

By the Committee on Judiciary

308-1710-99

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A bill to be entitled  
An act relating to filing of records; amending  
s. 28.07, F.S.; authorizing filing of official  
records at branch offices of the clerk of the  
circuit court; amending s. 28.222, F.S.;  
providing for time of filing of official  
records and availability of Official Records  
register; providing an effective date.

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

Section 1. Section 28.07, Florida Statutes, is amended  
to read:

28.07 Place of office.--The clerk of the circuit court  
shall keep his or her office at the county seat. If the clerk  
finds a need for branch offices, they may be located in the  
county at places other than the county seat. Instruments  
presented for recording in the Official Records may be  
accepted and filed for that purpose at any branch office  
designated by the governing body of the county for the  
recording of instruments pursuant to s. 1, Art. VIII of the  
State Constitution.One or more deputy clerks authorized to  
issue process may be employed for such branch offices. The  
Official Records ~~books~~ of the county must be kept at the  
county seat. Other records and books must be kept within the  
county but need not be kept at the county seat.

Section 2. Subsections (2) and (6) of section 28.222,  
Florida Statutes, are amended to read:

28.222 Clerk to be county recorder.--

(2) The clerk of the circuit court shall record all  
instruments in one general series of ~~books~~ called "Official

1 Records." He or she shall keep a register in which he or she  
2 shall enter at the time of filing the filing number of each  
3 instrument filed for record, the date and hour of filing, the  
4 kind of instrument, and the names of the parties to the  
5 instrument. The clerk shall maintain a general alphabetical  
6 index, direct and inverse, of all instruments filed for  
7 record. The register of Official Records must be available in  
8 each office where official records may be filed.

9 (6) All instruments recorded in the Official Records  
10 ~~books~~ shall always be open to the public, under the  
11 supervision of the clerk, for the purpose of inspection  
12 thereof and of making extracts therefrom; but the clerk shall  
13 not be required to perform any service in connection with such  
14 inspection or making of extracts without payment of service  
15 charges as provided in s. 28.24.

16 Section 3. This act shall take effect upon becoming a  
17 law.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
20 COMMITTEE SUBSTITUTE FOR  
21 SB 264

22 Restores existing statutory language in s. 28.07, F.S.,  
23 requiring that the Official Records be kept at the county seat  
24 office.  
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