



283512

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2016	.	
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	.	

The Committee on Judiciary (Soto) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 90
and insert:
to matters or cases governed by the Florida ~~Rules of~~ Family Law
Rules of Procedure, the Florida Rules of Juvenile Procedure, or
the Florida Probate Rules.

(b) Any records specified in this subsection made available
by the county recorder or clerk of the court on a publicly
available ~~Internet~~ website for general public display before
~~prior to~~ June 5, 2002, must be removed if the affected party



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12 identifies the record and requests that it be removed. Such
13 request must be in writing and delivered by mail, facsimile, or
14 electronic transmission, or in person to the county recorder or
15 clerk of the court. The request must specify the identification
16 page number of the document to be removed. A ~~No~~ fee may not be
17 charged for the removal of a document pursuant to such request.

18 (c) No later than 30 days after June 5, 2002, notice of the
19 right of any affected party to request removal of records
20 pursuant to this subsection shall be conspicuously and clearly
21 displayed by the county recorder or clerk of the court on the
22 publicly available ~~Internet~~ website on which images or copies of
23 the county's public records are placed and in the office of each
24 county recorder or clerk of the court. In addition, no later
25 than 30 days after June 5, 2002, the county recorder or the
26 clerk of the court must have published, on two separate dates, a
27 notice of such right in a newspaper of general circulation in
28 the county where the county recorder's office is located as
29 provided for in chapter 50. Such notice must contain appropriate
30 instructions for making the removal request in person, by mail,
31 by facsimile, or by electronic transmission. The notice shall
32 state, in substantially similar form, that any person has a
33 right to request that a county recorder or clerk of the court
34 remove an image or copy of a public record, including an
35 official record, from a publicly available ~~Internet~~ website if
36 that image or copy is of a military discharge; a death
37 certificate; or a court file, record, or paper relating to
38 matters or cases governed by the Florida ~~Rules of Family Law~~
39 Rules of Procedure, the Florida Rules of Juvenile Procedure, or
40 the Florida Probate Rules. Such request must be made in writing



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41 and delivered by mail, facsimile, or electronic transmission, or
42 in person to the county recorder or clerk of the court. The
43 request must identify the document identification page number of
44 the document to be removed. A ~~No~~ fee may not ~~will~~ be charged for
45 the removal of a document pursuant to such request.

46 (d) Any affected person may petition the circuit court for
47 an order directing compliance with this subsection.

48 (e) By January 1, 2006, each county recorder or clerk of
49 the court shall provide for electronic retrieval, at a minimum,
50 of images of documents referenced as the index required to be
51 maintained on the county's official records website by this
52 section.

53 (f)1. A public record that relates to a matter or case
54 governed by the Florida Family Law Rules of Procedure which may
55 not be placed on a publicly available website or which must be
56 removed from such a website pursuant to this subsection is
57 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
58 of the State Constitution.

59 2. This paragraph is subject to the Open Government Sunset
60 Review Act in accordance with s. 119.15 and shall stand repealed
61 on October 2, 2021, unless reviewed and saved from repeal
62 through reenactment by the Legislature.

63 Section 2. The Legislature finds that it is a public
64 necessity that a public record that relates to a matter or case
65 governed by the Florida Family Law Rules of Procedure which may
66 not be

67
68
69 ===== T I T L E A M E N D M E N T =====



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70 And the title is amended as follows:
71 Delete line 6
72 and insert:
73 by the Florida Family Law Rules of Procedure;
74 providing for