

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WITHDRAWN	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: Judiciary Committee
2 Representative Robinson, W. offered the following:

Amendment (with title amendment)

Remove lines 39-52 and insert:

6 (b) In civil cases there is a rebuttable presumption that
7 information sought to be judicially noticed pursuant to this
8 section should be judicially noticed. The rebuttable presumption
9 may be overcome if the court finds by the greater weight of the
10 evidence that the information does not fairly and accurately
11 portray what it is being offered to prove or that it otherwise
12 should not be admitted into evidence under the Florida Evidence
13 Code.

14 (c) If the court overrules the objection, the court must
15 take judicial notice of the information and admit the
16 information into evidence.

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17 (3) In criminal cases the court must instruct the jury
18 that it may or may not accept the noticed fact as conclusive.

19 (4) This section does not affect, expand, or limit
20 standards for any matters that may otherwise be judicially
21 noticed.

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

25 Remove lines 11-12 and insert:

26 such information; creating a rebuttable presumption in civil
27 cases; providing jury instructions for criminal cases; providing
28 construction; providing an effective date.