

By the Committee on Community Affairs; and Senator Crist

578-03128-10

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1 A bill to be entitled

2 An act relating to the collection of non-court-related
3 financial obligations; creating s. 215.125, F.S.;
4 authorizing a board of county commissioners or the
5 governing body of a municipality to pursue or refer
6 the collection of any fees, service charges, fines, or
7 costs to which it is owed to a private attorney or
8 collection agent, if such referral is determined to be
9 cost-effective; authorizing the board of county
10 commissioners or the governing body of a municipality
11 to prescribe the applicable practices for collection;
12 providing that the collection fee paid to any attorney
13 or collection agent may be added to the balance owed,
14 which may not exceed a specified percentage of the
15 amount owed; providing an effective date.

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

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19 Section 1. Section 215.125, Florida Statutes, is created to
20 read:

21 215.125 Collection of non-court-related financial
22 obligations.—The board of county commissioners or the governing
23 body of a municipality may pursue the collection of any fees,
24 service charges, fines, or costs to which it is entitled and
25 which remain unpaid for 90 days or more, or refer the account to
26 a private attorney who is a member in good standing with The
27 Florida Bar or a collection agent who is registered and in good
28 standing pursuant to chapter 559, if the governing body of the
29 county or municipality determines that it would be cost-

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30 effective to enter into such a contract. In pursuing the
31 collection of unpaid financial obligations through a private
32 attorney or collection agent, the board of county commissioners
33 or the governing body of a municipality may prescribe the
34 applicable procurement practices that must be followed by the
35 collection agent or private attorney. The collection fee,
36 including any reasonable attorney's fee, paid to an attorney or
37 collection agent retained by the board of county commissioners
38 or the governing body of a municipality may be added to the
39 balance owed, but may not exceed 40 percent of the amount owed
40 at the time that the account is referred to the attorney or
41 agent for collection.

42 Section 2. This act shall take effect July 1, 2010.