

1                                   A bill to be entitled  
 2           An act relating to judicial notice; creating s.  
 3           90.2035, F.S.; authorizing courts to take judicial  
 4           notice of certain information taken from widely  
 5           accepted web mapping services, global satellite  
 6           imaging sites, or Internet mapping tools upon request  
 7           of a party; requiring parties intending to offer such  
 8           information in evidence to file notice of such intent  
 9           containing specified information; authorizing parties  
 10          to object to the court's taking judicial notice of  
 11          such information; creating a rebuttable presumption;  
 12          providing construction; providing an effective date.

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

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 16           Section 1.   Section 90.2035, Florida Statutes, is created  
 17   to read:

18           90.2035   Judicial notice of information taken from web  
 19   mapping services, global satellite imaging sites, or Internet  
 20   mapping tools.-

21           (1)(a)   Upon request of a party, a court may take judicial  
 22   notice of an image, map, location, distance, calculation, or  
 23   other information taken from a widely accepted web mapping  
 24   service, global satellite imaging site, or Internet mapping  
 25   tool, if such image, map, location, distance, calculation, or

26 other information indicates the date on which the information  
27 was created.

28 (b) A party intending to offer such information in  
29 evidence at trial or at a hearing must file notice of such  
30 intent within a reasonable time, or as defined by court order,  
31 which notice must include a copy of the information and specify  
32 the Internet address or pathway where such information may be  
33 accessed and inspected.

34 (2)(a) A party may object to the court's taking judicial  
35 notice of the image, map, location, distance, calculation, or  
36 other information taken from a widely accepted web mapping  
37 service, global satellite imaging site, or Internet mapping tool  
38 within a reasonable time or as defined by court order.

39 (b) There is a rebuttable presumption that information  
40 sought to be judicially noticed pursuant to this section should  
41 be judicially noticed. The rebuttable presumption may be  
42 overcome if the court finds by the greater weight of the  
43 evidence that the information does not fairly and accurately  
44 portray what it is being offered to prove or that it otherwise  
45 should not be admitted into evidence under the Florida Evidence  
46 Code.

47 (c) If the court overrules the objection, the court must  
48 take judicial notice of the information and admit the  
49 information into evidence.

50 (3) This section does not affect, expand, or limit

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51 standards for any matters that may otherwise be judicially  
52 noticed.

53 Section 2. This act shall take effect July 1, 2022.