

## CHAPTER 2024-117

### Committee Substitute for Senate Bill No. 1616

An act relating to electronic access to official records; amending s. 28.2221, F.S.; requiring the county recorder or clerk of the court to make certain information publicly available through a searchable database on the county recorder's or clerk of the court's official website; authorizing such requirement to be satisfied by providing a stand-alone link to the official records index; providing requirements for such link; providing requirements for certain notices; providing an effective date.

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

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

28.2221 Electronic access to official records.—

(8)(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 the county recorder's or clerk of the court's official website ~~an Internet website for general public display, which may include the Internet website required by this section,~~ unless the respondent is a minor. The identity and information required under this subsection must be viewable through a searchable database that is available in a clear and conspicuous location on the homepage of the county recorder's or clerk of the court's official website and must be available for search by the general public.

(b) The requirement in paragraph (a) may be satisfied by providing a stand-alone link to the official records index. The link must be located in a clear and conspicuous location on the homepage of the county recorder's or clerk of the court's official website and must be available for search by the general public. The link must be titled in a manner that clearly informs the user that by clicking the link, the user will be redirected to a searchable database on which information available pursuant to this subsection relating to the identity of a respondent against whom a final judgment for injunction for the protection of a minor can be found.

(c)(b) Any information specified in this subsection not made available by the county recorder or clerk of the court as provided in this subsection on a publicly available Internet website for general public display before July 1, 2024 2021, must be made publicly available on the county recorder's or clerk of the court's official ~~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.

(d)(e) No later than 30 days after July 1, 2024 ~~2021~~, notice of the right of any affected party to request the addition of information to the searchable database on the county recorder's or clerk of the court's official ~~a publicly available Internet website pursuant to this subsection~~ must ~~shall~~ be conspicuously and clearly displayed by the county recorder or clerk of the court on the county recorder's or clerk of the court's official ~~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 the searchable database on the county recorder's or clerk of the court's official ~~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. The notice must also state that the information related to 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 is available for search by the general public. The notice must include step-by-step instructions detailing how a user can access the searchable database and search for such information. 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.

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

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

Approved by the Governor April 26, 2024.

Filed in Office Secretary of State April 26, 2024.