

CS/HB 677

2022

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 widely  
5 accepted web mapping services, global satellite  
6 imaging sites, or Internet mapping tools upon request  
7 of a party; requiring parties intending to offer such  
8 information in evidence to file notice of such intent  
9 containing specified information; authorizing parties  
10 to object to the court taking judicial notice of such  
11 information; creating a rebuttable presumption in  
12 civil cases; providing jury instructions for criminal  
13 cases; providing construction; providing an effective  
14 date.

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

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

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

23 (1)(a) Upon request of a party, a court may take judicial  
24 notice of an image, map, location, distance, calculation, or  
25 other information taken from a widely accepted web mapping

26 service, global satellite imaging site, or Internet mapping  
27 tool, if such image, map, location, distance, calculation, or  
28 other information indicates the date on which the information  
29 was created.

30 (b) A party intending to offer such information in  
31 evidence at trial or at a hearing must file notice of such  
32 intent within a reasonable time, or as defined by court order,  
33 which notice must include a copy of the information and specify  
34 the Internet address or pathway where such information may be  
35 accessed and inspected.

36 (2)(a) A party may object to the court taking judicial  
37 notice of the image, map, location, distance, calculation, or  
38 other information taken from a widely accepted web mapping  
39 service, global satellite imaging site, or Internet mapping tool  
40 within a reasonable time or as defined by court order.

41 (b) In civil cases there is a rebuttable presumption that  
42 information sought to be judicially noticed pursuant to this  
43 section should be judicially noticed. The rebuttable presumption  
44 may be overcome if the court finds by the greater weight of the  
45 evidence that the information does not fairly and accurately  
46 portray what it is being offered to prove or that it otherwise  
47 should not be admitted into evidence under the Florida Evidence  
48 Code.

49 (c) If the court overrules the objection, the court must  
50 take judicial notice of the information and admit the

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51 information into evidence.

52 (3) In criminal cases the court must instruct the jury  
53 that it may or may not accept the noticed fact as conclusive.

54 (4) This section does not affect, expand, or limit  
55 standards for any matters that may otherwise be judicially  
56 noticed.

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