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BILL TO PROTECT CLERKS' CRITICAL SERVICES PASSES FIRST SENATE COMMITTEE

Tallahassee, Fla.— A bill to modernize the budget process for Florida's court clerks and comptrollers cleared its first legislative committee meeting in the Senate on Monday. The Senate Judiciary Committee unanimously passed Senate Bill 1076 by Sen. Jeff Brandes. Also known as the Clerks Serve Florida Act, SB 1076 is a bill that would protect critical public services clerks provide by doing the following:

- Provide budget stability by authorizing clerks to retain earned revenues and maintain reserves in preparation for unforeseen emergencies.
- Protect critical public services by reimbursing clerks for costs of services that protect vulnerable populations.
- Create flexibility through a clear, statutory process where clerks can request necessary funding for services and tasks required by justice partners and state policymakers.
- Recognize needs and costs of clerks' services in the budget, rather than relying solely on fluctuating revenue projections.

Up next for SB 1076 are the Appropriations Subcommittee on Criminal and Civil Justice and the Appropriations Committee before going to the Senate floor for voting. The House companion bill, House Bill 1143, was filed by Rep. Scott Plakon.

Senator Brandes introduced the bill by citing the late economist Herbert Stein. "Stein's Law is very simply, 'Things that are unsustainable tend to stop. Trends that can't continue, won't.' And therefore, the clerks' budget is what I want to talk to you about today, because the clerk of courts' budget is on an unsustainable course."

"Since 2013, our budget has decreased by \$50 million," said Clerk and Comptroller Ken Burke, CPA, of Pinellas County, speaking on behalf of Florida Court Clerks & Comptrollers (FCCC). "What this bill does is help set up the infrastructure for the future, and for now, to properly fund clerks."

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"JMI supports reforms where core government functions, the things that we all agree are the purview of the state, can be funded more appropriately, more effectively," said Sal Nuzzo of the James Madison Institute during the committee meeting. "These policy reforms proposed here will do just that."

"Florida's Clerks are ecstatic that, thanks to our senate sponsor Senator Brandes, we've cleared this first hurdle," said Clerk Tom Bexley of Flagler County, Chair of the FCCC Legislative Committee. "We are hopeful this is the first of many wins this legislative session. Ultimately, the Clerks Serve Florida Act is what will ensure that clerks can best serve Florida."

Clerks from across the state came to support the bill in the committee meeting. In attendance, the following Clerks of Court waived in support: the Honorable Sharon R. Bock, Esq. (Palm Beach), FCCC President; the Honorable Pam Childers, CPA (Escambia); the Honorable John Crawford (Nassau); the Honorable Marcia Johnson (Franklin); the Honorable Steve Land (Lafayette); the Honorable Gwen Marshall (Leon); the Honorable Todd Newton (Gilchrist); the Honorable Becky Norris (Gulf), the Honorable JD Peacock II (Okaloosa); the Honorable Clayton Rooks III, CPA (Jackson); the Honorable Laura Roth, Esq. (Volusia); and the Honorable Tiffany Moore Russell, Esq. (Orange). Slater Bayliss, representing Miami-Dade Clerk of Court Harvey Ruvin, and David Shepp, representing the Polk County Clerk of Court Stacy Butterfield, also waived in support.

BACKGROUND

Today, clerks' budgets are based on projected revenues from fines and fees related to court services. However, revenue-generating cases, like traffic citations, are decreasing; as revenues fall, so do clerks' budgets. This year, the clerks' budget is \$40 million short of their projected costs.

When this budget process was built, it was anticipated that revenues produced within this system would be sufficient to fund all services clerks provide, including those which are provided at no cost to the public. Today, that's not the reality. Clerks serve vulnerable populations through cases with no fees, like domestic violence injunctions, mental health cases, and waivers for those who are found indigent. This is good public policy; still, the revenue-generating cases that once funded these critical, high-cost, high-workload services are insufficient.

The issue gets worse each year as clerks are tasked with important new requirements that have serious budgetary impacts. For example, new legislation creating risk protection orders for public safety recently added costs and workload for clerks. Clerks agree that the State's policy decisions add great value for the public, but they also add substantial stress on the budget challenge.

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By today's statutes, clerks have no ability to maintain a reserve; without one, clerks are left vulnerable to temporary or unanticipated revenue declines caused by natural disasters, new responsibilities or other events, possibly disrupting services. The current budget process is outdated and unsustainable.

The bill proposes changes to modernize the budget process and presents a long-term solution—without growing government, or requiring new taxes or fees. Florida's clerks are grateful to partner with lawmakers to modernize the budget process and ensure clerks can best serve Florida.

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Florida Court Clerks & Comptrollers (FCCC) is a statewide, nonprofit member association composed of Florida's Clerks of the Circuit Court and Comptrollers. FCCC provides local government support services, technical assistance and accreditation opportunities for all members of the association. For more information, visit www.flclerks.com.