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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/05/2023	.	
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The Committee on Governmental Oversight and Accountability  
(Collins) recommended the following:

**Senate Amendment**

Delete lines 290 - 370  
and insert:  
119.07(1) and s. 24(a), Art. I of the State Constitution. This  
sub-subparagraph is subject to the Open Government Sunset Review  
Act in accordance with s. 119.15 and shall stand repealed on  
October 2, 2028, unless reviewed and saved from repeal through  
reenactment by the Legislature.

3. An agency that is the custodian of the information



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11 specified in subparagraph 2. and that is not the employer of the  
12 officer, employee, justice, judge, or other person specified in  
13 subparagraph 2. must maintain the exempt status of that  
14 information only if the officer, employee, justice, judge, other  
15 person, or employing agency of the designated employee submits a  
16 written and notarized request for maintenance of the exemption  
17 to the custodial agency. The request must state under oath the  
18 statutory basis for the individual's exemption request and  
19 confirm the individual's status as a party eligible for exempt  
20 status.

21 4.a. A county property appraiser, as defined in s.  
22 192.001(3), or a county tax collector, as defined in s.  
23 192.001(4), who receives a written and notarized request for  
24 maintenance of the exemption pursuant to subparagraph 3. must  
25 comply by removing the name of the individual with exempt status  
26 and the instrument number or Official Records book and page  
27 number identifying the property with the exempt status from all  
28 publicly available records maintained by the property appraiser  
29 or tax collector. For written requests received on or before  
30 July 1, 2021, a county property appraiser or county tax  
31 collector must comply with this sub-subparagraph by October 1,  
32 2021. A county property appraiser or county tax collector may  
33 not remove the street address, legal description, or other  
34 information identifying real property within the agency's  
35 records so long as a name or personal information otherwise  
36 exempt from inspection and copying pursuant to this section are  
37 not associated with the property or otherwise displayed in the  
38 public records of the agency.

39 b. Any information restricted from public display,



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40 inspection, or copying under sub-subparagraph a. must be  
41 provided to the individual whose information was removed.

42 5. An officer, an employee, a justice, a judge, or other  
43 person specified in subparagraph 2. may submit a written request  
44 for the release of his or her exempt information to the  
45 custodial agency. The written request must be notarized and must  
46 specify the information to be released and the party authorized  
47 to receive the information. Upon receipt of the written request,  
48 the custodial agency must release the specified information to  
49 the party authorized to receive such information.

50 6. The exemptions in this paragraph apply to information  
51 held by an agency before, on, or after the effective date of the  
52 exemption.

53 7. Information made exempt under this paragraph may be  
54 disclosed pursuant to s. 28.2221 to a title insurer authorized  
55 pursuant to s. 624.401 and its affiliates as defined in s.  
56 624.10; a title insurance agent or title insurance agency as  
57 defined in s. 626.841(1) or (2), respectively; or an attorney  
58 duly admitted to practice law in this state and in good standing  
59 with The Florida Bar.

60 8. The exempt status of a home address contained in the  
61 Official Records is maintained only during the period when a  
62 protected party resides at the dwelling location. Upon  
63 conveyance of real property after October 1, 2021, and when such  
64 real property no longer constitutes a protected party's home  
65 address as defined in sub-subparagraph 1.a., the protected party  
66 must submit a written request to release the removed information  
67 to the county recorder. The written request to release the  
68 removed information must be notarized, must confirm that a



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69 protected party's request for release is pursuant to a  
70 conveyance of his or her dwelling location, and must specify the  
71 Official Records book and page, instrument number, or clerk's  
72 file number for each document containing the information to be  
73 released.

74 9. Upon the death of a protected party as verified by a  
75 certified copy of a death certificate or court order, any party  
76 can request the county recorder to release a protected  
77 decedent's removed information unless there is a related request  
78 on file with the county recorder for continued removal of the  
79 decedent's information or unless such removal is otherwise  
80 prohibited by statute or by court order. The written request to  
81 release the removed information upon the death of a protected  
82 party must attach the certified copy of a death certificate or  
83 court order and must be notarized, must confirm the request for  
84 release is due to the death of a protected party, and must  
85 specify the Official Records book and page number, instrument  
86 number, or clerk's file number for each document containing the  
87 information to be released. A fee may not be charged for the  
88 release of any document pursuant to such request.

89 10. Except as otherwise expressly provided in this  
90 paragraph, this paragraph is subject to the Open Government  
91 Sunset