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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2021	.	
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The Committee on Criminal Justice (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

Section 2. Subsection (6) is added to section 28.2221,
Florida Statutes, to read:

28.2221 Electronic access to official records.—

(6) (a) Each county recorder or clerk of the court must make
the identity of each defendant or respondent against whom a



11 protective injunction under s. 741.30, s. 784.046, or s.
12 784.0485 is entered as well as the fact that a protective
13 injunction under s. 741.30, s. 784.046, or s. 784.0485 has been
14 entered against that defendant or respondent publicly available
15 on an Internet website for general public display, unless the
16 defendant or respondent is a minor.

17 (b) Any information specified in this subsection not made
18 available by the county recorder or clerk of the court on a
19 publicly available Internet website for general public display
20 prior to July 1, 2021, must be made publicly available if the
21 affected party identifies the information and requests that it
22 be made publicly available. Such request must be in writing and
23 delivered by mail, facsimile, or electronic transmission, or in
24 person to the county recorder or clerk of the court. The request
25 must specify the case number assigned to the protective
26 injunction. No fee may be charged for the addition of
27 information pursuant to such request.

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



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40 information to a publicly available Internet website if that
41 information involves the identity of a defendant or respondent
42 against whom a protective injunction is entered, unless the
43 defendant or respondent is a minor. Such request must be made in
44 writing and delivered by mail, facsimile, or electronic
45 transmission, or in person to the county recorder or clerk of
46 the court. The request must specify the case number assigned to
47 the protective injunction. No fee will be charged for the
48 addition of a document pursuant to such request.

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

51 Section 3. Section 28.29, Florida Statutes, is amended to
52 read:

53 28.29 Recording of orders and judgments.—Orders of
54 dismissal and final judgments of the courts in civil actions,
55 including final judgments for injunctions for protection as
56 defined in chapters 781 and 784, must ~~shall~~ be recorded in
57 official records. Other orders must ~~shall~~ be recorded only on
58 written direction of the court. The direction may be by
59 incorporation in the order of the words “To be recorded in
60 official records” or words to that effect. Failure to record an
61 order or judgment shall not affect its validity. The certified
62 copy of a judgment, required under s. 55.10 to become a lien on
63 real property, shall be recorded only when presented for
64 recording with the statutory service charge.

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

66
67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:



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69 Delete everything before the enacting clause
70 and insert:

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