

**DRAFT**  
**Proposed Fee Amendment**

Section 119.011, Florida Statutes, is amended to read:

119.011 Definitions.— For the purpose of this chapter:

(14) "Specialized electronic service or product" means the copying of public records in an electronic medium not used or maintained by an agency; providing periodic updates of an electronic file or database under contractual arrangement with a requestor; or providing information from a public record that cannot be retrieved or generated by the existing computer programs of the public agency. However, the redaction of exempt or confidential information from an electronic public record file or database as required pursuant to s. 119.07(2)(a) is not a specialized electronic service or product.

(1)(d)

Paragraph (4) section 119.07, Florida Statutes, is amended to read:

119.07(4) The custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law. If a fee is not prescribed by law, the following fees are authorized:

(a) 1. Up to 15 cents per one-side copy for duplicated copies of not more than 14 inches by 8½ inches;

2. No more than an additional 5 cents for each two-sided copy; and

3. For all other copies, the actual cost of duplication.

4. The fee for a copy of a public record in any electronic medium maintained or utilized by an agency may not exceed the actual cost of duplication.

5. The fee to be charged by an agency if it elects to provide a specialized electronic service or product, shall include the actual cost of providing the product or service, plus a reasonable portion of the costs associated with the use of the agency's information technology resources. The fee for a specialized electronic service or product may be reduced or waived for a public purpose, including public agency program support, nonprofit activities, and academic or other research. Fee reductions and waivers must be uniformly applied among persons similarly situated.

(b) The charge for copies of county maps or aerial photographs supplied by county constitutional officers may also include a reasonable charge for the labor and overhead associated with their duplication.

(c) An agency may charge up to \$1 per copy for a certified copy of a public record.

~~(d) If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.~~

(e) (d)1. Where provision of another room or place is necessary to photograph public records, the expense of providing the same shall be paid by the person desiring to photograph the public records.

2. The custodian of public records may charge the person making the photographs for reproduction services at a rate of compensation to be agreed upon by the person desiring to make the photographs and the custodian of public records. If they fail to agree as to the appropriate charge, the charge shall be determined by the custodian of public records.