

## CHAPTER 2021-231

### Committee Substitute for Committee Substitute for House Bill No. 1229

An act relating to public records; providing a short title; amending s. 28.2221, F.S.; requiring each county recorder or clerk of the court to make publicly available on an Internet website the identity of a respondent against whom a final judgment for an injunction for the protection of a minor is entered, as well as the fact that the final judgment injunction for the protection of a minor has been entered; providing an exception; providing that such information must be made publicly available on an Internet website if a certain person makes a request in a specified manner; requiring each county recorder or clerk of the court to post a certain notice on the Internet website and in the office of the county recorder or clerk of the court; authorizing certain persons to petition the circuit court for compliance; amending s. 28.29, F.S.; requiring that final judgments for injunctions for protection be recorded in official records; providing an effective date.

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

Section 1. This act may be cited as “Serena’s Law.”

Section 2. Subsection (6) is added to section 28.2221, Florida Statutes, to read:

28.2221 Electronic access to official records.—

(6)(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 an Internet website for general public display, which may include the Internet website required by this section, unless the respondent is a minor.

(b) Any information specified in this subsection not made available by the county recorder or clerk of the court on a publicly available Internet website for general public display before July 1, 2021, must be made publicly available on an Internet website if the affected party identifies the information and requests that such information be added to a publicly available Internet website for general public display. Such request must be in writing and delivered by mail, facsimile, or electronic transmission or in person to the county recorder or clerk of the court. The request must specify the case number assigned to the final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485. A fee may not be charged for the addition of information pursuant to such request.

(c) No later than 30 days after July 1, 2021, notice of the right of any affected party to request the addition of information to a publicly available Internet website pursuant to this subsection shall be conspicuously and clearly displayed by the county recorder or clerk of the court on the publicly available Internet website on which images or copies of the county's public records are placed and in the office of each county recorder or clerk of the court. Such notice must contain appropriate instructions for making the addition of information request in person, by mail, by facsimile, or by electronic transmission. The notice must state, in substantially similar form, that any person has a right to request that a county recorder or clerk of the court add information to a publicly available Internet website if that information involves the identity of a 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, unless the respondent is a minor. Such request must be made in writing and delivered by mail, facsimile, or electronic transmission or in person to the county recorder or clerk of the court. The request must specify the case number assigned to the final judgment for an injunction for the protection of a minor under s. 741.30, s. 784.046, or s. 784.0485. A fee may not be charged for the addition of a document pursuant to such request.

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

Section 3. Section 28.29, Florida Statutes, is amended to read:

28.29 Recording of orders and judgments.—Orders of dismissal and final judgments of the courts in civil actions, including final judgments for injunctions for protection as provided in chapters 741 and 784, must shall be recorded in official records. Other orders must shall be recorded only on written direction of the court. The direction may be by incorporation in the order of the words “To be recorded in official records” or words to that effect. Failure to record an order or judgment does shall not affect its validity. The certified copy of a judgment, required under s. 55.10 to become a lien on real property, shall be recorded only when presented for recording with the statutory service charge.

Section 4. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.