

HB 1021

2016

1 A bill to be entitled

2 An act relating to public records; amending s. 119.12,  
3 F.S.; revising conditions under which the award of  
4 attorney fees is authorized in certain civil actions  
5 for enforcement of chapter 119, F.S.; providing that  
6 the award of such attorney fees is within the  
7 discretion of the court; providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Section 119.12, Florida Statutes, is amended to  
12 read:

13 119.12 Attorney ~~Attorney's~~ fees.—If a civil action is  
14 filed against an agency to enforce ~~the provisions of this~~  
15 chapter and ~~if~~ the court determines that the complainant  
16 provided written notice of the public records request to the  
17 agency's custodian of public records at least 5 business days  
18 before filing the civil action and the ~~such~~ agency unlawfully  
19 refused to permit a public record listed in the notice to be  
20 inspected or copied, the court may ~~shall~~ assess and award,  
21 against the responsible agency ~~responsible,~~ the reasonable costs  
22 of enforcement, including reasonable attorney ~~attorneys'~~ fees.

23 Section 2. This act shall take effect July 1, 2016.