



723616

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
01/26/2016	.	
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The Committee on Governmental Oversight and Accountability  
(Hays) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 119.12, Florida Statutes, is amended to  
read:

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



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11 ~~shall~~ assess and award, ~~against the agency responsible,~~ the  
12 reasonable costs of enforcement, including reasonable attorney  
13 attorneys' fees, against the responsible agency. However, if the  
14 court determines that the request to inspect or copy a public  
15 record was made in bad faith or was frivolous, the court may not  
16 award any reasonable costs of enforcement, including reasonable  
17 attorney fees, against the responsible agency.

18 Section 2. This act shall take effect upon becoming a law.

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 everything before the enacting clause  
23 and insert:

24 A bill to be entitled  
25 An act relating to public records; amending s. 119.12,  
26 F.S.; specifying the circumstances under which a court  
27 may assess and award the reasonable costs of  
28 enforcement against an agency in a civil action to  
29 enforce ch. 119, F.S.; providing an effective date.