1	A bill to be entitled
2	An act relating to public records; amending s. 28.47,
3	F.S.; providing that certain information submitted to
4	the clerk or property appraiser by a person who
5	registers for a recording notification service or a
6	related service is confidential and exempt from public
7	records requirements; providing an exception;
8	providing applicability; providing for future
9	legislative review and repeal of the exemption;
10	providing a directive to the Division of Law Revision;
11	providing a statement of public necessity; providing
12	an effective date.
13	
14	Be It Enacted by the Legislature of the State of Florida:
15	
16	Section 1. Subsection (5) of section 28.47, Florida
17	Statutes, is amended to read:
18	28.47 Recording notification service; related services;
19	public records exemption
20	(5) <u>(a)</u> Nothing in This section <u>does not</u> may be construed
21	to require the clerk <u>or property appraiser</u> to provide or allow
22	access to a record or information which is confidential and
23	exempt from s. $119.07(1)$ and s. $24(a)$, Art. I of the State
24	Constitution or to otherwise violate the public records laws of
25	this state.

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26 (b) All electronic mail addresses, telephone numbers, 27 personal and business names, and parcel identification numbers 28 submitted to the clerk or property appraiser by a person who 29 registers for a recording notification service pursuant to this 30 section, or a related service offered by the clerk or property 31 appraiser designed to notify the person who registers of a real 32 property transfer, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except upon 33 34 court order. This paragraph applies to information held by the 35 clerk or property appraiser before, on, or after the effective 36 date of this act. This paragraph is subject to the Open 37 Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and 38 39 saved from repeal through reenactment by the Legislature. 40 The Division of Law Revision is directed to Section 2. 41 replace the phrase "the effective date of this act" wherever it 42 occurs in this act with the date this act becomes a law. 43 Section 3. The Legislature finds that it is a public 44 necessity that all electronic mail addresses, telephone numbers, personal and business names, and parcel identification numbers 45 46 submitted to the clerk or property appraiser by a person who 47 registers for a recording notification service under s. 28.47, 48 Florida Statutes, or a related service offered by the clerk or 49 property appraiser designed to notify the person who registers of a real property transfer, be made exempt from s. 119.07, 50

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51	Florida Statutes, and s. 24(a), Article I of the State
52	Constitution. The recording notification service, created in
53	response to a recent increase in fraudulent real property
54	conveyances, notifies a registrant by electronic mail when a
55	land record associated with the registrant's monitored identity
56	has been recorded in the public records of the county so that
57	the registrant may quickly identify a fraudulent conveyance and
58	take necessary action. Some clerks and property appraisers have
59	also begun offering related services for which a person may
60	register to receive notifications of potentially fraudulent real
61	property transfers by an alternative form of communication, such
62	as by text message. The Legislature finds that it is a public
63	necessity to protect persons who register for a recording
64	notification service or a related service offered by the clerk
65	or property appraiser to receive notifications of real property
66	transfers, and persons whose personal or business names or
67	parcel identification numbers are submitted for monitoring by
68	such persons, from becoming victims of other types of fraud by
69	virtue of their registration or status as a person whose
70	information has been submitted for monitoring. The Legislature
71	also finds that it is a public necessity to protect persons
72	whose personal or business names or parcel identification
73	numbers are not submitted to a recording notification service or
74	a related service for monitoring from becoming the target of a
75	fraudulent real property conveyance by virtue of their lack of
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76	participation in any such service. Thus, the Legislature finds
77	that this act serves a compelling state interest. The
78	Legislature further finds that the harm that may result from the
79	release of the electronic mail addresses, telephone numbers,
80	personal and business names, and parcel identification numbers
81	submitted to the clerk or property appraiser by a person who
82	registers for a recording notification service or a related
83	service to receive notifications of real property transfers
84	outweighs any public benefit that may be derived from the
85	disclosure of such information.
86	Section 4. This act shall take effect upon becoming a law.

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