

1 A bill to be entitled
2 An act relating to court records and official
3 records maintained by the clerk of the court or
4 the county recorder; providing a process for
5 removal from official records certain specified
6 armed forces military separation forms;
7 providing requirements with respect thereto;
8 requiring the county recorder to provide
9 written notice; providing for the redaction of
10 a social security number, and of a complete
11 bank account, debit, charge, or credit card
12 number that is part of a court record or
13 official record; prohibiting a person preparing
14 or filing an official record from including a
15 person's social security number or a complete
16 bank account, debit, charge, or credit card
17 number in that document unless otherwise
18 expressly required by law; providing for the
19 redaction of such information; providing for
20 the nonapplicability of subsections (3) and (4)
21 of s. 119.072, created by CS/HB 1673, passed in
22 the 2002 regular session, to clerks of the
23 court and to county recorders with regard to
24 court records and official records; repealing
25 subsection (5) of s. 119.072; providing an
26 effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

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30 Section 1. Any veteran of the United States Armed
31 Forces or his or her widow or widower, attorney, personal

1 representative, executor, or court appointed guardian has the
2 right to request that a county recorder remove from the
3 official records any of the following forms recorded before,
4 on, or after the effective date of this act, by or on behalf
5 of the requesting veteran: DD-214; DD-215; WD AGO 53; WD AGO
6 55; WD AGO 53-55; NAVMC 78-PD; and NAVPERS 553. The request
7 must specify the identification page number of the form to be
8 removed. The request shall be made in person and with
9 appropriate identification to allow determination of the
10 identity of the requested. The county recorder has no duty to
11 inquire beyond the request to verify the identity of the
12 person requesting the removal. No fee shall be charged for the
13 removal. When the request for removal is made, the county
14 recorder shall provide a written notice to the requesting
15 party that the removal of the document from the official
16 records is permanent and no further record of the document
17 will exist in the official records of the county.

18 Section 2. Paragraph (ff) of subsection (3) of section
19 119.07, Florida Statutes, is created to read:

20 119.07 Inspection, examination, and duplication of
21 records; exemptions.--

22 (3)

23 (ff)1. Until January 1, 2006, if a social security
24 number, made confidential and exempt pursuant to s. 119.072,
25 created pursuant to CS/HB 1673 passed during the 2002 regular
26 legislative session, or a complete bank account, debit,
27 charge, or credit card number made exempt pursuant to s.
28 119.07(ee), created pursuant to HB 1675 passed during the 2002
29 regular legislative session, is or has been included in a
30 court file, such number may be included as part of the court
31 record available for public inspection and copying unless

1 redaction is requested by the holder of such number, or by the
2 holder's attorney or legal guardian, in a signed, legibly
3 written request specifying the case name, case number,
4 document heading, and page number. The request must be
5 delivered by mail, facsimile, electronic transmission, or in
6 person to the clerk of the court. The clerk of the court does
7 not have a duty to inquire beyond the written request to
8 verify the identity of a person requesting redaction. A fee
9 may not be charged for the redaction of a social security
10 number or a bank account, debit, charge, or credit card number
11 pursuant to such request.

12 2. Any person who prepares or files a document to be
13 recorded in the official records by the county recorder as
14 provided in chapter 28, Florida Statutes, may not include a
15 person's social security number or complete bank account,
16 debit, charge, or credit card number in that document unless
17 otherwise expressly required by law. Until January 1, 2006, if
18 a social security number or a complete bank account, debit,
19 charge or credit card number is or has been included in a
20 document presented to the county recorder for recording in the
21 official records of the county, such number may be made
22 available as part of the official record available for public
23 inspection and copying. Any person, or his or her attorney or
24 legal guardian, may request that a county recorder remove from
25 an image or copy of an official record placed on a county
26 recorder's publicly available Internet website, or a publicly
27 available Internet website used by a county recorder to
28 display public records outside the office or otherwise made
29 electronically available outside the county recorder's office
30 to the general public, his or her social security number or
31 complete account, debit, charge, or credit card number

1 contained in that official record. Such request must be
2 legibly written, signed by the requestor, and delivered by
3 mail, facsimile, electronic transmission, or in person to the
4 county recorder. The request must specify the identification
5 page number of the document that contains the number to be
6 redacted. The county recorder does not have a duty to inquire
7 beyond the written request to verify the identity of a person
8 requesting redaction. A fee may not be charged for redacting
9 such numbers.

10 3. Upon the effective date of this act, subsections
11 (3) and (4) of s. 119.072, do not apply to the clerks of the
12 court or the county recorder with respect to court records and
13 official records.

14 4. On January 1, 2006, and thereafter, the clerk of
15 the court and the county recorder must keep complete bank
16 account, debit, charge, and credit card numbers exempt as
17 provided for in s. 119.07(3)(ee), and must keep social
18 security numbers confidential and exempt as provided for in s.
19 119.072, without any person having to request redaction.

20 Section 3. Subsection (5) of s. 119.072, created by
21 CS/HB 1673, passed in the 2002 regular session, is hereby
22 repealed.

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