

1 A bill to be entitled
 2 An act relating to public records; creating s. 83.626,
 3 F.S.; requiring a court to seal, upon request, a court
 4 record relating to an action by a landlord for the
 5 possession of a dwelling unit based upon the
 6 nonpayment of rent if certain requirements are met;
 7 exempting such court records from public records
 8 requirements; providing a statement of public
 9 necessity; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Section 83.626, Florida Statutes, is created to
 14 read:

15 83.626 Court-ordered sealing of eviction records relating
 16 to COVID-19.—The court shall seal, upon motion by the defendant,
 17 a court record relating to an action by a landlord for the
 18 possession of a dwelling unit based upon nonpayment of rent if
 19 the complaint was filed on or after March 1, 2020, and if the
 20 court finds that the tenant was adversely impacted by COVID-19.
 21 Such sealed records are confidential and exempt from s. 24(a),
 22 Art. I of the State Constitution.

23 Section 2. The Legislature finds that it is a public
 24 necessity that certain court records relating to an action by a
 25 landlord for the possession of a dwelling unit based upon

26 | nonpayment of rent be made exempt from s. 24(a), Article I of
27 | the State Constitution. The United States Department of Health
28 | and Human Services has determined that a public health emergency
29 | exists as a result of the COVID-19 pandemic, and studies have
30 | shown that the availability of adequate housing has a direct
31 | impact on a person's health. The COVID-19 pandemic has also
32 | negatively impacted state and federal economies. If eviction
33 | records for tenants that were adversely impacted by COVID-19 are
34 | publicly searchable, landlords are more likely to refuse to rent
35 | to such tenants. This will exacerbate the health and economic
36 | issues in this state resulting from the pandemic. Therefore, it
37 | is necessary that court records relating to evictions for
38 | tenants who were adversely impacted by COVID-19 be protected to
39 | ensure that the negative health and economic impacts of COVID-19
40 | on this state are not exacerbated.

41 | Section 3. This act shall take effect upon becoming a law.