

Bill No. CS for SB 354

Amendment No. Barcode 244718

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Meek moved the following amendment:

Senate Amendment (with title amendment)

On page 2, between lines 20 and 21,

insert:

Section 2. Section 16.57, Florida Statutes, is amended to read:

16.57 Office of Civil Rights.--There is created in the Department of Legal Affairs an Office of Civil Rights. The office may investigate and initiate actions authorized by s. 760.51. In investigating violations of constitutional rights, or rights secured by the laws of this state, under s. 760.51, the Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence.

Section 3. Subsections (16) and (17) are added to section 760.11, Florida Statutes, to read:

760.11 Administrative and civil remedies; construction.--

(16) Upon timely application, the Attorney General may intervene in a civil action by a private person, the

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1 commission, or any local agency to enforce compliance with
2 this part if the Attorney General certifies that the case is
3 of general public importance. Upon such intervention, the
4 Attorney General may obtain any relief that is available to
5 the Attorney General under subsection (17) in a civil action
6 to which that subsection applies.

7 (17) If the Attorney General has reasonable cause to
8 believe that any person or group of persons is engaged in a
9 pattern or practice of resistance to the full enjoyment of any
10 of the rights secured by the State Constitution or the laws of
11 this state, that any person or group of persons has been
12 denied any of the rights secured by the State Constitution or
13 the laws of this state, or that any person or group of persons
14 has otherwise attempted to interfere with those rights, and
15 such denial or attempted interference raises an issue of
16 general public importance, the Attorney General may commence a
17 civil action in any appropriate state or federal court. In a
18 civil action brought by the Attorney General, the court may
19 award damages or injunctive or other appropriate relief for
20 violations of the rights secured by the State Constitution or
21 the laws of this state and may impose a civil penalty of not
22 more than \$10,000 for each violation. The Attorney General is
23 entitled to reasonable attorney's fees and costs if the
24 Department of Legal Affairs prevails in an action brought
25 under this subsection.

26 Section 4. Subsections (9) and (10) are added to
27 section 760.34, Florida Statutes, to read:

28 760.34 Enforcement.--

29 (9) Upon timely application, the Attorney General may
30 intervene in a civil action by a private person, the
31 commission, or any local agency to enforce compliance with

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1 this part if the Attorney General certifies that the case is
2 of general public importance. Upon such intervention, the
3 Attorney General may obtain any relief that is available to
4 the Attorney General under subsection (10) in a civil action
5 to which that subsection applies.

6 (10) If the Attorney General has reasonable cause to
7 believe that any person or group of persons is engaged in a
8 pattern or practice of resistance to the full enjoyment of any
9 of the rights secured by the State Constitution or the laws of
10 this state, that any person or group of persons has been
11 denied any of the rights secured by the State Constitution or
12 the laws of this state, or that any person or group of persons
13 has otherwise attempted to interfere with those rights, and
14 such denial or attempted interference raises an issue of
15 general public importance, the Attorney General may commence a
16 civil action in any appropriate state or federal court. In a
17 civil action brought by the Attorney General, the court may
18 award damages or injunctive or other appropriate relief for
19 violations of the rights secured by the State Constitution or
20 the laws of this state and may impose a civil penalty of not
21 more than \$10,000 for each violation. The Attorney General is
22 entitled to reasonable attorney's fees and costs if the
23 Department of Legal Affairs prevails in an action brought
24 under this subsection.

25
26 (Redesignate subsequent sections.)

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29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 On page 1, line 7, after the semicolon,

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1 insert:
2 amending s. 16.57, F.S.; providing for the
3 Attorney General to investigate violations of
4 rights secured by state law; amending s.
5 760.11, F.S.; authorizing the Attorney General
6 to intervene in certain civil actions to
7 enforce compliance with part I of ch. 760,
8 F.S.; authorizing the Attorney General to
9 commence a civil action to obtain damages or
10 other relief for a violation of rights secured
11 by the State Constitution or state law;
12 providing for a civil penalty; providing for
13 attorney's fees and costs; amending s. 760.34,
14 F.S.; authorizing the Attorney General to
15 intervene in certain civil actions to enforce
16 compliance with part II of ch. 760, F.S.;
17 authorizing the Attorney General to commence a
18 civil action to obtain damages or other relief
19 for a violation of rights secured by the State
20 Constitution or state law; providing for a
21 civil penalty; providing for attorney's fees
22 and costs;

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