

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/SB 634 — Judicial Notice

by Rules Committee; Commerce and Tourism Committee; and Senator Bradley

The bill creates a process for a court to take “judicial notice” of certain information taken from mapping services, such as Google Maps. Under Florida law, judicial notice may generally be declared for certain facts “not subject to dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned” or “because they are generally known within the territorial jurisdiction of the court.”

The bill provides a process separate from the above standards for any image, map, location, distance, calculation, or other information taken from any widely accepted web mapping service, global satellite imaging site, or Internet mapping tool so long as the information in question indicates the date that it was created.

For civil cases, the bill provides a presumption that the information sought to be judicially noticed should be judicially noticed. This presumption may be overcome if the court finds that the information does not fairly and accurately portray what it is being offered to prove, or that it otherwise should not be admitted into evidence under the Florida Evidence Code. For criminal cases, the court must instruct the jury that the jury may or may not accept this information as conclusive.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 112-0