

Committee on Judiciary

CS/SB 1616 — Electronic Access to Official Records

by Judiciary Committee and Senator Calatayud

The bill amends current law to make an official records search easier and more user-friendly for someone who is trying to identify adults against whom a protective injunction has been issued to protect a minor from domestic violence; repeat violence, sexual violence, or dating violence; or stalking. While the information is currently posted on “an Internet website for general public display,” the information must now be posted more conspicuously on the homepage of the official website for each county recorder or clerk of court.

The county recorder or clerk of court may satisfy the requirements of the bill by including a stand-alone link to the official records index, as long as the link is clearly identified as a link in a clear and conspicuous place on the homepage and is available for search by the general public. The link must be titled in such a manner that the user is informed that by clicking the link, he or she will be redirected to a searchable database relating to the identity of an adult for whom a final judgment for an injunction or protection of a minor has been issued.

The bill also requires that each county recorder or clerk post a “notice” on its homepage no later than 30 days after July 1, 2024. The notice alerts an affected party that he or she has a right to request that the identity of a person be added to the searchable database if the person does not appear in the database but has had a final judgment for an injunction issued against him or her. The notice must include step-by-step instructions detailing how a user can access the searchable database and search for the information.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 113-0