

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO.:
26-08-B
SUPERSEDES 25-13-B

**IN RE: CLERK OF COURT - TOBACCO, NICOTINE PRODUCT, AND VAPING
VIOLATIONS**

WHEREAS, pursuant to sections 569.11 and 569.42, Florida Statutes, any person under the age of twenty-one (21) who knowingly possesses, purchases, or attempts to purchase any tobacco or nicotine product commits a noncriminal violation;

WHEREAS, when a violator pays the statutory fine, the clerk of court is directed to accept payment and withhold adjudication of guilt;

WHEREAS, when a violator fails to pay the statutory fine within thirty (30) days of the offense, the case is reviewed by a county court judge; and

WHEREAS, pursuant to section 775.15(2)(d), Florida Statutes, a prosecution for a noncriminal violation must be commenced within one (1) year after the violation. The efficiency of the clerk of court would greatly increase by the clerk of court's administrative dismissal of cases involving noncriminal violations of sections 569.11 and 569.42 where prosecution has not been commenced one (1) year or more after the date of the violation.

IT IS ORDERED:

I. COMPLIANCE WITH STATUTORY FINE REQUIREMENT:

When a violator pays the statutory fine, the clerk of court will accept payment and withhold adjudication of guilt.

II. NONCOMPLIANCE AFTER THIRTY (30) DAYS:

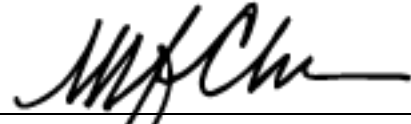
- A. When a violator has failed to pay the statutory fine within thirty (30) days, the clerk of court shall provide a weekly report indicating the violator's name, case number, and date of noncompliance to each county criminal judge according to the current criteria for judge assignment. The court will determine further action as appropriate.
- B. If the court schedules the case for a hearing, the clerk may accept payment and withhold adjudication of guilt if the violator makes payment at least five (5) business days prior to the scheduled court hearing.

III. PENDING CASES OLDER THAN ONE (1) YEAR:

The clerk of court shall dismiss any charges and waive any outstanding monetary and nonmonetary obligations on cases involving noncriminal violations of sections 569.11 and 569.42 pending one

(1) year or more after the date of the violation.

DONE AND ORDERED this 29th day of January, 2026.



MELANIE CHASE
CHIEF JUDGE

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