

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 481 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
Representative Pilon offered the following:

**Amendment (with title amendment)**

Remove lines 261-274 and insert:

28.345 State access to records; exemption from court-  
related fees and charges.—

(1) Notwithstanding any other provision of this chapter or  
law to the contrary, the clerk of the circuit court shall  
provide without charge to the state attorney, public defender,  
guardian ad litem, public guardian, attorney ad litem, criminal  
conflict and civil regional counsel, and private court-appointed  
counsel paid by the state, and to the authorized staff acting on  
behalf of each, access to and a copy of any public record. If  
the public record is exempt or confidential, the requesting  
party is only entitled by law to view or copy the exempt or  
confidential record if authority is provided in general law or  
the Florida Rules of Judicial Administration. The clerk of the  
circuit court may provide the requested public record in an

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electronic format in lieu of a paper format when capable of being accessed by the requesting entity. For purposes of this subsection, the term "copy of a public record" means any facsimile, replica, photograph, or other reproduction of a record.

(2) Notwithstanding any other provision of this chapter or law to the contrary, judges and those court staff acting on behalf of judges, state attorneys, guardians ad litem, public guardians, attorneys ad litem, court-appointed private counsel, criminal conflict and civil regional counsel, ~~and~~ public defenders, and state agencies, while acting in their official capacity, ~~and state agencies,~~ are exempt from all court-related fees and charges assessed by the clerks of the circuit courts.

(3) The exemptions provided in subsections (1) and (2) apply only to state agencies and state entities and the party that an agency or entity is representing. The clerk of court shall collect the filing fees and services charges as required in this chapter from all other parties.

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**T I T L E   A M E N D M E N T**

Remove lines 14-16 and insert:  
providing for access to clerks files by state agencies; limiting the application of an exemption from payment of fees and charges

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47 assessed by clerks of circuit courts to official use; amending  
48 s. 50.041, F.S.; authorizing

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