

An act relating to the court related budget of the Clerk of the Circuit Court and Comptroller for Collier County: providing Legislative findings; providing exceptions to general law; authorizing the Clerk of the Circuit Court for Collier County to prepare a balanced budget for court related functions; allow for the retention of court filing fees, fines, penalties to the extent necessary to meet the budgeted expenditures for court related functions; requiring the deposit, on a quarterly basis, for those filing fees, fines, costs, and and penalties received in excess of the budgeted revenue, to the Clerk of Court's Trust Account:

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

Section 1. Collier County is the largest county in Florida at 2,305 square miles, with a quickly growing population of 392,973, a 9% one-year increase in case counts, and with one of the highest costs of living in the State of Florida.

Section 2. Collier County Clerk of the Circuit Court had a needs-based budget for Court related functions in 2022 of \$7,265,000 and collected filing fees, fines, costs and penalties of \$7,764,000, leaving an excess of \$499,000 to be paid to the Clerk of Courts Trust Fund.

Section 3. Contrary to Statues, the Clerk of Courts Operations Corporation approved a budget for 2022 of only \$6,428,666 for the Collier Count Clerk of Court leaving a deficit of \$837,000. The budget approved by the Clerk of Courts Operations Corporation resulted in the Clerk of Courts' inability to attract applicants, inability to retain employees due to inability to pay salaries in line with Collier County's cost of living, and a inability to attract applicants. This insufficient budget also resulted in the Clerk of Court being unable to provide services as provided by other Clerks across the State of Florida.

Section 4. Due to the insufficient budget approved by the Clerks of Court Operations Corporation, the Clerk of Court for Collier County was required to request funding of \$1,200,000 in tax payer funds from the Collier County Board of County Commissioners, while the Collier County Clerk of the Circuit Court was required to direct \$1,336,000 of filing fees, costs and penalties collected from the tax payers of Collier County, to the Clerk of Courts Trust Fund for redistribution to other Clerks of Court.

Section 5. Notwithstanding Sections 28.35 and 28.37, Florida Statutes, the Clerk of the Circuit Court for Collier County may determine its balanced budget as directed in Section 28.36, Florida Statutes.

- 1) The Collier County Clerk of the Circuit Court may retain all filing fees, penalties and costs fines collected to the extent necessary to fully fund its court related functions as defined in Section 28.35 (3) (a).
- 2) All revenue received by the Collier County Clerk of the Circuit Court in excess of these sums described in Section 5 (1), shall be directed to the Clerk of Courts Trust fund per Section 28.37

Section 6. This act shall take effect upon becoming law.