

1 A bill to be entitled
 2 An act relating to public records; providing a short
 3 title; amending s. 28.2221, F.S.; requiring each
 4 county recorder or clerk of the court to make publicly
 5 available on an Internet website the identity of a
 6 defendant or respondent against whom a protective
 7 injunction is entered, as well as the fact that the
 8 injunction has been entered; providing an exception;
 9 providing that such information must be made publicly
 10 available on an Internet website if a certain person
 11 makes a request in a specified manner; requiring each
 12 county recorder or clerk of the court to post a
 13 certain notice on the Internet website and in the
 14 office of the county recorder or clerk of the court;
 15 authorizing certain persons to petition the circuit
 16 court for compliance; amending s. 28.29, F.S.;
 17 requiring that final judgments for injunctions for
 18 protection be recorded in official records; providing
 19 an effective date.

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

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 23 Section 1. This act may be cited as "Serena's Law."
 24 Section 2. Subsection (6) is added to section 28.2221,
 25 Florida Statutes, to read:

26 28.2221 Electronic access to official records.—

27 (6) (a) Each county recorder or clerk of the court must
28 make the identity of each defendant or respondent against whom a
29 protective injunction under s. 741.30, s. 784.046, or s.
30 784.0485 is entered, as well as the fact that a protective
31 injunction under s. 741.30, s. 784.046, or s. 784.0485 has been
32 entered against that defendant or respondent, publicly available
33 on an Internet website for general public display, unless the
34 defendant or respondent is a minor.

35 (b) Any information specified in this subsection not made
36 available by the county recorder or clerk of the court on a
37 publicly available Internet website for general public display
38 before July 1, 2021, must be made publicly available on an
39 Internet website if the affected party identifies the
40 information and requests that such information be added to a
41 publicly available Internet website for general public display.
42 Such request must be in writing and delivered by mail,
43 facsimile, or electronic transmission or in person to the county
44 recorder or clerk of the court. The request must specify the
45 case number assigned to the protective injunction. A fee may not
46 be charged for the addition of information pursuant to such
47 request.

48 (c) No later than 30 days after July 1, 2021, notice of
49 the right of any affected party to request the addition of
50 information to a publicly available Internet website pursuant to

51 this subsection shall be conspicuously and clearly displayed by
52 the county recorder or clerk of the court on the publicly
53 available Internet website on which images or copies of the
54 county's public records are placed and in the office of each
55 county recorder or clerk of the court. Such notice must contain
56 appropriate instructions for making the addition request in
57 person, by mail, by facsimile, or by electronic transmission.
58 The notice must state, in substantially similar form, that any
59 person has a right to request that a county recorder or clerk of
60 the court add information to a publicly available Internet
61 website if that information involves the identity of a defendant
62 or respondent against whom a protective injunction is entered,
63 unless the defendant or respondent is a minor. Such request must
64 be made in writing and delivered by mail, facsimile, or
65 electronic transmission or in person to the county recorder or
66 clerk of the court. The request must specify the case number
67 assigned to the protective injunction. A fee may not be charged
68 for the addition of a document pursuant to such request.

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

71 Section 3. Section 28.29, Florida Statutes, is amended to
72 read:

73 28.29 Recording of orders and judgments.—Orders of
74 dismissal and final judgments of the courts in civil actions,
75 including final judgments for injunctions for protection as

76 | provided in chapters 741 and 784, must ~~shall~~ be recorded in
77 | official records. Other orders must ~~shall~~ be recorded only on
78 | written direction of the court. The direction may be by
79 | incorporation in the order of the words "To be recorded in
80 | official records" or words to that effect. Failure to record an
81 | order or judgment does ~~shall~~ not affect its validity. The
82 | certified copy of a judgment, required under s. 55.10 to become
83 | a lien on real property, shall be recorded only when presented
84 | for recording with the statutory service charge.

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