

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative Pilon offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 307-454 and insert:

7 Section 7. Subsections (2) and (3) of section 119.0714,
8 Florida Statutes, are amended to read:

9 119.0714 Court files; court records; official records.—

10 (2) COURT RECORDS.—

11 (a)1. Until January 1, 2012, if a social security number
12 or a bank account, debit, charge, or credit card number is
13 included in a court file, such number may be included as part of
14 the court record available for public inspection and copying
15 unless redaction is requested by the holder of such number or by
16 the holder's attorney or legal guardian.

17 2.~~(b)~~ A request for redaction must be a signed, legibly
18 written request specifying the case name, case number, document
19 heading, and page number. The request must be delivered by mail,

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20 facsimile, electronic transmission, or in person to the clerk of
21 the court. The clerk of the court does not have a duty to
22 inquire beyond the written request to verify the identity of a
23 person requesting redaction.

24 ~~3.(e)~~ A fee may not be charged for the redaction of a
25 social security number or a bank account, debit, charge, or
26 credit card number pursuant to such request.

27 ~~4.(d)~~ The clerk of the court has no liability for the
28 inadvertent release of social security numbers, or bank account,
29 debit, charge, or credit card numbers, unknown to the clerk of
30 the court in court records filed on or before January 1, 2012.

31 ~~5.a.(e)1.~~ On January 1, 2012, and thereafter, the clerk of
32 the court must keep social security numbers confidential and
33 exempt as provided for in s. 119.071(5) (a), and bank account,
34 debit, charge, and credit card numbers exempt as provided for in
35 s. 119.071(5) (b), without any person having to request
36 redaction.

37 ~~b.2.~~ Section 119.071(5) (a)7. and 8. does not apply to the
38 clerks of the court with respect to court records.

39 (b) A request for maintenance of a public record exemption
40 in s. 119.071(4) (d)1. made pursuant to s. 119.071(4) (d)2. must
41 specify the document type, name, identification number, and page
42 number of the court record that contains the exempt information.

43 (3) OFFICIAL RECORDS.—

44 (a)1. Any person who prepares or files a record for
45 recording in the official records as provided in chapter 28 may
46 not include in that record a social security number or a bank

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47 account, debit, charge, or credit card number unless otherwise
48 expressly required by law.

49 ~~2.a.(b)1.~~ If a social security number or a bank account,
50 debit, charge, or credit card number is included in an official
51 record, such number may be made available as part of the
52 official records available for public inspection and copying
53 unless redaction is requested by the holder of such number or by
54 the holder's attorney or legal guardian.

55 ~~b.2.~~ If such record is in electronic format, on January 1,
56 2011, and thereafter, the county recorder must use his or her
57 best effort, as provided in paragraph (h), to keep social
58 security numbers confidential and exempt as provided for in s.
59 119.071(5) (a), and to keep complete bank account, debit, charge,
60 and credit card numbers exempt as provided for in s.
61 119.071(5) (b), without any person having to request redaction.

62 ~~c.3.~~ Section 119.071(5) (a)7. and 8. does not apply to the
63 county recorder with respect to official records.

64 ~~3.(e)~~ The holder of a social security number or a bank
65 account, debit, charge, or credit card number, or the holder's
66 attorney or legal guardian, may request that a county recorder
67 redact from an image or copy of an official record placed on a
68 county recorder's publicly available Internet website or on a
69 publicly available Internet website used by a county recorder to
70 display public records, or otherwise made electronically
71 available to the public, his or her social security number or
72 bank account, debit, charge, or credit card number contained in
73 that official record.

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74 ~~4.(d)~~ A request for redaction must be a signed, legibly
75 written request and must be delivered by mail, facsimile,
76 electronic transmission, or in person to the county recorder.
77 The request must specify the identification page number of the
78 record that contains the number to be redacted.

79 ~~5.(e)~~ The county recorder does not have a duty to inquire
80 beyond the written request to verify the identity of a person
81 requesting redaction.

82 ~~6.(f)~~ A fee may not be charged for redacting a social
83 security number or a bank account, debit, charge, or credit card
84 number.

85 ~~7.(g)~~ A county recorder shall immediately and
86 conspicuously post signs throughout his or her offices for
87 public viewing, and shall immediately and conspicuously post on
88 any Internet website or remote electronic site made available by
89 the county recorder and used for the ordering or display of
90 official records or images or copies of official records, a
91 notice stating, in substantially similar form, the following:

92 ~~a.1.~~ On or after October 1, 2002, any person preparing or
93 filing a record for recordation in the official records may not
94 include a social security number or a bank account, debit,
95 charge, or credit card number in such document unless required
96 by law.

97 ~~b.2.~~ Any person has a right to request a county recorder
98 to remove from an image or copy of an official record placed on
99 a county recorder's publicly available Internet website or on a
100 publicly available Internet website used by a county recorder to
101 display public records, or otherwise made electronically

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102 available to the general public, any social security number
103 contained in an official record. Such request must be made in
104 writing and delivered by mail, facsimile, or electronic
105 transmission, or delivered in person, to the county recorder.
106 The request must specify the identification page number that
107 contains the social security number to be redacted. A fee may
108 not be charged for the redaction of a social security number
109 pursuant to such a request.

110 ~~8.(h)~~ If the county recorder accepts or stores official
111 records in an electronic format, the county recorder must use
112 his or her best efforts to redact all social security numbers
113 and bank account, debit, charge, or credit card numbers from
114 electronic copies of the official record. The use of an
115 automated program for redaction shall be deemed to be the best
116 effort in performing the redaction and shall be deemed in
117 compliance with the requirements of this subsection.

118 ~~9.(i)~~ The county recorder is not liable for the
119 inadvertent release of social security numbers, or bank account,
120 debit, charge, or credit card numbers, filed with the county
121 recorder.

122 (b) A request for maintenance of a public record exemption
123 in s. 119.071(4)(d)1. made pursuant to s. 119.071(4)(d)2. must
124 specify the document type, name, identification number, and page
125 number of the official record that contains the exempt
126 information.

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

Remove line 19 and insert:

publication affidavits; amending s. 119.0714, F.S.;