



646032

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2013	.	
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The Committee on Governmental Oversight and Accountability
(Benacquisto) recommended the following:

1 **Senate Amendment to Amendment (681624) (with title**
2 **amendment)**

3
4 Between lines 50 and 51
5 insert:

6 Section 2. Section 119.12, Florida Statutes, is amended to
7 read:

8 119.12 Attorney ~~Attorney's~~ fees.—If a civil action is filed
9 against an agency to enforce the provisions of this chapter and
10 if the court determines that such agency unlawfully refused to
11 permit a public record to be inspected or copied, the court
12 shall assess and award, against the agency responsible, the



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13 reasonable costs of enforcement. The reasonable costs of
14 enforcement include, but are not limited to, including
15 reasonable attorney attorneys' fees, including those reasonable
16 attorney fees incurred in litigating entitlement to, and the
17 determination or quantification of, attorney fees for the
18 underlying matter.

19
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 Delete lines 951 - 956

23 and insert:

24 An act relating to governmental procedures and legal
25 proceedings; amending s. 57.111, F.S.; revising the
26 definition of the term "small business party";
27 providing conditions under which a proceeding is not
28 substantially justified for purposes of an award under
29 the Florida Equal Access to Justice Act; amending s.
30 119.12, F.S.; specifying what constitutes reasonable
31 costs of enforcement in a civil action against an
32 agency to enforce ch. 119, F.S.; amending s. 120.52,
33 F.S.; defining the