

Amendment No. 1S

17 inspection by the public. Official records of that case are
18 confidential and exempt from s. 119.07 and s. 24(a), Art. I of
19 the State Constitution and must be protected. For the purposes
20 of this section, "official records" means the docket and all
21 filings and other records of the case.

22 (2) Notwithstanding subsection (1), official records may
23 be inspected upon order of the court by persons deemed by the
24 court to have a specific interest in the trust, a transaction
25 relating to the trust, or an asset held or previously held by
26 the trust and where the court determines there is a compelling
27 need for releasing the information requested. In granting a
28 right to any person to inspect official records, the court may
29 limit access to such information as the court deems necessary to
30 protect such person's interest and may place any reasonable
31 restriction on further distribution of such information by such
32 person.

33 (3) Notwithstanding subsection (1), the clerk shall make
34 official records available to the following individuals:

35 (a) The settlor.

36 (b) Any fiduciary for the trust, including a trustee or
37 trust director.

38 (c) Any beneficiary of the trust.

39 (d) An attorney for the settlor, a fiduciary, or a
40 beneficiary of the trust.

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41 Section 2. The Legislature finds that it is a public
42 necessity that the official records of proceedings under chapter
43 736 or chapter 738 involving family trust companies, licensed
44 family trust companies, or foreign licensed family trust
45 companies be made confidential and exempt from s. 119.07 and s.
46 24(a), Article I of the State Constitution. Public disclosure of
47 the official records of such proceedings, which include
48 information relating to the clients, family members, members, or
49 stockholders of a family trust company, licensed family trust
50 company, or foreign licensed family trust company would vitiate
51 other protections granted by law to such companies and their
52 constituents. In addition, proceedings under chapter 736 or
53 chapter 738 often involve large sums of money or vulnerable
54 people who could be targeted for exploitation or abuse. Public
55 disclosure of sensitive family and financial information
56 contained in the official records of such proceedings can result
57 in specific harm to beneficiaries and other interested parties
58 in these cases. Therefore, the Legislature finds that the need
59 to protect the identities of beneficiaries of trusts for which a
60 family trust company, licensed family trust company, or foreign
61 licensed family trust company is a trustee and the sensitive
62 financial information contained in the official records of such
63 proceedings is sufficiently compelling to override the state's
64 public policy of open government and that the protection of such
65 information cannot be accomplished without this exemption.

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66 Section 3. This act shall take effect July 1, 2022.

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

70 Remove everything before the enacting clause and insert:

71 An act relating to public records; creating s. 662.1465, F.S.;
72 making the official records of proceedings under chapter 736 or
73 chapter 738 in which a family trust company, licensed family
74 trust company, or foreign licensed family trust company is a
75 party confidential and exempt from public records requirements;
76 providing exceptions; providing a statement of public necessity;
77 providing an effective date.