

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing that the identity of
4 confidential informants or confidential sources
5 is exempt from disclosure; providing for future
6 review and repeal; providing a finding of
7 public necessity; providing an effective date.

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

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11 Section 1. Paragraph (c) of subsection (3) of section
12 119.07, Florida Statutes, is amended to read:

13 119.07 Inspection, examination, and duplication of
14 records; exemptions.--

15 (3)

16 (c) Any information revealing the identity of a
17 confidential informant or a confidential source is
18 confidential and exempt from the provisions of subsection (1)
19 and s. 24(a), Art. I of the State Constitution, and may be
20 released only by an order of the court and upon a showing of
21 good cause.

22 Section 2. Section 1 is subject to the Open Government
23 Sunset Review Act of 1995 in accordance with section 119.15,
24 Florida Statutes, and shall stand repealed on October 2, 2005,
25 unless reviewed and saved from repeal through reenactment by
26 the Legislature.

27 Section 3. Investigations of alleged misconduct by
28 public officials often carry with them high interest by the
29 press and media. The disclosure of investigative case file
30 information can allow confidential aspects of an ongoing
31 criminal investigation to be discerned by the person making

1 the public records request. As a result, the identity of a
2 confidential informant or confidential source is often
3 revealed and the confidential informant or confidential source
4 can easily become victim to recrimination from the subject of
5 the complaint. Perceptions of such victimization create a
6 strong disincentive to report public misconduct. As a public
7 policy, this state should encourage persons to report any
8 allegations of criminal activity by public servants and should
9 foster an atmosphere in which those considering whether to
10 come forward with their concerns are assured that their
11 identities will remain confidential if needed. The Legislature
12 intends that potential complainants, confidential informants,
13 and confidential sources be placed on notice that their
14 identities will remain confidential and exempt from disclosure
15 as a means of encouraging reports of wrongdoing. The
16 Legislature intends to make confidential and exempt
17 information revealing the identity of confidential informants
18 and confidential sources from public disclosure.

19 Section 4. This act shall take effect July 1, 2000.
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