

1 A bill to be entitled
2 An act relating to public access; creating the
3 "Clerks of the Circuit Court Public Records
4 Access Act"; requiring the clerks of the
5 circuit court to make public records
6 information available on the internet by
7 January 1, 2001; providing for security;
8 providing a declaration of important state
9 purpose; amending s. 318.18, F.S.; providing a
10 funding source; providing an effecting date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Short title; required information to be
15 made accessible; security.--

16 (1) This section may be cited as the "Clerks of the
17 Circuit Court Public Records Access Act."

18 (2) No later than January 1, 2001, the clerks of the
19 circuit court of each county shall make available on the
20 internet, without additional charge or obligation to the
21 public, the following information contained in the public
22 records in possession of the clerk.

23 (a) At a minimum, a list of grantor/grantees or
24 parties, the date the relevant document was created, and the
25 book and page number of the Official Record Book or other
26 public record location where the document is entered shall be
27 provided for the following types of documents: deeds;
28 mortgages; tax deed applications; tax liens; marriage
29 licenses; orders of dissolution of marriage; real property
30 transactions; and final judgments. Such information shall be
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1 made available for records or other documents recorded since
2 1989, or longer, if such information is available.

3 (b) Adopted minutes of the board of county commission
4 meetings convened within the past 4 years.

5 (c) Agendas of future county commission meetings if
6 provided to the clerk in an electronic format.

7 (d) Information to assist domestic violence victims.
8 Such information must include instructions and assistance in
9 obtaining protective injunctions and any other information on
10 domestic violence maintained by the clerk.

11 (e) Information assisting people in obtaining child
12 support and alimony.

13 (f) Jury service information, such as time, place and
14 date of reporting, and reimbursement procedures.

15 (g) A listing of all felony criminal sentences imposed
16 during the preceding calendar year in the county in which the
17 clerk serves. This listing shall include, but not be limited
18 to, the name of the criminal case, the original charges filed
19 against the defendant, the charges of which the defendant was
20 convicted, the sentence imposed by the court, the date the
21 sentence was imposed and any vacation of the sentence.

22 (3) The clerks of the circuit court shall utilize
23 appropriate internet security measures to ensure that no
24 person has the ability to directly access public records or to
25 alter or to modify any public record. Unless otherwise
26 provided by law, no information retrieved from the internet
27 shall be admissible in court as an authenticated document.

28 Section 2. The Legislature finds that a proper and
29 legitimate state purpose is served by providing the public
30 with access to public records and information on the internet
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1 and hereby determines that the provisions of this act fulfill
2 an important state interest.

3 Section 3. Paragraph (a) of subsection (8) of section
4 318.18, Florida Statutes, is amended to read:

5 318.18 Amount of civil penalties.--The penalties
6 required for a noncriminal disposition pursuant to s. 318.14
7 are as follows:

8 (8)(a) Any person who fails to comply with the court's
9 requirements or who fails to pay the civil penalties specified
10 in this section within the 30-day period provided for in s.
11 318.14 must pay an additional civil penalty of \$12, \$2.50 of
12 which must be deposited into the General Revenue Fund, and
13 \$9.50 of which must be deposited in the Highway Safety
14 Operating Trust Fund. There is hereby appropriated from the
15 Highway Safety Operating Trust Fund for fiscal year 1996-1997
16 the amount of \$4 million. From this appropriation the
17 department shall contract with the Florida Association of
18 Court Clerks, Inc., to design, establish, operate, upgrade,
19 and maintain an automated statewide Uniform Civil Court and
20 Traffic Citation Accounting System to be operated by the
21 clerks of the court which shall include, but not be limited
22 to, the accounting for traffic infractions by type, a record
23 of the disposition of the citations, and an accounting system
24 for the fines assessed and the subsequent fine amounts paid to
25 the clerks of the court. The system shall also include civil
26 court case maintenance information and an internet means for
27 providing public access to county and court information. On
28 or before December 1, 1999, the clerks of the court must
29 provide the information required by this chapter to be
30 transmitted to the department by electronic transmission
31 pursuant to the contract. On or before January 1, 2001, the

1 clerks of the court shall provide a means to access county and
2 court information via the internet.

3 (b) Any person who fails to comply with the court's
4 requirements as to civil penalties specified in this section
5 due to demonstrable financial hardship shall be authorized to
6 satisfy such civil penalties by public works or community
7 service. Each hour of such service shall be applied, at the
8 rate of the minimum wage, toward payment of the person's civil
9 penalties; provided, however, that if the person has a trade
10 or profession for which there is a community service need and
11 application, the rate for each hour of such service shall be
12 the average standard wage for such trade or profession. Any
13 person who fails to comply with the court's requirements as to
14 such civil penalties who does not demonstrate financial
15 hardship may also, at the discretion of the court, be
16 authorized to satisfy such civil penalties by public works or
17 community service in the same manner.

18 (c) If the noncriminal infraction has caused or
19 resulted in the death of another, the person who committed the
20 infraction may perform 120 community service hours under s.
21 316.027(4), in addition to any other penalties.

22 Section 4. This act shall take effect upon becoming a
23 law.