

ENROLLED
 HB 585, Engrossed 2

2006 Legislature

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 civil proceedings in
 20 judicial or administrative forums or that must be filed or
 21 served in a pending civil proceeding. The following costs are
 22 authorized:

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

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

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

29 (2) The department shall adopt rules pursuant to ss.
30 120.536(1) and 120.54 to implement this section.

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

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