

# CHAPTER 98-84

## Senate Bill No. 200

An act relating to fines and court costs; creating s. 938.35, F.S.; providing that a county may assign the collection of fines, court costs, and other costs imposed by the court arising from offenses committed in the county and remaining unpaid after a certain period to a private attorney or collection agency under specified circumstances; providing guidelines and procedures; providing attorney's fees to offset collection costs; providing a limitation; providing an effective date.

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

Section 1. Section 938.35, Florida Statutes, is created to read:

938.35 Collection of court-related financial obligations.—Any provision of law notwithstanding, a county may pursue the collection of any fines, court costs, or other costs imposed by the court which remain unpaid for 90 days or more, or refer such collection to a private attorney who is a member in good standing of The Florida Bar or collection agent who is registered and in good standing pursuant to chapter 559. In pursuing the collection of such unpaid financial obligations through a private attorney or collection agent, the governing body of the county must determine that such collection is cost-effective and the county must follow applicable procurement practices. The costs of collection, including a reasonable attorney's fee, may be recovered, except that such fees and costs of collection may not exceed 40 percent of the total fines and costs owed.

Section 2. This act shall take effect July 1, 1998.

Became a law without the Governor's approval May 22, 1998.

Filed in Office Secretary of State May 21, 1998.