

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative Daley offered the following:

Amendment (with title amendment)

Remove lines 305-414 and insert:

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6 and photographs of current clerks of the circuit court, deputy
7 clerks of the circuit court, and clerk of the circuit court
8 personnel; the names, home addresses, telephone numbers, dates
9 of birth, and places of employment of the spouses and children
10 of current clerks of the circuit court, deputy clerks of the
11 circuit court, and clerk of the circuit court personnel; and the
12 names and locations of schools and day care facilities attended
13 by the children of current clerks of the circuit court, deputy
14 clerks of the circuit court, and clerk of the circuit court
15 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
16 the State Constitution. This sub-subparagraph is subject to the

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17 Open Government Sunset Review Act in accordance with s. 119.15
18 and shall stand repealed on October 2, 2029, unless reviewed and
19 saved from repeal through reenactment by the Legislature.

20 3. An agency that is the custodian of the information
21 specified in subparagraph 2. and that is not the employer of the
22 officer, employee, justice, judge, or other person specified in
23 subparagraph 2. must maintain the exempt status of that
24 information only if the officer, employee, justice, judge, other
25 person, or employing agency of the designated employee submits a
26 written and notarized request for maintenance of the exemption
27 to the custodial agency. The request must state under oath the
28 statutory basis for the individual's exemption request and
29 confirm the individual's status as a party eligible for exempt
30 status.

31 4.a. A county property appraiser, as defined in s.
32 192.001(3), or a county tax collector, as defined in s.
33 192.001(4), who receives a written and notarized request for
34 maintenance of the exemption pursuant to subparagraph 3. must
35 comply by removing the name of the individual with exempt status
36 and the instrument number or Official Records book and page
37 number identifying the property with the exempt status from all
38 publicly available records maintained by the property appraiser
39 or tax collector. For written requests received on or before
40 July 1, 2021, a county property appraiser or county tax
41 collector must comply with this sub-subparagraph by October 1,

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42 2021. A county property appraiser or county tax collector may
43 not remove the street address, legal description, or other
44 information identifying real property within the agency's
45 records so long as a name or personal information otherwise
46 exempt from inspection and copying pursuant to this section is
47 not associated with the property or otherwise displayed in the
48 public records of the agency.

49 b. Any information restricted from public display,
50 inspection, or copying under sub-subparagraph a. must be
51 provided to the individual whose information was removed.

52 5. An officer, an employee, a justice, a judge, or other
53 person specified in subparagraph 2. may submit a written request
54 for the release of his or her exempt information to the
55 custodial agency. The written request must be notarized and must
56 specify the information to be released and the party authorized
57 to receive the information. Upon receipt of the written request,
58 the custodial agency must release the specified information to
59 the party authorized to receive such information.

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

63 7. Information made exempt under this paragraph may be
64 disclosed pursuant to s. 28.2221 to a title insurer authorized
65 pursuant to s. 624.401 and its affiliates as defined in s.
66 624.10; a title insurance agent or title insurance agency as

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67 defined in s. 626.841(1) or (2), respectively; or an attorney
68 duly admitted to practice law in this state and in good standing
69 with The Florida Bar.

70 8. The exempt status of a home address contained in the
71 Official Records is maintained only during the period when a
72 protected party resides at the dwelling location. Upon
73 conveyance of real property after October 1, 2021, and when such
74 real property no longer constitutes a protected party's home
75 address as defined in sub-subparagraph 1.a., the protected party
76 must submit a written request to release the removed information
77 to the county recorder. The written request to release the
78 removed information must be notarized, must confirm that a
79 protected party's request for release is pursuant to a
80 conveyance of his or her dwelling location, and must specify the
81 Official Records book and page, instrument number, or clerk's
82 file number for each document containing the information to be
83 released.

84 9. Upon the death of a protected party as verified by a
85 certified copy of a death certificate or court order, any party
86 can request the county recorder to release a protected
87 decedent's removed information unless there is a related request
88 on file with the county recorder for continued removal of the
89 decedent's information or unless such removal is otherwise
90 prohibited by statute or by court order. The written request to
91 release the removed information upon the death of a protected

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92 party must attach the certified copy of a death certificate or
93 court order and must be notarized, must confirm the request for
94 release is due to the death of a protected party, and must
95 specify the Official Records book and page number, instrument
96 number, or clerk's file number for each document containing the
97 information to be released. A fee may not be charged for the
98 release of any document pursuant to such request.

99 10. Except as otherwise expressly provided in this
100 paragraph, this paragraph is subject to the Open Government
101 Sunset Review Act in accordance with s. 119.15 and shall stand
102 repealed on October 2, 2024, unless reviewed and saved from
103 repeal through reenactment by the Legislature.

104 Section 2. The Legislature finds that it is a public
105 necessity that the home addresses, telephone numbers, dates of
106 birth, and photographs of current clerks of the circuit court,
107 deputy clerks of the circuit court, and clerk of the circuit
108 court personnel; the names, home addresses, telephone numbers,
109 dates of birth, and places of employment of the spouses and
110 children of current clerks of the circuit court, deputy clerks
111 of the circuit court, and clerk of the circuit court personnel;
112 and the names and locations of schools and day care facilities
113 attended by the children of current clerks of the circuit court,
114 deputy clerks of

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117 **T I T L E A M E N D M E N T**

118 Remove line 5 and insert:

119 location information of current clerks of