

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to electronic access to official
3 records; amending s. 28.2221, F.S.; requiring the
4 clerk of the court to make certain information
5 available in a searchable database on the clerk's
6 official website; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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

12 28.2221 Electronic access to official records.—

13 (8) (a) Each ~~county recorder or~~ clerk of the court must make
14 the identity of each respondent against whom a final judgment
15 for an injunction for the protection of a minor under s. 741.30,
16 s. 784.046, or s. 784.0485 is entered, as well as the fact that
17 a final judgment for an injunction for the protection of a minor
18 under s. 741.30, s. 784.046, or s. 784.0485 has been entered
19 against that respondent, publicly available on the clerk's
20 official website, ~~an Internet website for general public~~
21 ~~display, which may include the Internet website required by this~~
22 ~~section~~, unless the respondent is a minor. The identity and
23 information required under this subsection must be viewable
24 through a searchable database that is available in a clear and
25 conspicuous location on the homepage of the clerk's official
26 website and must be available for search by the general public.

27 (b) Any information specified in this subsection not made
28 available by the ~~county recorder or~~ clerk of the court as
29 provided in this subsection ~~on a publicly available Internet~~

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30 ~~website for general public display~~ before July 1, 2024 2021,
31 must be made publicly available on the clerk of the court's
32 official ~~an Internet~~ website if the affected party identifies
33 the information and requests that such information be added ~~to a~~
34 ~~publicly available Internet website~~ for general public display.
35 Such request must be in writing and delivered by mail,
36 facsimile, or electronic transmission or in person to the ~~county~~
37 ~~recorder or~~ clerk of the court. The request must specify the
38 case number assigned to the final judgment for an injunction for
39 the protection of a minor under s. 741.30, s. 784.046, or s.
40 784.0485. A fee may not be charged for the addition of
41 information pursuant to such request.

42 (c) No later than 30 days after July 1, 2024 2021, notice
43 of the right of any affected party to request the addition of
44 information to the searchable database on the clerk of the
45 court's official ~~a publicly available Internet~~ website pursuant
46 to this subsection must ~~shall~~ be conspicuously and clearly
47 displayed by the ~~county recorder or~~ clerk of the court on the
48 clerk's official ~~publicly available Internet~~ website on which
49 images or copies of the county's public records are placed and
50 in the office of each ~~county recorder or~~ clerk of the court.
51 Such notice must contain appropriate instructions for making the
52 addition of information request in person, by mail, by
53 facsimile, or by electronic transmission. The notice must state,
54 in substantially similar form, that any person has a right to
55 request that a ~~county recorder or~~ clerk of the court add
56 information to the searchable database on the clerk of the
57 court's official ~~a publicly available Internet~~ website if that
58 information involves the identity of a respondent against whom a

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59 final judgment for an injunction for the protection of a minor
60 under s. 741.30, s. 784.046, or s. 784.0485 is entered, unless
61 the respondent is a minor. Such request must be made in writing
62 and delivered by mail, facsimile, or electronic transmission or
63 in person to the ~~county recorder or~~ clerk of the court. The
64 request must specify the case number assigned to the final
65 judgment for an injunction for the protection of a minor under
66 s. 741.30, s. 784.046, or s. 784.0485. A fee may not be charged
67 for the addition of a document pursuant to such request.

68 (d) Any affected person may petition the circuit court for
69 an order directing compliance with this subsection.

70 Section 2. This act shall take effect July 1, 2024.