

By Senator Bradley

5-00450-22

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1                   A bill to be entitled  
2           An act relating to judicial notice; creating s.  
3           90.2035, F.S.; authorizing courts to take judicial  
4           notice of certain information taken from web mapping  
5           services, global satellite imaging sites, or Internet  
6           mapping tools upon request of a party; requiring  
7           parties who intend to offer such information into  
8           evidence to file a notice of intent containing  
9           specified information; authorizing parties to object  
10          to the admissibility of such information; requiring  
11          courts to overrule such objection unless certain  
12          findings are made; providing construction; providing  
13          an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17           Section 1. Section 90.2035, Florida Statutes, is created to  
18           read:

19           90.2035 Judicial notice of information taken from web  
20           mapping services, global satellite imaging sites, or Internet  
21           mapping tools.-

22           (1) (a) Upon request of a party, a court may take judicial  
23           notice of an image, map, location, distance, calculation, or  
24           other information taken from a web mapping service, a global  
25           satellite imaging site, or an Internet mapping tool, if such  
26           image, map, location, distance, calculation, or other  
27           information indicates the date on which the information was  
28           created.

29           (b) A party intending to offer such information in evidence

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30 at trial or hearing must file notice of such intent within a  
31 reasonable time, or as defined by court order, which notice must  
32 include a copy of the information and specify the Internet  
33 address where such information may be inspected.

34 (2) (a) A party may object to the admissibility of the  
35 image, map, location, distance, calculation, or other  
36 information taken from a web mapping service, a global satellite  
37 imaging site, or an Internet mapping tool within a reasonable  
38 time or as defined by court order.

39 (b) The court shall overrule the objection unless the court  
40 finds by a preponderance of evidence that the material sought to  
41 be admitted does not fairly and accurately portray what it is  
42 being offered to prove or that it otherwise should not be  
43 admitted into evidence under the Florida Evidence Code.

44 (c) If the court overrules the objection, the court must  
45 take judicial notice of the information and admit the  
46 information into evidence.

47 (3) This section does not affect, expand, or limit  
48 standards for any matters that may otherwise be judicially  
49 noticed.

50 Section 2. This act shall take effect July 1, 2022.