

HB 469

2015

1 A bill to be entitled
2 An act relating to public records; amending s.
3 409.1678, F.S.; providing an exemption from public
4 records requirements for information about the
5 location of safe houses, safe foster homes, and other
6 residential facilities serving victims of sexual
7 exploitation held by an agency; providing for future
8 legislative review and repeal of the exemption;
9 amending s. 787.06, F.S.; providing an exemption from
10 public records requirements for information held by an
11 agency about the location of residential facilities
12 serving adult victims of human trafficking involving
13 commercial sexual activity; providing for future
14 legislative review and repeal of the exemption;
15 providing a statement of public necessity; providing a
16 contingent effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsection (6) is added to section 409.1678,
21 Florida Statutes, to read:

22 409.1678 Specialized residential options for children who
23 are victims of sexual exploitation.—

24 (6) (a) LOCATION INFORMATION.—Information about the
25 location of a safe house, safe foster home, or other residential
26 facility serving victims of sexual exploitation, as defined in

27 s. 39.01(69)(g), which is held by an agency, as defined in s.
 28 119.011, is confidential and exempt from s. 119.07(1) and s.
 29 24(a), Art. I of the State Constitution.

30 (b) Information about the location of a safe house, safe
 31 foster home, or other residential facility serving victims of
 32 sexual exploitation, as defined in s. 39.01(69)(g), may be
 33 provided to an agency, as defined in s. 119.011, as necessary to
 34 maintain health and safety standards and to address emergency
 35 situations in the safe house, safe foster home, or other
 36 residential facility.

37 (c) This subsection is subject to the Open Government
 38 Sunset Review Act in accordance with s. 119.15 and shall stand
 39 repealed on October 2, 2020, unless reviewed and saved from
 40 repeal through reenactment by the Legislature.

41 Section 2. Subsection (9) is added to section 787.06,
 42 Florida Statutes, to read:

43 787.06 Human trafficking.—

44 (9)(a) Information about the location of a residential
 45 facility offering services for adult victims of human
 46 trafficking involving commercial sexual activity, which is held
 47 by an agency, as defined in s. 119.011, is confidential and
 48 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 49 Constitution.

50 (b) Information about the location of a residential
 51 facility offering services for adult victims of human
 52 trafficking involving commercial sexual activity may be provided

53 to an agency, as defined in s. 119.011, as necessary to maintain
54 health and safety standards and to address emergency situations
55 in the residential facility.

56 (c) This subsection is subject to the Open Government
57 Sunset Review Act in accordance with s. 119.15 and shall stand
58 repealed on October 2, 2020, unless reviewed and saved from
59 repeal through reenactment by the Legislature.

60 Section 3. The Legislature finds that it is a public
61 necessity that information about the location of safe houses,
62 safe foster homes, and other residential facilities serving
63 victims of sexual exploitation, as defined in s. 39.01(69)(g),
64 Florida Statutes, or adult victims of human trafficking
65 involving commercial sexual activity, held by an agency, as
66 defined in s. 119.011, Florida Statutes, be made confidential
67 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
68 Article I of the State Constitution. Safe houses, safe foster
69 homes, and other residential facilities serving victims of
70 sexual exploitation, as defined in s. 39.01(69)(g), Florida
71 Statutes, or adult victims of human trafficking involving
72 commercial sexual activity, are intended as refuges for sexually
73 exploited victims from those who exploited them. If the
74 individuals who victimized these people were able to learn the
75 location of such facilities, they may attempt to contact their
76 victims, exploit their vulnerabilities, and return them to the
77 situations in which they were victimized. Even without the
78 return of these victims to their former situations, additional

79 contact with those who victimized them would have the effect of
80 continuing their victimization and inhibiting their recoveries.
81 Additionally, knowledge about the location of safe houses, safe
82 foster homes, and other residential facilities serving victims
83 of sexual exploitation, as defined in s. 39.01(69)(g), Florida
84 Statutes, or adult victims of human trafficking involving
85 commercial sexual activity, could enable other individuals to
86 locate and attempt to victimize the residents. Therefore, it is
87 the finding of the Legislature that such information must be
88 made confidential and exempt from public records requirements.

89 Section 4. This act shall take effect on the same date
90 that HB 465 or similar legislation relating to human trafficking
91 takes effect, if such legislation is adopted in the same
92 legislative session or an extension thereof and becomes a law.