



**House Bill 203
Public Records/Civilian Personnel
Employed by a Law Enforcement Agency**

FLTA ANALYSIS

- The members of the Florida Land Title Association support continuing the protection afforded by Chapter 119.071, Florida Statutes to allow for certain exemptions from inspection or copying of certain public records.
- We must protect private property rights by maintaining the integrity of our real estate public records. These rights range from the young couple purchasing their first home, to the retired couple downsizing after raising their family, to the million dollar commercial building. This includes the rights of banks and other lenders to secure liens against real property as collateral for loans.
- Access to the public records that affect real property is critical to our ability to assure that Florida real property transactions are reliable, accurate and secure.
- We are concerned that the definition of “home addresses” in HB 203 could be construed or utilized to allow for, or require, the redaction of information critical for our industry to conduct a thorough search of the title to real property which will impede a protected party’s ability to mortgage his / her property. Therefore, we are opposed to the approval of this bill as currently worded.
- A list of issues about which we have concern and would like to work with the bill sponsor to clarify:
 - Issues of constructive notice of the rights of buyers/grantees/mortgagees;
 - ability of a protected party to obtain a mortgage based on a document with redacted information;
 - process for protected parties to allow public inspection of certain real property documents, e.g., deeds and mortgages;
 - process for allowing public inspection of certain real property documents after the protected party is no longer an owner;
 - How does the proposed bill affect other types of public records such as judgment liens?