

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 409 — Public Records/Intelligence/Investigative Information

by Government Operations Subcommittee and Rep. Perry (CS/SB 1168 by Criminal Justice Committee and Senators Oelrich and Lynn)

The bill amends s. 119.071, F.S., to expand the current public-records exemption in that section for any criminal intelligence information or criminal investigative information that is a photograph, videotape, or image of any part of the body of the victim of certain sexual offenses, regardless of whether it identifies the victim. Specifically, the bill expands the exemption to include that same information in the case of a victim of the sexual offense of video voyeurism under s. 810.145, F.S.

The bill provides that the exemption stands repealed on October 2, 2016, unless reviewed and saved from repeal through reenactment by the Legislature. The bill also provides a statement of public necessity for the expansion of the exemption as required by the Florida Constitution.

The bill also reenacts sections of law pertaining to judicial proceedings and court records to incorporate the changes made by the bill, thereby ensuring the exemption applies to judicial proceedings and court records involving a victim of the sexual offense of video voyeurism.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 116-0