

HB 677

2013

1 A bill to be entitled
2 An act relating to websites containing information
3 concerning persons charged with crimes; creating s.
4 836.12, F.S.; requiring that the operators of websites
5 containing personal information of persons charged
6 with crimes remove a person's name and personal
7 information within a specified period after notice
8 that the person is acquitted or the charges are
9 dropped or otherwise resolved without conviction;
10 providing a civil penalty; providing for a presumption
11 of defamation; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 836.12, Florida Statutes, is created to
16 read:

17 836.12 Websites containing information concerning persons
18 charged with crimes.—The operator of a website that contains the
19 name and personal information, including any photograph or
20 digital image, of a person charged with a crime shall, within 15
21 days after written notification from the person or the person's
22 designee, remove the person's name and personal information if
23 the person is acquitted or the charges are dropped or otherwise
24 resolved without a conviction. The removal must be without
25 charge to the person. Failure of the website operator to remove
26 the person's name or personal information shall result in a
27 civil penalty of \$100 per instance per week and, after 45 days,
28 creates a presumption of defamation of character of the person.

HB 677

2013

29 | Section 2. This act shall take effect October 1, 2013. |