

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

---

1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Eskamani offered the following:

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

5 Between lines 215 and 216, insert:

6 Section 2. Section 83.626, Florida Statutes, is created to  
7 read:

8 83.626 Court records of eviction proceedings.-

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

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

PCS for HB 627 a4

Published On: 3/8/2023 10:24:14 AM

Amendment No.

17 (b) The case was dismissed.

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

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

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

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

39 (b) If the defendant files a motion on the basis of  
40 paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e) being  
41 satisfied, the defendant must also serve a copy of the motion on

Amendment No.

42 all parties to the proceeding. If a written objection is filed  
43 within 30 days after such service, the court must schedule a  
44 hearing. If no written objection is filed within 30 days after  
45 service of the motion, or the court determines after a hearing  
46 that the defendant is eligible for relief, the court must grant  
47 the motion.

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

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

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

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

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

66 (6) This section applies to any judgment entered before,

PCS for HB 627 a4

Published On: 3/8/2023 10:24:14 AM

Amendment No.

67 on, or after July 1, 2023.

68

69 -----

70

**T I T L E   A M E N D M E N T**

71

Between lines 2 and 3, insert:

72

creating s. 83.626, F.S.; authorizing tenants and

73

mobile home owners who are defendants in certain

74

eviction proceedings to file a motion with the court

75

to have the records of such proceedings sealed and to

76

have their names substituted on the progress docket

77

under certain conditions; providing applicability;

78

requiring the court to grant such motions if certain

79

requirements are met; authorizing that such relief be

80

granted only once; requiring tenants and mobile home

81

owners to submit a specified sworn statement under

82

penalty of perjury with their motion; requiring the

83

court to substitute a defendant's name on the progress

84

docket if a judgment is entered in favor of the

85

defendant; providing exceptions; providing retroactive

86

applicability;