

HB 585

2006  
CS

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to inmate litigation costs; creating s.  
7 945.6038, F.S.; requiring the Department of Corrections to  
8 charge inmates for specified costs relating to inmate  
9 litigation; authorizing liens on inmate trust funds;  
10 requiring rulemaking; providing intent; providing an  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 945.6038, Florida Statutes, is created  
16 to read:

17 945.6038 Inmate litigation costs.--

18 (1) The department shall charge an inmate for the  
19 following and place a lien on the inmate's trust fund account if  
20 the inmate has insufficient funds at the time the charges are  
21 imposed:

22 (a) Costs of duplication of documents and accompanying  
23 evidentiary materials needed to initiate proceedings in judicial

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24 | or administrative forums or that must be filed or served in a  
25 | pending proceeding. The following costs are authorized:

26 | 1. Up to 15 cents per one-sided copy for duplicated copies  
27 | of not more than 14 inches by 8 1/2 inches; or

28 | 2. For all other copies, the actual cost of duplication.

29 | (b) Postage and any special delivery charges, if required  
30 | by law or rule, for mail to courts, attorneys, parties, and  
31 | other persons required to be served.

32 | (2) The department shall adopt rules pursuant to ss.  
33 | 120.536(1) and 120.54 to implement this section.

34 | (3) This section is not intended to create any legal  
35 | rights or obligations that do not otherwise exist. This section  
36 | is not intended to limit or preclude the department from  
37 | charging for duplication of its records as allowed under chapter  
38 | 119, nor is it intended to create a right to substitute a lien  
39 | in lieu of payment for public records.

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