

By the Committee on Judiciary; and Senator Calatayud

590-03085-24

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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; making technical changes; providing
7 an effective date.

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

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

13 28.2221 Electronic access to official records.—

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

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

590-03085-24

20241616c1

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

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

590-03085-24

20241616c1

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

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

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