voter cards that do have outstanding fines and fees. Sen. Brandes responded that those individuals will be notified by DOS that their voter card is no longer valid. Once they have completed their sentence, including the payment of any restitution or fines and fees, they can reapply. Based on an additional question from Sen. Rodriguez, Sen. Brandes also explained the changes to the voter registration form: they are asked if they've been convicted of a felony; if yes, they're asked if they obtained his/her right to vote through executive clemency, or obtained his/her right to vote through Amendment 4.
- Sen. Gibson asked when someone is released from an institution, who provides them with the sentencing documents that shows how much they have to pay or do. Sen. Brandes stated it depends on the terms of their release. If the public safety bill passes, they'll be provided with a paper copy of all terms of their sentence by the jail or DOC when they leave the institution. Other than that, it's up to the individual to obtain the information on remaining obligations from the court or from the Clerk of Court. Sen. Gibson asked if child support accrues if someone is in an institution and, if so, how is that dealt with. Sen. Brandes responded this only includes felonies and what is in the four corners of a criminal sentencing document. Sen. Gibson asked if they have an order for child support when they're sentenced, how is that handled? Sen. Brandes responded that any type of child support order would be a civil rather than a criminal action.
- Sen. Berman asked if there is a fiscal impact for the SOEs or DOS. Sen. Brandes responded that \$750k is appropriated to FCOR to provide for additional FTEs and OPS to review these individual files. He doesn't believe there will be a significant impact for the SOE. There may be one for DOS, but they'll have to use existing resources.

Taking up the amendment to the amendment, 399974, Sen. Thurston explained it provides that should there be any restitution, fines, fees, or court costs ordered by the court, as long as they're converted to a civil lien, it would not prohibit an individual from voting. After lengthy debate and a close by Sen. Thurston, the amendment to the amendment failed.

There was lengthy debate on the underlying Senate amendment. Following Sen. Brandes's close on the amendment, the amendment was adopted.

Following a motion requesting the House concur in the Senate amendment, the bill passed.



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**Subject:** FW: AGENDA: Thurs. May 2 - Senate Session - Electronic Legal Docs | Public Safety | Courts | State Court System Administration | IT Reorganization | Local Government Financial Reporting | Justice System | Voting Rights Restoration

Thursday, May 2

**SESSION**

10:00AM-6:00PM



**Consideration of Bills on Third Reading**

<a href="#">HB 6517</a>	Relief/Robert Allan Smith/Orange County	<a href="#">McClure</a>
<a href="#">SB 0256</a>	Child Protection Teams	<a href="#">Baxley</a>
<a href="#">HB 0409</a>	<b>Electronic Legal Documents FCCC-P</b>	<a href="#">Perez</a>
<a href="#">HB 7127</a>	Corporate Income Tax	<a href="#">Ways &amp; Means Committee</a>
<a href="#">HB 0591</a>	Pub. Rec./Public Utility Held Customer Information and Data	<a href="#">Yarborough</a>
<a href="#">HB 0673</a>	Insurer Guaranty Associations	<a href="#">Fischer</a>
<a href="#">HB 0629</a>	Lottery Games	<a href="#">Robinson</a>
<a href="#">HB 0525</a>	Renaming Of Florida College System Institutions	<a href="#">Raschein</a>
<a href="#">HB 0385</a>	Transportation	<a href="#">Avila</a>
<a href="#">HB 0905</a>	Department of Transportation	<a href="#">Andrade</a>
<a href="#">HB 1247</a>	Construction Bonds	<a href="#">Perez</a>
<a href="#">HB 1045</a>	Closing the Gap Grant Proposals	<a href="#">Brown</a>
<a href="#">HB 0501</a>	Alternative Treatment Options for Veterans	<a href="#">Ponder</a>
<a href="#">HB 0007</a>	Direct Health Care Agreements	<a href="#">Duggan</a>
<a href="#">HB 7125</a>	<b>Public Safety FCCC-P</b>	<a href="#">Judiciary Committee</a>
<a href="#">SB 1622</a>	Public Records/Foster Parent and Foster Parent Applicant Nam...	<a href="#">Montford</a>
<a href="#">HB 1249</a>	Pub. Rec./Foster Parent Applicant and Foster Parent Names/De...	<a href="#">Overdorf</a>

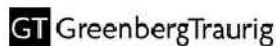
Special order, as determined by the Committee on Rules and Calendar



<a href="#">SB 0328</a>	Courts <b>FCCC-P</b>	<a href="#">Brandes</a>
<a href="#">HB 0337</a>	Courts <b>FCCC-P</b>	<a href="#">Leak</a>
<a href="#">SB 0336</a>	Local Tax Referenda	<a href="#">Brandes</a>
<a href="#">HB 0005</a>	Discretionary Sales Surtaxes	<a href="#">DiCeglie</a>
<a href="#">SB 0656</a>	State Court System Administration <b>FCCC-P</b>	<a href="#">Baxley</a>
<a href="#">HB 7081</a>	State Court System Administration <b>FCCC-P</b>	<a href="#">Civil Justice Subcommittee</a>
<a href="#">SB 0714</a>	Insurance	<a href="#">Brandes</a>
<a href="#">HB 0301</a>	Insurance	<a href="#">Santiago</a>
<a href="#">SB 0770</a>	Workforce Education	<a href="#">Hutson</a>
<a href="#">HB 7071</a>	Workforce Education	<a href="#">Higher Education &amp; Career Readiness Subcommittee</a>
<a href="#">SB 0902</a>	Building Permits	<a href="#">Perry</a>
<a href="#">HB 0447</a>	Building Permits	<a href="#">Diamond</a>
<a href="#">SB 1070</a>	Continuing Care Contracts	<a href="#">Lee</a>
<a href="#">HB 1033</a>	Continuing Care Contracts	<a href="#">Yarborough</a>
<a href="#">SB 1252</a>	Public Accountancy	<a href="#">Gruters</a>
<a href="#">HB 0977</a>	Public Accountancy	<a href="#">Stevenson</a>
<a href="#">SB 0592</a>	Prescription Drug Monitoring Program	<a href="#">Albritton</a>
<a href="#">SB 1300</a>	Florida ABLE Program	<a href="#">Benacquisto</a>
<a href="#">HB 6047</a>	Florida ABLE Program	<a href="#">Roach</a>
<a href="#">SB 1494</a>	Small-scale Comprehensive Plan Amendments	<a href="#">Perry</a>
<a href="#">HB 6017</a>	Small-scale Comprehensive Plan Amendments	<a href="#">Duggan</a>
<a href="#">SB 1500</a>	Right of Entry	<a href="#">Simmons</a>
<a href="#">HB 0767</a>	Right of Entry	<a href="#">Robinson</a>
<a href="#">SB 1570</a>	Information Technology Reorganization <b>FCCC-P</b>	<a href="#">Hooper</a>
<a href="#">HB 5301</a>	Information Technology Reorganization <b>FCCC-P</b>	<a href="#">Government Operations &amp; Technology Appropriations Subcommittee</a>
<a href="#">SB 1616</a>	Local Government Financial Reporting <b>FCCC-P</b>	<a href="#">Baxley</a>
<a href="#">HB 0861</a>	Local Government Financial Reporting <b>FCCC-P</b>	<a href="#">Roach</a>
<a href="#">SB 1690</a>	Warranty Associations	<a href="#">Broxson</a>
<a href="#">HB 0925</a>	Warranty Associations	<a href="#">Webb</a>
<a href="#">SB 1730</a>	Community Development and Housing	<a href="#">Lee</a>
<a href="#">HB 7103</a>	Property Development	<a href="#">Commerce Committee</a>
<a href="#">HB 0879</a>	Genetic Information Used for Insurance Purposes	<a href="#">Williamson</a>
<a href="#">SB 1412</a>	Taxation	<a href="#">Gruters</a>
<a href="#">HB 7123</a>	Taxation	<a href="#">Ways &amp; Means Committee</a>
<a href="#">SB 1638</a>	Commercial Motor Vehicles	<a href="#">Lee</a>
<a href="#">HB 0725</a>	Commercial Motor Vehicles	<a href="#">Payne</a>
<a href="#">SB 7072</a>	Justice System <b>FCCC-P</b>	<a href="#">Appropriations</a>
<a href="#">SB 7086</a>	Voting Rights Restoration <b>FCCC-P</b>	<a href="#">Criminal Justice</a>
<a href="#">HB 7089</a>	Voting Rights Restoration <b>FCCC-P</b>	<a href="#">Criminal Justice Subcommittee</a>
<a href="#">SB 1640</a>	Deregulation of Professions and Occupations	<a href="#">Albritton</a>

**Jesse Hebert**  
Assistant Director of Legislative Services

Greenberg Traurig, P.A.  
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**From:** Shannon Cash-Russell  
**Sent:** Monday, January 07, 2019 8:18 AM EST  
**To:** Kathy Coggins <KNCoggin@leoncountyfl.gov>  
**CC:** Ken Kent <KAKent@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>  
**Subject:** RE: Web Info Amendment 4.docx

Yes, I forgot some codes for the judgment:  
JDMT, JDSE, JS, JSOR, FJPD.

Thanks

---

**From:** Kathy Coggins <KNCoggin@leoncountyfl.gov>  
**Sent:** Sunday, January 6, 2019 6:18 PM  
**To:** Shannon Cash-Russell <ShannonC@leoncountyfl.gov>  
**Cc:** Ken Kent <KAKent@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>  
**Subject:** RE: Web Info Amendment 4.docx

[https://cvweb.clerk.leon.fl.us/public/online\\_services/search\\_amendment\\_4/search\\_by\\_name.asp](https://cvweb.clerk.leon.fl.us/public/online_services/search_amendment_4/search_by_name.asp)

I have a test page ready to try out. Of course, I don't have a statement and instructions for the landing page yet and visually there are a few quirks to work out, but information should be correct. I need to make sure that "JDSE" is the only code for documents that need to be viewable because Sene mentioned "JS" and possibly a few more. Let me know.

---

**From:** Shannon Cash-Russell  
**Sent:** Thursday, January 3, 2019 2:49 PM  
**To:** Kathy Coggins <KNCoggin@leoncountyfl.gov>  
**Cc:** Ken Kent <KAKent@leoncountyfl.gov>; Sene Bauman <SEBauman@leoncountyfl.gov>  
**Subject:** Web Info Amendment 4.docx

As discussed yesterday, is the attached doable and can it be ready by Monday?

Thanks.

Shannon

**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>  
**Sent:** Wednesday, August 28, 2019 12:56 PM EDT  
**Subject:** REMINDER ALERT: FCCC August Briefing Scheduled for Thursday, August 29  
**Attachment(s):** "FCCC\_Briefing\_August\_2019.pdf", "Legal Options Memo 1.28.19.pdf"

**CAUTION:** This email originated from outside of the Clerks Office. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Dear Court Clerks and Comptrollers:**

Please remember that the Florida Court Clerks & Comptrollers August Briefing WebEx will be held tomorrow at 10 a.m., EDT. Attached is the presentation that will be presented for the update. At the request of the Honorable Tiffany Moore Russell, Esq. (Orange), during the Tuesday Board of Directors meeting, the *Clerk Legal Options to Indirect Cost Reimbursement Process* document is also attached for discussion during the August Briefing.

Please see the information below to register and participate in the WebEx.

Thank you,  
 Allison



**ALLISON L. NEWMAN**, Member Outreach Manager

Phone (850) 921-0808

[ANewman@FLClerks.com](mailto:ANewman@FLClerks.com)

[www.FLClerks.com](http://www.FLClerks.com) /FloridaClerks /FloridaClerks

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**From:** Allison L. Newman <[anewman@flclerks.com](mailto:anewman@flclerks.com)>  
**Sent:** Monday, August 19, 2019 2:02 PM  
**Subject:** ALERT: FCCC August Briefing Scheduled for Thursday, August 29

FLORIDA COURT CLERKS & COMPTROLLERS INFORMATION BOX			
<b>Intended audience:</b>	Clerks, Clerks' staff	<b>Category:</b>	Meeting Info
<b>Priority:</b>	Medium	<b>Action required:</b>	Please register to participate in the August Briefing with the WebEx info provided below.
<b>Executive summary:</b>	The Florida Court Clerks & Comptrollers August Briefing is scheduled for Thursday, August 29, 2019, at 10 a.m., EDT, and will be presented by the Honorable Stacy M. Butterfield, CPA (Polk), FCCC President.		
<b>Clerk outreach:</b>	No external outreach needed.		

**Dear Court Clerks & Comptrollers:**

The Florida Court Clerks & Comptrollers August Briefing WebEx is scheduled for Thursday, August 29, 2019, at 10 a.m., EDT, and will be presented by the Honorable Stacy M. Butterfield, CPA (Polk), FCCC President. The briefing will include an overview of ongoing issues, upcoming meetings and educational events along with a status report on association operations. The update should last approximately 1 hour.

Clerks may register for this meeting by clicking on [this Florida Court Clerks & Comptrollers Monthly Update link](#). Clerks may also go to the <https://flclerks.webex.com> website, select Training Center, and click on the Upcoming tab to see this and other future sessions.

Thank you,



**ALLISON L. NEWMAN**, *Member Outreach Manager*

Phone (850) 921-0808

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# AUGUST BRIEFING

August 29, 2019, 10:00 a.m. – 11:00 a.m.

---

The Honorable Stacy M. Butterfield, CPA, President

# Headliners



## President's Message

**The Honorable Stacy M. Butterfield, CPA**

*FCCC President*



## CEO Report

**Chris Hart IV**

*FCCC CEO*



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# President's Message

The Honorable Stacy M. Butterfield, CPA (Polk)



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# VISION

To be recognized as the **premier**  
**model of exceptional**  
**government**



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# BUILDING CONFIDENCE

In Our  
Successes



In Each  
Other

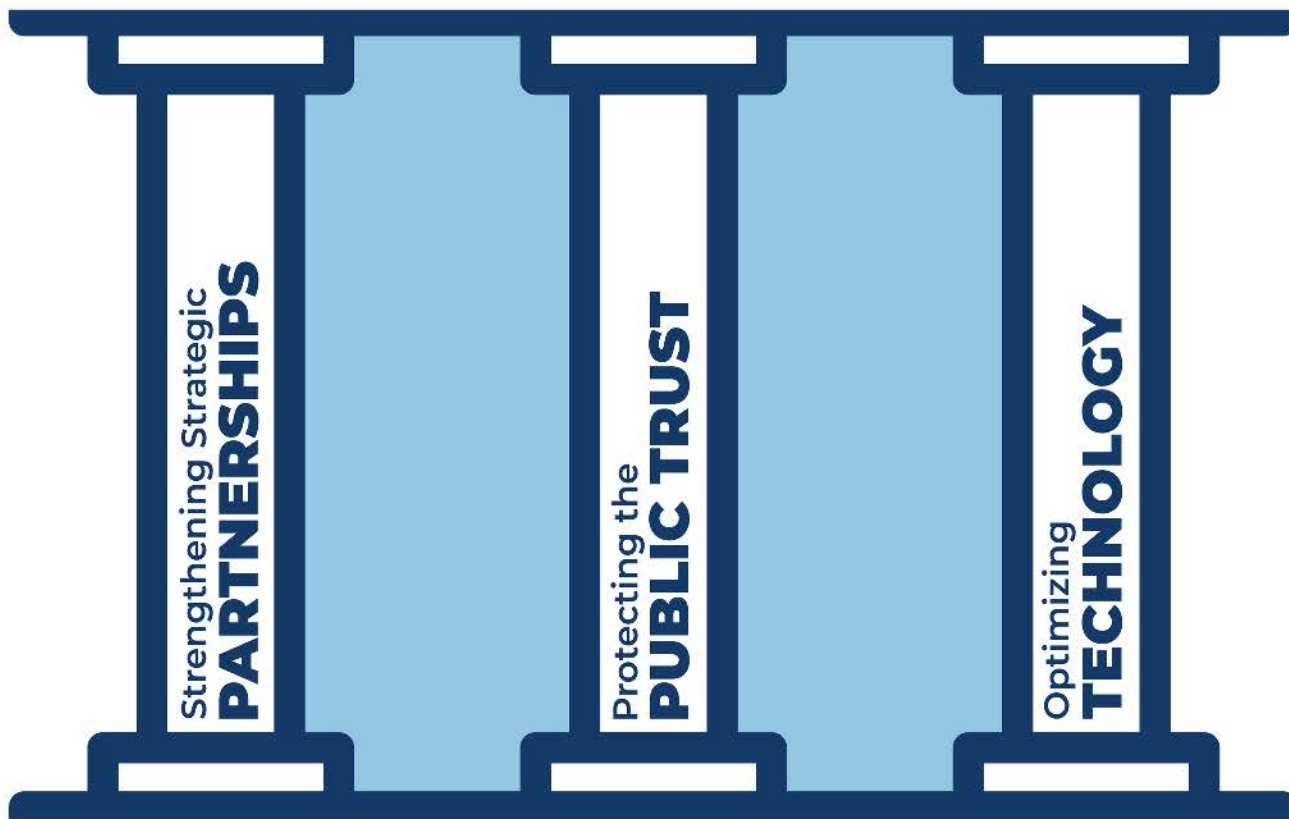
**Approach Issues with  
a “Can-Do” and “Start  
with Yes” Attitude**

In Our  
FCCC Team



# 2019-2020 President's Initiatives

President Stacy M. Butterfield, CPA



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# 2019-2020 President's Priorities

President Stacy M. Butterfield, CPA



## Clerk Vision

To be recognized as the premier model of exceptional government

## Clerk Mission

United statewide to protect the public trust



President's Initiatives



Guiding Principles & Values

Strengthening Strategic **PARTNERSHIPS**

Protecting the **PUBLIC TRUST**

Optimizing **TECHNOLOGY**

**RESPECT** All Viewpoints · Embrace **INNOVATION**  
Communicate with **ONE VOICE** · **ADAPT** to Succeed  
Act with **INTEGRITY** · Always **ENTHUSIASTIC**

**BOARD GOVERNANCE · LEGISLATIVE/LOBBYING APPROACH**  
**COMMUNICATION ENHANCEMENT**



Building Confidence

In Our Successes

In Each Other

In Our FCCC Team



Approach Issues with a "Can-Do" and "Start with Yes" Attitude



Foundation

# Strengthening Strategic Partnerships

## OBJECTIVES



### Prepare a SWOC analysis for strategic partnerships

Current partnerships include:

**Courts, Office of the State Courts Administrator, Florida Bar, Sheriffs, Property Appraisers, Tax Collectors, Florida Department of Law Enforcement, and more**



### Cultivate other prospective partnerships

Potential prospects include:

**Florida Chamber of Commerce, Florida Chamber Foundation, Associated Industries of Florida, Florida Council of 100, Florida Tax Watch, James Madison Institute, Florida CPAs, and more**



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# Protecting the Public Trust

## OBJECTIVES

- Create greater awareness of Clerks' roles in ensuring access to public records
- Make access to public records as easy as possible while providing appropriate protections for individuals' confidential information
- Communicate and manage expectations related to fulfilling public records requests



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# Protecting the Public Trust

## OBJECTIVES

- Create greater awareness that, as Comptrollers, Clerks ensure public funds are protected, and the fiduciary responsibility is duly upheld by County Commissioners
- Create greater awareness that Clerks serve as independent constitutional officers who are responsible for ensuring the accuracy of court records



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# Optimizing Technology

## OBJECTIVES & GOALS



- Explore benefits of new technologies
- Develop system for assisting Clerks with collection efforts
- Expand statewide services
  - *2019–2020 Goals: DIY project, attorney access to CCIS via Portal, develop eCLERC eNotification system, develop cloud implementation plan*



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# Optimizing Technology

## OBJECTIVES & GOALS

### ■ Manage our mandates

- *2019-2020 Goals:*
  - *UCR, Data Transparency, Amendment 4, Amendment 6, MECOM*

### ■ Stand together

- *2019-2020 Goals:*
  - *Utilize our IT Governance and CTG to promote standardization and transparency*
  - *Research and define best practices for the use of artificial intelligence/bots*

### ■ Support and act on business potential

- *2019-2020 Goals:*
  - *Develop a clear business direction for CNI*
  - *Develop a business plan for a collections call center*



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# CEO Report

Chris Hart IV



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# CEO Report

## *Leadership Orientation*

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- Committee Next Steps
  - Review Committee Charter
  - 2019-2020 FCCC Priorities & Objectives
  - Review FCCC Governance Structure
- Strategic Planning Committee
  - Adopt President's Priorities and work with President-Elect and Vice President to create a three-year strategic plan



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# CEO Report

## *Priorities*

---

- Strengthening Strategic Partnerships
- Protecting the Public Trust
- Optimizing Technology



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# CEO Report

## *Quick Response Teams (QRTs)*

- **2.420, Rules of Judicial Administration**
  - QRT has met multiple times a week for the past months and participates in weekly Joint FCTC/RJAC Committee on 2.420 calls
  - Clerks have held fast on the position to maintain the public trust
  - Recently briefed the Executive Committee to share progress and begin to build coalitions
- **Amendment 4**
  - Held weekly conference calls beginning early July
  - Worked closely with DOC to provide information to returning citizens and to validate data
  - Sent Advisories to all Clerks on the impact of restoration of voting rights on other rights and on legal opinions related to the new law
  - Preparing for September 6, 2019, Restoration of Voting Rights Workgroup Presentation



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# CEO Report

## *Quick Response Teams (QRTs)*

### ■ Amendment 6 “Marsy’s Law”

- The next Joint 2.420 and Marsy’s Law QRT call is on September 4, 2019, at 1:00 p.m.
- Working in conjunction with QRT 2.420 on crossover issues to develop a statewide response to the Florida Bar Rules of Judicial Administration Committee on October 18, 2019
- Encourage all Clerks to attend Florida Bar Rules of Judicial Administration Committee Open Forum Meeting on October 18, 2019, from 1-6 p.m. at the Tampa Airport Marriott.



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# CEO Report

*CiviTek*

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- July 2019 through-put fees
- Ohio launched July 1
- ADA Compliance website redesign
- TurboCourt



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# Highlights



Legislative  
Update

**The Honorable  
Tom Bexley  
(Flagler)**



Communications  
Update

**The Honorable  
Barry Baker  
(Suwannee)**



New Clerk Academy  
Update

**The Honorable  
Angela Vick  
(Citrus)**



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# Legislative Update

The Honorable Tom Bexley (Flagler)  
Chair, Legislative Committee



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# Legislative Update

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- **Legislative Committee met in Orlando on August 14 to discuss the details of the membership-approved Clerks' 2020 Legislative Priorities:**
  - **A technical HB 337 “glitch” bill and standalone policy bills are being drafted and the legislative team is working on bill sponsors and working with legislative staff on these proposed changes**
  - **Working with the Bill Analysis Workgroup to have an approved list of amendments, based on Clerk-submitted recommendations, to be available for use where possible during session**
  - **Looking for opportunities for positive presentations to educate legislators on Clerks and Comptrollers**



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# Legislative Update

- Fifteen counties selected for the OPPAGA/MGT Study of Clerks, established in SB 2500 (2019), the General Appropriations Act
  - *Jefferson, Madison, Baker, Hendry, Nassau, Martin (Pilot), Bay, Marion, Escambia, Brevard, Hillsborough, Miami-Dade, Highlands, DeSoto, Palm Beach*
- FCCC and CCOC are working closely with MGT, the selected third-party vendor, and will provide information and support to all Clerks
- An OPPAGA Workgroup, chaired by the Honorable Tara S. Green (Clay), has been established under the Legislative Committee to help selected Clerks' offices manage the requirements of the study
- Jason Harrell, Director of Legislative & Public Affairs, will serve as the FCCC point of contact for Clerks, MGT, and OPPAGA



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# Legislative Update

*Save the Dates*

- **Interim Legislative Committee weeks begin September 16, 2019**
  - Week of September 16<sup>th</sup>
  - Week of October 14<sup>th</sup>
  - Week of October 21<sup>st</sup>
  - Week of November 4<sup>th</sup>
  - Week of November 12<sup>th</sup>
  - Week of December 9<sup>th</sup>
    - *Reminder: A Clerks and Comptrollers' Legislative Update WebEx will be held each Friday of a committee week at 10 a.m., Eastern*
- **Clerks at the Capitol Legislative Day 2020 scheduled for Monday, November 4 – Tuesday, November 5, 2019, in Tallahassee**



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# *Clerks'* DAY

## AT THE CAPITOL

November 4 - 5, 2019



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# Communications Update

The Honorable Barry Baker (Suwannee)  
Chair, Communications Committee



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# Communications Committee

*Getting the word out*

---

- **New committee members**
- **Goals for the year**
- **Updates from first meeting (August 27, 2019)**
- **Join us! Communications session at Fall Conference**



# New Clerk Academy Update

The Honorable Angela Vick (Citrus)  
Chair, New Clerk Academy Subcommittee



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# New Clerk Academy



- New Clerk Academy for the Class of 2018 convened August 19-23, 2019, in Collier County at the JW Marriott, Marco Island
  - Session topics: Security, Felony Court, Evidence, Human Resources, Public Records, Media Communications, and Information Technology
- Next Academy: December 2-6, 2019, Wyndham Grand in Clearwater Beach
- Final Academy: April 6-10, 2020, at the Plantation on Crystal River in Citrus County



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# Partner Organizations



**The Honorable  
JD Peacock II  
(Okaloosa)  
Chair**



**The Honorable  
Tim Smith  
(Putnam)  
Chair**



**The Honorable  
Pam Childers, CPA,  
(Escambia)  
Vice Chair**



# Clerks of Court Operations Corporation

The Honorable JD Peacock II (Okaloosa)  
Chair, Executive Committee



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# CCOC

## The Honorable JD Peacock II, Chair



- The CCOC Executive Council will meet in September. Date will be set soon. Main purpose will be to receive recommendations from the Budget Committee to set Clerk's budgets for CFY 19/20.
- The CCOC Chair, FCCC President, and Executive Staff had a Leadership meeting on August 14<sup>th</sup> in Orlando. Both sides agreed that there is good coordination and efforts between the two entities. Next meeting potentially in October.
- The CCOC/Judges eNotify Advisory Group met on August 14<sup>th</sup>. The eNotify project will be piloted beginning in October with the volunteer Clerks offices in Orange, Nassau, and Okaloosa Counties. Could be available to all Clerks in January 2020 after the review of the pilot.
- CCOC staff have met with OPPAGA staff and their contractor MGT. The 15 Clerks for the Legislative study have been chosen and the visits have begin. CCOC staff is helping MGT facilitate the site visits.
- CCOC Committee Reports



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# CCOC

The Honorable Tara S. Green, CCOC PIE Committee Chair

- **A Joint CCOC/FCCC Summit — “Compliance 20: Mission to Drive”**
  - October 21 and 22 at the Omni Hotel at ChampionsGate
    - Learn about Drivers’ License Reinstatement Days from around the state;
    - Enhancing revenue compliance programs through automation;
    - Negotiating criminal liens and panels and interview sessions on preventing DL suspensions, mediating payment plans; and,
    - Keynote speakers
  - Registration open, \$25 per registrant
- **Revenue Compliance Survey – return August 30<sup>th</sup>**
- **2<sup>nd</sup> Quarter Performance Measures and Action Plans Report can be obtained on the CCOC website**



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# CCOC Revenue Enhancement Committee

The Honorable Tiffany Moore Russell, Esq., Committee Chair

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- Committee met as a Workshop on August 13<sup>th</sup> in Orlando
- Committee meeting tentatively scheduled for September 11<sup>th</sup>
  - Expect to review and approve Funding Continuity Plan
  - No need to continue Funding Model Project but helpful for CCOC staff in the future to estimate cost of cases
- Next meeting set for September 11<sup>th</sup> via Conference Call



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## The Honorable Ken Burke, CCOC Budget Committee Chair

- **Increased Budget Authority for CFY 2019-20**
  - Unspent Budgeted Funds (UBF) – new revenue source provided by the Legislature
    - Clerks to provide an estimate of the UBF to CCOC by August 30
      - UBF will become part of a the statewide total for Clerks' Budgets
- **Original Budget Request Review**
  - Pay and Benefits Verification
    - Clerks to verify their increased Pay and Benefits to CCOC by August 30
      - Statutorily required to report Pay and Benefits increases
- **Budget Committee Meeting – September 5, 2019**
  - Alachua County Criminal Justice Center - 220 South Main Street, Gainesville, Florida, 32601.
  - Presentations by counties requesting Special Funding Requests



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# Florida Courts E-Filing Authority

The Honorable Tim Smith (Putnam)  
Chair, Board of Directors



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# Florida Courts E-Filing Authority

The Honorable Tim Smith, Florida Courts E-Filing Authority Chair

The Florida Courts E-Filing Portal continues to see high volumes each month, receiving more than 2.2 M documents.

- Working with DHSMV and Driver Schools to send completion certificates to Clerks
  - Working with Local Clerks, Sheriffs and DOC to securely transmit commitment packages
  - Third party vendor use of the Portal continues to increase in volume
  - Sharing Portal functionality features with users each month in Advisory format and with The Florida Bar
- 
- Next Authority meeting is October 1, 2019



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# Florida Local Government Investment Trust

The Honorable Pam Childers, CPA (Escambia)  
Vice Chair, Board of Trustees



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# Board of Trustees Officers



**The Honorable  
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*Chair*

*Leon County Commissioner*



**The Honorable  
Pam Childers, CPA**

*Vice Chair*

*Escambia County Clerk and  
Comptroller*



**The Honorable  
Billy Washington**

*Secretary*

*Madison County Clerk and  
Comptroller*

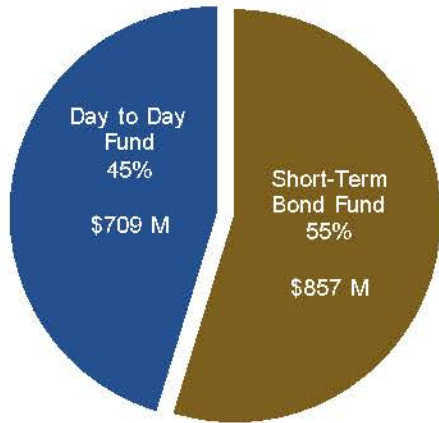


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# Florida Local Government Investment Trust

## Florida Trust Assets

July 31, 2019



### Day to Day Fund

Inception	1/13/09
Average Credit Quality	AAAm
Average Duration	30-60 days
7-Day Yield, net	2.43%

### Short-Term Bond Fund

Inception	1/1/92
Average Credit Quality	AAAf/S1
Average Duration	1.5-2.5 years
30- Day SEC Yield, net	1.949%

[www.floridatrustonline.com](http://www.floridatrustonline.com)

**Total Assets: \$1.57 Billion**



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# Committee Meetings and Advisories

Allison Newman, Member Outreach Manager



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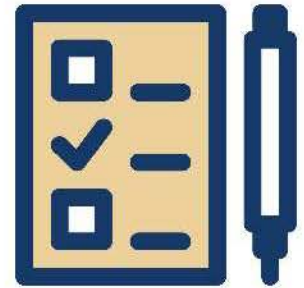
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# Committee Meetings

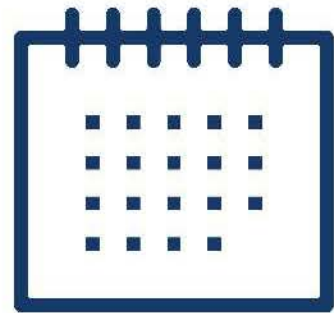


## Recent Meetings

- Executive Committee, July 18
- Education Committee, July 24
- Conference Subcommittee, July 24
- New Clerk Academy Subcommittee, July 26
- Comptroller Subcommittee, August 2
- FCCC Leadership Orientation, August 7-8
- Legislative Committee, August 14
- Communications Committee, August 27
- FCCC Board of Directors, August 27
- Florida Courts E-Filing Authority, August 27



# Committee Meetings



## Upcoming Meetings

- Bylaws Committee, September 10
- Self Help/Pro Se Subcommittee, September 11
- FCCC Board of Directors, September 19
- Strategic Technology Committee, September 19
- Best Practices Committee, September 20
- Florida Courts E-Filing Authority, October 1



# Committee Highlights

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- **Comptroller Subcommittee:** Reviewed and updated the charter name and expanded responsibilities to reflect additional Comptroller duties such as Clerk to the Board and Value Adjustment Board. Began planning educational sessions for Winter Conference.
- **Education Committee:** Discussed the 2019 Fall Conference curriculum; provided an update on the Learning Management System, CertiClerk; discussed having the appropriate committees and workgroups contribute suggestions for continuing education to help build conference curriculum.

# Committee Highlights

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- **New Clerk Academy Subcommittee:** Reviewed the New Clerk Initial Certification Plan; discussed protocol for curriculum distribution; reviewed remaining 2018-2020 New Clerk Academy locations; discussed strategy and visioning for Class of 2020.
- **Conference Subcommittee:** Discussed the site selection of the 2020 Fall Conference and the 2021 Winter Conference; reviewed the options for the 2021 Summer Conference and offered new options to explore.



# State Level Meetings

*FCTC and TCBC Reports*



- The Florida Courts Technology Commission (FCTC) met in Naples on August 8-9

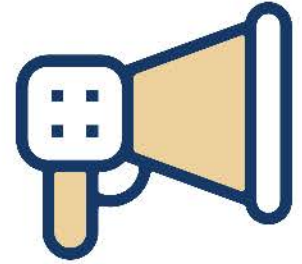
Upcoming FCTC meeting dates for 2019 and 2020:

- November 14-15, 2019 – Orlando, FL
  - March 5-6, 2020 – location TBD
  - June 18-19, 2020 -- Orlando
- Thank you to the Honorable David Ellspermann, the Honorable Karen Rushing, and the Honorable Scott Ellis for representing Clerks on FCTC
- The Trial Court Budget Commission (TCBC) was held in Tampa on Wednesday, August 28, 2019  
Thank you to the Honorable Ken Burke for attending this meeting and representing the Clerks

# Advisory Bulletins

*August Advisories*

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- [No. 19-75 Rules of Judicial Administration Committee — Meeting Invitation](#)
- [No. 19-74 OPPAGA/MGT Study of Clerks of Court](#)
- [No. 19-73 Federal subpoenas being issued regarding SB 7066 / Amendment 4 - Update](#)
- [No. 19-72 Bills Effective October 1, 2019, and Later](#)
- [No. 19-71 Restoration of Voting Rights - Effect on Other Civil Rights](#)
- [No. 19-70 Restoration of Voting Rights - Legal Opinion](#)
- [No. 19-69 Clerk Tiffany Moore Russell appointed to Florida Commission on Access to Justice](#)
- [No. 19-68 E-Filing Portal - Notice of Electronic Filing \(NEF\) Feature](#)
- [No. 19-67 Restoration of Voting Rights Task Force](#)
- [No. 19-66 Florida Rural Legal Services Information Request](#)

# 2019 FALL CONFERENCE

*Save the Dates*

- **REMINDER: Executive Session** will be held on a new day, **Tuesday, October 1, 10:30 a.m.–2:30 p.m.**
- Fall Conference is scheduled for October 2-4, at the Tradewinds Island Resorts in St. Pete Beach
- The conference will feature Executive and Records tracks. More details about all the sessions will be available to view on the FCCC website.



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# Questions and Closing Remarks

- This report is to help you stay up to date. Please let us know of topics of interest
- Please send questions/comments to Samadhi Jones at [sjones@flclerks.com](mailto:sjones@flclerks.com) or call (850) 921-0808
- Next Briefing is scheduled for October 25, 2019.
- Thank you for your participation!



## MISSION

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**protect** the **public**  
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# CLERK LEGAL OPTIONS TO INDIRECT COST REIMBURSEMENT PROCESS

## ATTORNEY GENERAL RESOLUTION OF DISPUTED CONTRACT TERMS

Section 61.1826(4)(f), Florida Statutes, requires that if either DOR or FCCC (individual depositories cannot initiate this dispute process) objects to a term of the standard cooperative agreement, the disputed term or terms shall be presented jointly by the parties to the Attorney General or the Attorney General's designee, who shall act as special magistrate. The special magistrate shall resolve the dispute in writing within 10 days. The resolution of a dispute by the special magistrate is binding on the department and the Florida Association of Court Clerks. FCCC could assert that DOR has no authority to require a reimbursement as the Cooperative Agreement provides that only the Federal Government can disallow a reimbursement for which a Clerk could be required to pay back. If DOR disagrees, FCCC could advise that they object to the term as implemented by DOR and request the issue be presented to the Attorney General for resolution.

## CHAPTER 120 ADMINISTRATIVE CHALLENGE

Section 61.1826(9), Florida Statutes, provides that if the FCCC, its agent, a subcontractor, or a depository does not comply with any material contractual term, or with any state or federal requirement, DOR may enforce compliance by withholding funds otherwise due under the individual contract with the FCCC or the individual cooperative agreement with the depository, or both, at the department's election.

DOR is required to provide written notice of noncompliance before withholding funds. Within 10 business days after receipt of written notification of noncompliance, DOR must be provided with a written proposed corrective action plan. Within 10 business days after receipt of a corrective action plan, DOR shall accept the plan or allow 5 business days within which a revised plan may be submitted. Upon DOR's acceptance of a corrective action plan, the agreed-upon plan must be fully completed within 30 business days unless a longer period is permitted by DOR. If a proposed corrective action plan is not submitted, is not accepted, or is not fully completed, any funds withheld by DOR for noncompliance are forfeited to DOR.

It is only in the event that DOR withholds or forfeits funds that a Clerk may contest DOR's agency action by filing a petition or request for a hearing under the applicable provisions of chapter 120. For the purposes of this section, if the dispute involves less than \$5,000 in withheld or forfeited funds, a Clerk is deemed to not be substantially affected by the dispute or to have a substantial interest in the decision resolving the dispute.

## DECLARATORY JUDGMENT

Chapter 86, Florida Statutes, creates the right to a declaratory judgment. Its purpose is to settle and to afford relief from insecurity and uncertainty with respect to rights, status, and other equitable or legal relations and is to be liberally administered and construed. § 86.101, Fla. Stat.

Specifically, section 86.011, provides a process whereby the circuit and county courts have jurisdiction within their respective jurisdictional amounts to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed. In this instance, a Clerk could bring an action in Leon County Circuit Court against the DOR, and its Executive Director in their official capacity, seeking the Court to declare that DOR does not have authority to compel the Clerk to refund monies previously reimbursed unless at the determination and direction of the Federal Government as provided in the Cooperative Agreement, as well as requiring DOR to return the refunded monies improperly obtained by DOR.

The court's declaration may be either affirmative or negative in form and effect and such declaration has the force and effect of a final judgment. The court may render declaratory judgments on the existence, or nonexistence:

- (1) Of any immunity, power, privilege, or right; or
- (2) Of any fact upon which the existence or nonexistence of such immunity, power, privilege, or right does or may depend, whether such immunity, power, privilege, or right now exists or will arise in the future. Any person seeking a declaratory judgment may also demand additional, alternative, coercive, subsequent, or supplemental relief in the same action.

Any person claiming to be interested or who may be in doubt about his or her rights under a **contract**, or other article, memorandum, or instrument in writing or whose rights, status, or other equitable or legal relations are affected by a statute, or any regulation made under statutory authority, or by contract, or other article, memorandum, or instrument in writing may have determined any question of construction or validity arising under such statute, contract, or other article, memorandum, or instrument in writing, or any part thereof, and obtain a declaration of rights, status, or other equitable or legal relations thereunder. § 86.021, Fla. Stat. A contract may be construed either before or after there has been a breach of it. § 86.031, Fla. Stat.

Further relief based on a declaratory judgment may be granted when necessary or proper. The application shall be by motion to the court having jurisdiction to grant relief. If the application is sufficient, the court shall require any adverse party whose rights have been adjudicated by the declaratory judgment to show cause on reasonable notice, why further relief should not be granted forthwith. § 86.061, Fla. Stat.

The existence of another adequate remedy does not preclude a judgment for declaratory relief. The court may order a speedy hearing of an action for a declaratory judgment and may advance it on the calendar. § 86.111, Fla. Stat.

A complaint for declaratory relief must allege the following: (1) there is a bona fide dispute between the parties; (2) the plaintiff has a justiciable question as to the existence or nonexistence of some right, status, immunity, power or privilege, or as to some fact upon which existence of such a claim may depend; (3) the plaintiff is in doubt as to the claim; and (4) there is a bona fide, actual, present need for the declaration. See Ribaya v. Bd. of Trs. Of City Pension Fund for Firefighters & Police Officers in City of Tampa, 162 So. 3d 348, 352 (Fla. 2d DCA 2015).

### **TERMINATION OF CONTRACT**

Section 61.1826(5), Florida Statutes, provides that if any of the following events occur, DOR (the statute is silent as to whether a Clerk or the FCCC has the same right to terminate the contract), upon 30 days' written notice to FCCC and the depositories, may discontinue its plans to contract, or terminate its contract, with the FCCC and the depositories and may, through competitive bidding, procure services from a private vendor to perform functions necessary for DOR to operate the State Disbursement Unit and the non-Title IV-D component of the State Case Registry with a minimum amount of disruption in service to the children and citizens of the state:

- (a) Receipt by the department of final notice by the United States Secretary of Health and Human Services or the secretary's designee that the contractual arrangement between DOR, FCCC, and the depositories does not satisfy federal requirements for a State Disbursement Unit or a State Case Registry and that the state's Title IV-D State Plan will not be approved, or that federal Title IV-D funding is not made available to fund the non-Title IV-D component of the State Case Registry or the State Disbursement Unit;
- (b) The FCCC, a depository, or any subcontractor fails to comply with any material contractual term or state or federal requirement;

If either event specified in paragraph (a) occurs, the depositories are relieved of all responsibilities and duties under this chapter relating to Title IV-D payment processing and data transmission to the department.

### **PENALTIES**

Section 61.1826(8), Florida Statutes, provides that all depositories must participate in the State Disbursement Unit and the non-Title IV-D component of the State Case Registry. If, after notice and an opportunity to cure an otherwise curable default, a depository fails to comply with the material terms of the cooperative agreement, the failure to comply subjects the county officer or officers responsible for the depository to the sanctions provided in Art. IV of the State Constitution (Art. IV, Section 7, authorizes the Governor to suspend any county officer for malfeasance, misfeasance, or neglect of duty). However, no county officer or officers shall be

subject to sanctions under Art. IV of the State Constitution for any noncurable default resulting from circumstances or conditions outside the control of the depository.

### **COOPERATIVE AGREEMENT**

With regard to the Cooperative Agreement entered into between DOR and the depositories (Clerks), Section V. **Cost Reimbursement**, paragraph C., provides that “[t]he amount of costs reimbursed to the Depository will be reduced by the amount determined by quarterly audits to be in excess of allowable claims for reimbursement.” This arguably means that DOR’s only authority, with regard to excess reimbursed costs, is to reduce the amount of future cost reimbursements as determined by quarterly audits to be in excess of allowable claims, and not to impose and require Clerks to pay back previously allowed claims for reimbursement. That authority, arguably, is reserved exclusively to the Federal Government. See § 6 of Cooperative Agreement.

Section VI. **Other Terms and Conditions**, of the Cooperative Agreement entered into between DOR and the depositories (Clerks), paragraph B., provides that, “[f]or any claims submitted under this Cooperative Agreement, the Depository is required to pay back any monies reimbursed by the Department for which FFP (Federal Financial Participation) is subsequently disallowed **by the Federal Government.**” (Emphasis added) This arguably means that DOR does not have the contractual authority to require depositories (Clerks) to pay back any monies reimbursed by the Department as FFP that have not been subsequently disallowed by the Federal Government.

The process put in place by DOR, as implemented by its agent, Maximus, has presumably determined that prior reimbursements would be disallowed by the Federal Government, as well as future reimbursements if the reimbursement rate is not presently adjusted lower. This determination by DOR appears to exceed the authority granted to DOR by the Cooperative Agreement. Additionally, DOR is attempting to disregard the reimbursement rate previously negotiated between DOR and the individual Clerks.

### **POLITICAL APPEAL TO THE OFFICE OF CHILD SUPPORT ENFORCEMENT**

A possible avenue for relief entails initiating contact with the U.S. Department of Health and Human Services (HHS). Specifically, a Clerk could communicate with Cost Allocation Services (CAS), which is located within the Department of Health and Human Services (HHS), Program Support Center (PSC). HHS is designated by the Office of Management and Budget (OMB) as the cognizant federal agency for reviewing and negotiating facility and administrative (indirect) cost rates. CAS is responsible for resolving audits that involve indirect costs and cost allocation issues and methodologies, and provides technical assistance and guidance to both Federal departments and agencies and the grantee community. However, Clerks, in their capacities as depositories, only receive HHS funds as a sub-recipient. Therefore, it is with DOR, as the primary grantee recipient and pass-through entity of HHS funds, with whom Clerks must



negotiate their indirect cost rate(s). Clerks may want to request HHS to perform an audit of DOR's establishment of a fixed rate with carry forward and adjustment to the previous predetermined rate and subsequent request for refund of reimbursed costs.

**From:** Shannon Cash-Russell

**Sent:** Thursday, January 03, 2019 2:41 PM EST

**To:** Shelby Miller <SLMiller@leoncountyfl.gov>; Lindsey Simpson <LASimpson@leoncountyfl.gov>; Jorge Andres <JAndres@leoncountyfl.gov>; Marsha Cooper-Chambers <MECooper-Chambers@leoncountyfl.gov>; Lendra Coker <LMCoker@leoncountyfl.gov>; Tonja Harris <TZHarris@leoncountyfl.gov>; Liz Alford <ELAlford@leoncountyfl.gov>; Betty Hughes <BCHughes@leoncountyfl.gov>

**CC:** Gwen Marshall <GMarshall@leoncountyfl.gov>; LaShanda Salters <LBSalters@leoncountyfl.gov>; Patty Herold <pattyh@leoncountyfl.gov>; Ken Kent <KAKent@leoncountyfl.gov>

**Subject:** Restoration of Voting Rights

Good afternoon!

We will be holding a mandatory training session tomorrow (Friday) at 4:30 in the multi-purpose room to discuss our role in Amendment 4, which will now allow convicted felons (except murder & sexual assault cases) to register to vote.

You all have been selected for your "expert status" to assist with either phone calls or help those that come in person. We'll explain more in the meeting to describe our role in this process.

Shannon