



227536

LEGISLATIVE ACTION

Senate

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House

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The Committee on Governmental Oversight and Accountability  
(Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (9) is added to section 119.07,  
Florida Statutes, to read:

119.07 Inspection and copying of records; photographing  
public records; fees; exemptions.—

(9) If an agency files an action for declaratory judgment  
for a declaration that certain public records are exempt, or



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11 confidential and exempt, from subsection (1) and s. 24(a), Art.  
12 I of the State Constitution, and the court determines that the  
13 records are either not exempt or not confidential and exempt,  
14 the court must assess the reasonable costs of enforcement,  
15 including reasonable attorney fees, against the responsible  
16 agency for the benefit of the named respondent.

17 Section 2. This act shall take effect July 1, 2019.

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

20 And the title is amended as follows:

21 Delete everything before the enacting clause

22 and insert:

23

A bill to be entitled

24 An act relating to public records; amending s. 119.07,  
25 F.S.; requiring a court to assess the reasonable costs  
26 of enforcement against an agency upon the court's  
27 determination in an action for a declaratory judgment  
28 that certain records are not subject to a public  
29 records exemption; providing an effective date.