

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gantt offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 47 and 48, insert:

5 Section 4. Section 83.626, Florida Statutes, is created to  
6 read:

7 83.626 Court records of eviction proceedings.-

8 (1) A tenant or mobile home owner who is a defendant in an  
9 eviction proceeding under this part or s. 723.061 may file a  
10 motion with the court to have the records of such proceeding  
11 sealed and to have his or her name substituted with "tenant" on  
12 the progress docket if any of the following conditions are  
13 satisfied:

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14 (a) The parties file a joint stipulation requesting relief  
15 under this section.

16 (b) The case was dismissed.

17 (c) The case was resolved by settlement or stipulation of  
18 the parties and the defendant has complied with the terms of the  
19 agreement.

20 (d) A default judgment was entered against the defendant  
21 and the defendant has satisfied any monetary award included in  
22 the judgment. This paragraph does not apply if the action was  
23 brought under s. 83.56(2)(a) or s. 723.061(1)(b) or (c) for  
24 material noncompliance, other than nonpayment of rent, because  
25 of the tenant's intentional destruction, damage, or misuse of  
26 the landlord's property.

27 (e) A judgment was entered against the defendant on the  
28 merits at least 5 years before the motion was filed under this  
29 subsection and the defendant has satisfied any monetary award  
30 included in the judgment. This paragraph does not apply if the  
31 action was brought under s. 83.56(2)(a) or s. 723.061(1)(b) or  
32 (c) for material noncompliance, other than nonpayment of rent,  
33 because of the tenant's intentional destruction, damage, or  
34 misuse of the landlord's property.

35 (2)(a) The court shall grant such motion without a hearing  
36 if the requirements in paragraph (1)(a) or paragraph (1)(b) are  
37 satisfied.

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38 (b) If the defendant files a motion on the basis of  
 39 paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e) being  
 40 satisfied, the defendant must also serve a copy of the motion on  
 41 all parties to the proceeding. If a written objection is filed  
 42 within 30 days after such service, the court must schedule a  
 43 hearing. If no written objection is filed within 30 days after  
 44 service of the motion, or the court determines after a hearing  
 45 that the defendant is eligible for relief, the court must grant  
 46 the motion.

47 (3) A tenant or mobile home owner is entitled to relief  
 48 under subsection (2) only once. When a tenant or mobile home  
 49 owner files a motion under subsection (1), he or she must also  
 50 submit a sworn statement under penalty of perjury affirming that  
 51 he or she has not previously received such relief from a court  
 52 in the state.

53 (4) In an eviction proceeding under this part or s.  
 54 723.061, the court must substitute a defendant's name on the  
 55 progress docket with "tenant" if a judgment is entered in favor  
 56 of the defendant.

57 (5) A defendant is not eligible for relief under this  
 58 section if:

59 (a) During any 12-month period, the defendant has had a  
 60 judgment entered against him or her in two or more eviction  
 61 proceedings; or

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62 (b) During any 24-month period, the defendant has had a  
63 judgment entered against him or her in three or more eviction  
64 proceedings.

65 (6) This section applies to any judgment entered before,  
66 on, or after July 1, 2023.

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

70 Remove line 8 and insert:  
71 terminate certain tenancies; creating s. 83.626, F.S.;  
72 authorizing tenants and mobile home owners who are  
73 defendants in certain eviction proceedings to file a  
74 motion with the court to have the records of such  
75 proceedings sealed and to have their names substituted  
76 on the progress docket under certain conditions;  
77 providing applicability; requiring the court to grant  
78 such motions if certain requirements are met;  
79 authorizing that such relief be granted only once;  
80 requiring tenants and mobile home owners to submit a  
81 specified sworn statement under penalty of perjury  
82 with their motion; requiring the court to substitute a  
83 defendant's name on the progress docket if a judgment  
84 is entered in favor of the defendant; providing  
85 exceptions; providing retroactive applicability;  
86 providing an effective

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