



480094

CHAMBER ACTION

Senate

House

.  
.
.  
.
.

1 The Committee on Criminal Justice (Dockery) recommended the
2 following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Section 943.0531, Florida Statutes, is created
8 to read:

9 943.0531 Confidentiality of certain criminal history
10 records of minors.--
11 Criminal history information of a minor regarding a misdemeanor
12 offense, regardless of adjudication, is confidential and exempt
13 from s. 119.071(1) and s. 24(a), Art. I of the State
14 Constitution, unless that minor has been arrested for, or found
15 to have committed, regardless of adjudication, a felony offense.

Bill No. SB 832



480094

16 This information shall only be available to the person who is  
17 the subject of the record, to the subject's attorney, to  
18 criminal justice agencies, and to those entities set forth in  
19 subparagraphs (a)1., 4., 5., 6., and 8. of s. 943.059(4) for  
20 their respective licensing, access authorization, and employment  
21 purposes.

22 Section 2. This section is subject to the Open Government  
23 Sunset Review Act in accordance with s. 119.15, and shall stand  
24 repealed on October 2, 2013, unless reviewed and saved from  
25 repeal through reenactment by the Legislature.

26 Section 3. The Legislature finds a public necessity in  
27 protecting the criminal history record of minors regarding a  
28 misdemeanor offense, regardless of adjudication, unless that  
29 minor has been arrested for, or found to have committed,  
30 regardless of adjudication, a felony offense. The Legislature  
31 finds that it is a public necessity to make confidential and  
32 exempt from disclosure, except to certain enumerated entities,  
33 the criminal history records of minors regarding a misdemeanor  
34 offense, unless such minor has been arrested for or found to  
35 have committed, regardless of adjudication, a felony offense.  
36 The Legislature finds that is a public necessity to only  
37 disclose such criminal history record information to the  
38 following entities: the person who is the subject of the record,  
39 the subject's attorney, criminal justice agencies, and those  
40 entities set forth in subparagraphs (a)1., 4., 5., 6., and 8.,  
41 of s. 943.059(4) for their respective licensing, access  
42 authorization, and employment purposes. The Legislature further  
43 finds that the release of this information to other persons



480094

44 besides those enumerated above will significantly harm Florida  
 45 youth who are often denied employment and other future  
 46 opportunities because of mistakes made in their earlier years.  
 47 This exemption is not intended to affect the right of a victim  
 48 of a misdemeanor offense to obtain a copy of an applicable  
 49 offense report, as provided under current law.

50 Section 4. This act shall take effect January 1, 2009.

51

52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete everything before the enacting clause  
 55 and insert:

56 A bill to be entitled  
 57 An act relating to public records; creating s. 943.0531,  
 58 F.S.; creating a public records exemption for certain  
 59 juvenile misdemeanor criminal history records; providing  
 60 access to certain enumerated entities; providing an  
 61 effective date.