

Amendment No.1

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WITHDRAWN	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: Civil Justice & Property
2 Rights Subcommittee
3 Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. This law shall be called "Serena's Law."

8 Section 2. Subsection (6) is added to section 28.2221,

9 Florida Statutes, to read:

10 28.2221 Electronic access to official records.-

11 (6) (a) Each county recorder or clerk of the court must
12 make the identity of each defendant or respondent against whom a
13 protective injunction under s. 741.30, s. 784.046, or s.
14 784.0485 is entered, as well as the fact that a protective
15 injunction under s. 741.30, s. 784.046, or s. 784.0485 has been
16 entered against that defendant or respondent, publicly available

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17 on an Internet website for general public display, unless the
18 defendant or respondent is a minor.

19 (b) Any information specified in this subsection not made
20 available by the county recorder or clerk of the court on a
21 publicly available Internet website for general public display
22 before July 1, 2021, must be made publicly available if the
23 affected party identifies the information and requests that it
24 be made publicly available. Such request must be in writing and
25 delivered by mail, facsimile, or electronic transmission or in
26 person to the county recorder or clerk of the court. The request
27 must specify the case number assigned to the protective
28 injunction. A fee may not be charged for the addition of
29 information pursuant to such request.

30 (c) No later than 30 days after July 1, 2021, notice of
31 the right of any affected party to request the addition of
32 information pursuant to this subsection shall be conspicuously
33 and clearly displayed by the county recorder or clerk of the
34 court on the publicly available Internet website on which images
35 or copies of the county's public records are placed and in the
36 office of each county recorder or clerk of the court. Such
37 notice must contain appropriate instructions for making the
38 addition request in person, by mail, by facsimile, or by
39 electronic transmission. The notice must state, in substantially
40 similar form, that any person has a right to request that a
41 county recorder or clerk of the court add information to a

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42 publicly available Internet website if that information involves
43 the identity of a defendant or respondent against whom a
44 protective injunction is entered, unless the defendant or
45 respondent is a minor. Such request must be made in writing and
46 delivered by mail, facsimile, or electronic transmission or in
47 person to the county recorder or clerk of the court. The request
48 must specify the case number assigned to the protective
49 injunction. A fee may not be charged for the addition of a
50 document pursuant to such request.

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

53 Section 3. Section 28.29, Florida Statutes, is amended to
54 read:

55 28.29 Recording of orders and judgments.—Orders of
56 dismissal and final judgments of the courts in civil actions,
57 including final judgments for injunctions for protection as
58 defined in chapters 741 and 784, must ~~shall~~ be recorded in
59 official records. Other orders must ~~shall~~ be recorded only on
60 written direction of the court. The direction may be by
61 incorporation in the order of the words "To be recorded in
62 official records" or words to that effect. Failure to record an
63 order or judgment does ~~shall~~ not affect its validity. The
64 certified copy of a judgment, required under s. 55.10 to become
65 a lien on real property, shall be recorded only when presented
66 for recording with the statutory service charge.

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67 Section 4. This act shall take effect July 1, 2021.

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

71 Remove everything before the enacting clause and insert:
72 An act relating to public records; providing a short title;
73 amending s. 28.2221, F.S.; requiring each county recorder or
74 clerk of the court to make publicly available on an Internet
75 website the identity of a defendant or respondent against whom a
76 protective injunction is entered, as well as the fact that the
77 injunction has been entered; providing an exception; providing
78 for certain persons to request that such information be made
79 available on the public website; requiring county recorders or
80 clerks of the court to post such notices on the website and in
81 the office of each county recorder or clerk of the court;
82 specifying what must be included in notices; authorizing certain
83 persons to petition for compliance in the circuit court;
84 amending s. 28.29, F.S.; requiring that final judgments for
85 injunctions for protection be recorded in official records;
86 providing an effective date.