

A bill to be entitled

An act relating to inmate litigation costs; creating s. 945.6038, F.S.; authorizing the Department of Corrections to charge inmates for specified costs relating to inmate litigation; authorizing liens on inmate trust funds; authorizing rulemaking; providing intent; providing an effective date.

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

Section 1. Section 945.6038, Florida Statutes, is created to read:

945.6038 Inmate litigation costs.--

(1) The department is authorized to charge an inmate for the following and to place a lien on the inmate's trust fund account if the inmate has insufficient funds at the time the charges are imposed:

(a) Costs of duplication of documents and accompanying evidentiary materials needed to initiate proceedings in judicial or administrative forums or which must be filed or served in a pending proceeding.

(b) Postage for mail to courts and attorneys for pleadings to be served upon each of the parties to a lawsuit.

(2) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

(3) This section is not intended to create any legal rights or obligations that do not otherwise exist. This section is not intended to limit or preclude the department from

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29 charging for duplication of its records as allowed under chapter
30 119, nor is it intended to create a right to substitute a lien
31 in lieu of payment for public records.

32 Section 2. This act shall take effect July 1, 2006.