

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 final judgment
7 for an injunction for protection is entered, as well
8 as the fact that the final judgment for an injunction
9 for protection has been entered; providing an
10 exception; providing that such information must be
11 made publicly available on an Internet website if a
12 certain person makes a request in a specified manner;
13 requiring each county recorder or clerk of the court
14 to post a certain notice on the Internet website and
15 in the office of the county recorder or clerk of the
16 court; authorizing certain persons to petition the
17 circuit court for compliance; amending s. 28.29, F.S.;
18 requiring that final judgments for injunctions for
19 protection be recorded in official records; providing
20 an effective date.

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

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24 Section 1. This act may be cited as "Serena's Law."

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

26 Florida Statutes, to read:

27 28.2221 Electronic access to official records.—

28 (6) (a) Each county recorder or clerk of the court must
29 make the identity of each defendant or respondent against whom a
30 final judgment for an injunction for protection under s. 741.30,
31 s. 784.046, or s. 784.0485 is entered, as well as the fact that
32 a final judgment for an injunction for protection under s.
33 741.30, s. 784.046, or s. 784.0485 has been entered against that
34 defendant or respondent, publicly available on an Internet
35 website for general public display, which may include the
36 Internet website required by this section, unless the defendant
37 or respondent is a minor.

38 (b) Any information specified in this subsection not made
39 available by the county recorder or clerk of the court on a
40 publicly available Internet website for general public display
41 before July 1, 2021, must be made publicly available on an
42 Internet website if the affected party identifies the
43 information and requests that such information be added to a
44 publicly available Internet website for general public display.
45 Such request must be in writing and delivered by mail,
46 facsimile, or electronic transmission or in person to the county
47 recorder or clerk of the court. The request must specify the
48 case number assigned to the final judgment for an injunction for
49 protection under s. 741.30, s. 784.046, or s. 784.0485. A fee
50 may not be charged for the addition of information pursuant to

51 such request.

52 (c) No later than 30 days after July 1, 2021, notice of
53 the right of any affected party to request the addition of
54 information to a publicly available Internet website pursuant to
55 this subsection shall be conspicuously and clearly displayed by
56 the county recorder or clerk of the court on the publicly
57 available Internet website on which images or copies of the
58 county's public records are placed and in the office of each
59 county recorder or clerk of the court. Such notice must contain
60 appropriate instructions for making the addition request in
61 person, by mail, by facsimile, or by electronic transmission.
62 The notice must state, in substantially similar form, that any
63 person has a right to request that a county recorder or clerk of
64 the court add information to a publicly available Internet
65 website if that information involves the identity of a defendant
66 or respondent against whom a final judgment for an injunction
67 for protection under s. 741.30, s. 784.046, or s. 784.0485 is
68 entered, unless the defendant or respondent is a minor. Such
69 request must be made in writing and delivered by mail,
70 facsimile, or electronic transmission or in person to the county
71 recorder or clerk of the court. The request must specify the
72 case number assigned to the final judgment for an injunction for
73 protection under s. 741.30, s. 784.046, or s. 784.0485. A fee
74 may not be charged for the addition of a document pursuant to
75 such request.

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

78 Section 3. Section 28.29, Florida Statutes, is amended to
79 read:

80 28.29 Recording of orders and judgments.—Orders of
81 dismissal and final judgments of the courts in civil actions,
82 including final judgments for injunctions for protection as
83 provided in chapters 741 and 784, must ~~shall~~ be recorded in
84 official records. Other orders must ~~shall~~ be recorded only on
85 written direction of the court. The direction may be by
86 incorporation in the order of the words "To be recorded in
87 official records" or words to that effect. Failure to record an
88 order or judgment does ~~shall~~ not affect its validity. The
89 certified copy of a judgment, required under s. 55.10 to become
90 a lien on real property, shall be recorded only when presented
91 for recording with the statutory service charge.

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