

Bill No. CS for SB 2366

Barcode 551320

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity
(Argenziano) recommended the following amendment:

Senate Amendment (with title amendment)

On page 7, line 3, through
page 10, line 2, delete those lines

and insert:

d. Until January 1, 2008 ~~2007~~, if a social security
number, made confidential and exempt pursuant to this
paragraph, or a complete bank account, debit, charge, or
credit card number made exempt pursuant to paragraph (b) is or
has been included in a court file, such number may be included
as part of the court record available for public inspection
and copying unless redaction is requested by the holder of
such number, or by the holder's attorney or legal guardian, in
a signed, legibly written request specifying the case name,
case number, document heading, and page number. The request
must be delivered by mail, facsimile, electronic transmission,
or in person to the clerk of the circuit court. The clerk of
the circuit court does not have a duty to inquire beyond the

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1 written request to verify the identity of a person requesting
 2 redaction. A fee may not be charged for the redaction of a
 3 social security number or a bank account, debit, charge, or
 4 credit card number pursuant to such request. The clerk of the
 5 circuit court has no liability for the inadvertent release of
 6 confidential and exempt social security numbers, or exempt
 7 bank account, debit, charge, or credit card numbers, unknown
 8 to the clerk of the circuit court in court records filed with
 9 the clerk of the circuit court on or before January 1, 2008.

10 e. Any person who prepares or files a document to be
 11 recorded in the official records by the county recorder as
 12 provided in chapter 28 may not include a person's social
 13 security number or complete bank account, debit, charge, or
 14 credit card number in that document unless otherwise expressly
 15 required by law. Until January 1, 2008, ~~2007~~, if a social
 16 security number or a complete bank account, debit, charge, or
 17 credit card number is or has been included in a document
 18 presented to the county recorder for recording in the official
 19 records of the county, such number may be made available as
 20 part of the official record available for public inspection
 21 and copying. Any person, or his or her attorney or legal
 22 guardian, may request that a county recorder remove from an
 23 image or copy of an official record placed on a county
 24 recorder's publicly available Internet website, or a publicly
 25 available Internet website used by a county recorder to
 26 display public records outside the office or otherwise made
 27 electronically available outside the county recorder's office
 28 to the general public, his or her social security number or
 29 complete account, debit, charge, or credit card number
 30 contained in that official record. Such request must be
 31 legibly written, signed by the requester, and delivered by

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1 mail, facsimile, electronic transmission, or in person to the
 2 county recorder. The request must specify the identification
 3 page number of the document that contains the number to be
 4 redacted. The county recorder does not have a duty to inquire
 5 beyond the written request to verify the identity of a person
 6 requesting redaction. A fee may not be charged for redacting
 7 such numbers. If the county recorder accepts or stores
 8 official records in an electronic format, the county recorder
 9 must use his or her best efforts to redact all social security
 10 numbers or complete bank account, debit, charge, or credit
 11 card numbers from electronic copies of the official record.
 12 The use of an automated program for redaction shall be deemed
 13 the best effort and complies with the requirements of this
 14 sub-subparagraph. The county recorder is not liable for the
 15 inadvertent release of confidential and exempt social security
 16 numbers, or exempt bank account, debit, charge, or credit card
 17 numbers, filed with the county recorder on or before January
 18 1, 2008.

19 f. Subparagraphs 2. and 3. do not apply to the clerks
 20 of the court or the county recorder with respect to circuit
 21 court records and official records.

22 g. On January 1, 2008 ~~2007~~, and thereafter, the clerk
 23 of the circuit court and the county recorder must keep
 24 complete bank account, debit, charge, and credit card numbers
 25 exempt as provided for in paragraph (b), and must keep social
 26 security numbers confidential and exempt as provided for in
 27 subparagraph 3., without any person having to request
 28 redaction.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 6-16, delete those lines

4

5 and insert:

6 exempt information; requiring the county
7 recorder to use best efforts to redact social
8 security numbers or complete bank account,
9 debit, charge, or credit card numbers from
10 electronic copies of the official record;
11 providing that the county recorder

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