

By Senator Stewart

13-01712-22

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1 A bill to be entitled
2 An act relating to public records; amending s. 119.07,
3 F.S.; requiring an agency or a public body that
4 receives a request to inspect or copy a record to
5 make, within a specified timeframe, such record
6 available, deny the request, or provide a certain
7 statement in writing; providing an 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. Subsection (9) of section 119.07, Florida
12 Statutes, is amended to read:

13 119.07 Inspection and copying of records; photographing
14 public records; fees; exemptions.—

15 (9) (a) After receiving a request to inspect or copy a
16 record, an agency may not respond to that request by filing an
17 action for declaratory relief against the requester to determine
18 whether the record is a public record as defined by s. 119.011,
19 or the status of the record as confidential or exempt from the
20 provisions of s. 119.07(1).

21 (b) If, after receiving a request to inspect or copy a
22 record, an agency or a public body is unable to make the record
23 immediately available for inspection and copying, the agency or
24 public body must, within 5 business days after the request:

- 25 1. Make such record available;
26 2. Deny the request; or
27 3. Provide a written statement of the time reasonably
28 necessary to determine whether the request will be granted or
29 denied and the reason for the delay.

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Section 2. This act shall take effect July 1, 2022.