

1                                   A bill to be entitled  
 2           An act relating to court records of eviction  
 3           proceedings; creating s. 83.626, F.S.; authorizing  
 4           tenants and mobile home owners who are defendants in  
 5           certain eviction proceedings to file a motion with the  
 6           court to have the records of such proceedings sealed  
 7           and to have their names substituted on the progress  
 8           docket under certain conditions; requiring the court  
 9           to grant such motions if certain requirements are met;  
 10          requiring the court to substitute a defendant's name  
 11          on the progress docket if a judgment is entered in  
 12          favor of the defendant; prohibiting the court from  
 13          charging certain fees; providing retroactive  
 14          applicability; providing an effective date.

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

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 18           Section 1.   Section 83.626, Florida Statutes, is created to  
 19   read:

20           83.626 Court records of eviction proceedings.-  
 21           (1) A tenant or mobile home owner who is a defendant in an  
 22           eviction proceeding under this part or s. 723.061 may file a  
 23           motion with the court to have the records of such proceeding  
 24           sealed and to have his or her name substituted with "tenant" on  
 25           the progress docket if any of the following conditions are

26 satisfied:

27 (a) The parties file a joint stipulation requesting relief  
28 under this section.

29 (b) The case was dismissed.

30 (c) The case was resolved by settlement or stipulation of  
31 the parties and the defendant has complied with the terms of the  
32 agreement.

33 (d) A default judgment was entered against the defendant,  
34 and the defendant has satisfied any monetary award included in  
35 the judgment.

36 (e) A judgment was entered against the defendant on the  
37 merits at least 5 years before the motion was filed under this  
38 subsection, and the tenant has satisfied any monetary award  
39 included in the judgment.

40 (2)(a) The court shall grant such motion without a hearing  
41 if the requirements in paragraph (1)(a) or paragraph (1)(b) are  
42 satisfied.

43 (b) If the defendant files a motion on the basis of  
44 paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e) being  
45 satisfied, the defendant must also serve a copy of the motion on  
46 all parties to the proceeding. If a written objection is filed  
47 within 30 days after such service, the court must schedule a  
48 hearing. If no written objection is filed within 30 days after  
49 service of the motion or the court determines after a hearing  
50 that the defendant is eligible for relief, the court must grant

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51 the motion.

52 (3) In an eviction proceeding under this part or s.  
53 723.061, the court must substitute a defendant's name on the  
54 progress docket with "tenant" if a judgment is entered in favor  
55 of the defendant.

56 (4) The court may not charge a fee as a result of a  
57 defendant filing a motion under this section.

58 (5) This section applies to any judgment entered before,  
59 on, or after July 1, 2021.

60 Section 2. This act shall take effect July 1, 2021.