

1                                   A bill to be entitled  
 2           An act relating to inmate litigation costs; creating s.  
 3           945.6038, F.S.; requiring the Department of Corrections to  
 4           charge inmates for specified costs relating to inmate  
 5           litigation; authorizing liens on inmate trust funds;  
 6           requiring rulemaking; providing intent; providing an  
 7           effective date.

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

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

13           945.6038   Inmate litigation costs.--

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

18           (a)   Costs of duplication of documents and accompanying  
 19   evidentiary materials needed to initiate proceedings in judicial  
 20   or administrative forums or that must be filed or served in a  
 21   pending proceeding. The following costs are authorized:

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

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

25           (b)   Postage and any special delivery charges, if required  
 26   by law or rule, for mail to courts, attorneys, parties, and  
 27   other persons required to be served.

28        (2) The department shall adopt rules pursuant to ss.  
29        120.536(1) and 120.54 to implement this section.

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

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