

1 A bill to be entitled
 2 An act relating to public records; amending s. 985.04,
 3 F.S.; deleting provisions declaring that specified
 4 information concerning certain juvenile offenders not be
 5 considered confidential and exempt from s. 119.07(1),
 6 F.S.; providing for future legislative review and repeal
 7 of the amendments and reversion of the text under the Open
 8 Government Sunset Review Act; providing a statement of
 9 public necessity; providing a contingent effective date.

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

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 13 Section 1. Subsection (2) of section 985.04, Florida
 14 Statutes, is amended to read:

15 985.04 Oaths; records; confidential information.—

16 (2) Notwithstanding any other provisions of this chapter,
 17 the name, photograph, address, and crime or arrest report of a
 18 child:

19 ~~(a) Taken into custody if the child has been taken into~~
 20 ~~eustody by a law enforcement officer for a violation of law~~
 21 ~~which, if committed by an adult, would be a felony;~~

22 ~~(b) Found by a court to have committed three or more~~
 23 ~~violations of law which, if committed by an adult, would be~~
 24 ~~misdemeanors;~~

25 (a)(e) Transferred to the adult system under s. 985.557,
 26 indicted under s. 985.56, or waived under s. 985.556;

27 (b)(d) Taken into custody by a law enforcement officer for
 28 a violation of law subject to s. 985.557(2) (b) or (d); or

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29 ~~(c)(e)~~ Transferred to the adult system but sentenced to
30 the juvenile system under s. 985.565

31
32 shall not be considered confidential and exempt from s.
33 119.07(1) solely because of the child's age.

34 Section 2. The amendment to subsection (2) of section
35 985.04, Florida Statutes, by this act is subject to the Open
36 Government Sunset Review Act in accordance with s. 119.15,
37 Florida Statutes, and shall stand repealed on October 2, 2016,
38 and the text of that subsection shall revert to that in
39 existence on the effective date of this act, except that any
40 amendments to such text enacted other than by this act shall be
41 preserved and continue to operate to the extent that such
42 amendments are not dependent upon the portions of such text
43 which are repealed pursuant to this section, unless reviewed and
44 saved from repeal through reenactment by the Legislature.

45 Section 3. The Legislature finds that it is a public
46 necessity to exempt from public records requirements the name,
47 photograph, address, and crime or arrest report of a child taken
48 into custody for a violation of law which, if committed by an
49 adult, would be a felony, or of a child found by a court to have
50 committed three or more violations of law which, if committed by
51 an adult, would be misdemeanors. Release of this information
52 makes it extremely difficult for such juveniles to find
53 employment. Failure of these juveniles to find lawful
54 employment, which is frequently coupled with a lack of education
55 and job experience, leaves these juveniles with few options in

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56 life other than to reoffend. Thus, it is a public necessity that
57 such information not be subject to the public records laws.

58 Section 4. This act shall take effect on the same date
59 that HB 1297 or similar legislation takes effect, if such
60 legislation is adopted in the same legislative session or an
61 extension thereof and becomes law.