

By Senator Steube

23-00206-17

201780__

1 A bill to be entitled

2 An act relating to public records; amending s. 119.12,
3 F.S.; requiring a complainant to timely provide
4 certain written notice in order to be entitled to
5 attorney fees in certain civil actions for enforcement
6 of ch. 119, F.S.; providing that the award of such
7 attorney fees is within the discretion of the court;
8 providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 119.12, Florida Statutes, is amended to
13 read:

14 119.12 Attorney ~~Attorney's~~ fees.—If a civil action is filed
15 against an agency to enforce ~~the provisions of~~ this chapter and
16 ~~if~~ the court determines that the complainant provided written
17 notice of the public records request to the agency's custodian
18 of public records at least 5 business days before filing the
19 civil action and the ~~such~~ agency unlawfully refused to permit a
20 public record listed in the notice to be inspected or copied,
21 the court may ~~shall~~ assess and award, against the responsible
22 agency ~~responsible~~, the reasonable costs of enforcement,
23 including reasonable attorney ~~attorneys'~~ fees.

24 Section 2. This act shall take effect July 1, 2017.