A bill to be entitled

An act relating to electronic access to official records; amending s. 28.2221, F.S.; requiring the county recorder or clerk of the court to make certain information publicly available through a searchable database on the county recorder's or clerk of the court's official website; authorizing such requirement to be satisfied by providing a link to the official records index; providing requirements for such link; providing requirements for certain notices; providing an effective date.

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

Section 1. Subsection (8) of section 28.2221, Florida Statutes, is amended to read:

28.2221 Electronic access to official records.—

(8)(a) Each county recorder or clerk of the court must make the identity of each respondent against whom a final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485 is entered, as well as the fact that a final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485 has been entered against that respondent, publicly available on the county recorder's or clerk of the court's official website ~~an~~

26 ~~Internet website for general public display, which may include~~
27 ~~the Internet website required by this section~~, unless the
28 respondent is a minor. The identity and information required
29 under this subsection must be viewable through a searchable
30 database that is available in a clear and conspicuous location
31 on the homepage of the county recorder's or clerk of the court's
32 official website and must be available for search by the general
33 public.
34 (b) The requirement in paragraph (a) may be satisfied by
35 providing a stand-alone link to the official records index. The
36 link must be located in a clear and conspicuous location on the
37 homepage of the county recorder's or clerk of the court's
38 official website and must be available for search by the general
39 public. The link must be titled in a manner that clearly informs
40 the user that by clicking the link, the user will be redirected
41 to a searchable database on which information available pursuant
42 to this subsection relating to the identity of a respondent
43 against whom a final judgment for injunction for the protection
44 of a minor can be found.
45 (c) ~~(b)~~ Any information specified in this subsection not
46 made available by the county ~~recorder or~~ clerk of the court as
47 provided in this subsection ~~on a publicly available Internet~~
48 ~~website for general public display~~ before July 1, 2024 ~~2021~~,
49 must be made publicly available on the county recorder's or
50 clerk of the court's official ~~an Internet~~ website if the

51 affected party identifies the information and requests that such
52 information be added ~~to a publicly available Internet website~~
53 for general public display. Such request must be in writing and
54 delivered by mail, facsimile, or electronic transmission or in
55 person to the county recorder or clerk of the court. The request
56 must specify the case number assigned to the final judgment for
57 an injunction for the protection of a minor under s. 741.30, s.
58 784.046, or s. 784.0485. A fee may not be charged for the
59 addition of information pursuant to such request.
60 (d) ~~(c)~~ No later than 30 days after July 1, 2024 ~~2021~~,
61 notice of the right of any affected party to request the
62 addition of information to the searchable database on the county
63 recorder's or clerk of the court's official ~~a publicly available~~
64 ~~Internet~~ website pursuant to this subsection must ~~shall~~ be
65 conspicuously and clearly displayed by the county recorder or
66 clerk of the court on the county recorder's or clerk of the
67 court's official ~~publicly available Internet~~ website on which
68 images or copies of the county's public records are placed and
69 in the office of each county recorder or clerk of the court.
70 Such notice must contain appropriate instructions for making the
71 addition of information request in person, by mail, by
72 facsimile, or by electronic transmission. The notice must state,
73 in substantially similar form, that any person has a right to
74 request that a county recorder or clerk of the court add
75 information to the searchable database on the county recorder's

76 or clerk of the court's official ~~a publicly available Internet~~
77 website if that information involves the identity of a
78 respondent against whom a final judgment for an injunction for
79 the protection of a minor under s. 741.30, s. 784.046, or s.
80 784.0485 is entered, unless the respondent is a minor. The
81 notice must also state that the information related to the
82 identity of each respondent against whom a final judgment for an
83 injunction for the protection of a minor under s. 741.30, s.
84 784.046, or s. 784.0485 is entered is available for search by
85 the general public. The notice must include step-by-step
86 instructions detailing how a user can access the searchable
87 database and search for such information. Such request must be
88 made in writing and delivered by mail, facsimile, or electronic
89 transmission or in person to the county recorder or clerk of the
90 court. The request must specify the case number assigned to the
91 final judgment for an injunction for the protection of a minor
92 under s. 741.30, s. 784.046, or s. 784.0485. A fee may not be
93 charged for the addition of a document pursuant to such request.
94 (e) ~~(d)~~ Any affected person may petition the circuit court
95 for an order directing compliance with this subsection.
96 Section 2. This act shall take effect July 1, 2024.