

HB 791

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1                   A bill to be entitled  
2     An act relating to public records; amending s.  
3     775.2155, F.S.; creating a public records exemption  
4     for personal identifying information revealing the  
5     name, age, and location of a child permanently  
6     residing with a sexual offender or sexual predator,  
7     which information is required to be provided to the  
8     appropriate local and state agencies under ss. 775.21,  
9     943.0435, and 944.607, F.S.; authorizing the sheriff's  
10    office, the Department of Law Enforcement, and the  
11    Department of Corrections to share with each other  
12    relevant information regarding the residence of a  
13    sexual offender or sexual predator and information  
14    involving instances of a sexual offender or sexual  
15    predator permanently residing with a child; providing  
16    for future legislative review and repeal of the  
17    exemption under the Open Government Sunset Review Act;  
18    providing a statement of public necessity; providing a  
19    contingent effective date.

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

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23           Section 1. Subsection (3) is added to section 775.2155,  
24    Florida Statutes, as created by HB 731, to read:

25           775.2155 Residency restriction for persons convicted of  
26    certain sex offenses and required to register as a sexual  
27    offender or sexual predator; application date.—

28           (3) (a) All personal identifying information relating to

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29 the name, age, and location of a child permanently residing in a  
30 home with a registered sexual offender or sexual predator which  
31 is contained in the records of a sheriff's office, the  
32 Department of Law Enforcement, or the Department of Corrections,  
33 which information is required to be provided to the appropriate  
34 sheriff's office, the Department of Law Enforcement, and the  
35 Department of Corrections under ss. 775.21, 943.0435, and  
36 944.607, is confidential and exempt from s. 119.07(1) and s. 24  
37 (a), Art. I of the State Constitution.

38 (b) The sheriff's office, the Department of Law  
39 Enforcement, and the Department of Corrections may share with  
40 each other relevant information regarding the residence of a  
41 sexual offender or sexual predator and information involving  
42 reported instances of a sexual offender or sexual predator  
43 permanently residing with a child.

44 (c) This section is subject to the Open Government Sunset  
45 Review Act in accordance with s. 119.15, and shall stand  
46 repealed on October 2, 2017, unless reviewed and saved from  
47 repeal through reenactment by the Legislature.

48 Section 2. The Legislature finds that it is a public  
49 necessity that any information identifying the name, age, and  
50 location of a child permanently residing with a sexual offender  
51 or sexual predator be held confidential and exempt from public  
52 records requirements. The Legislature finds that the release of  
53 personal information identifying the name, age, and location of  
54 a child who is permanently residing with a sexual offender or  
55 sexual predator would jeopardize the health and safety of that  
56 child. Accordingly, the Legislature finds that the harm to such

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57 child which would result from the release of such information  
58 substantially outweighs any minimal public benefit derived from  
59 disclosure to the public.

60 Section 3. This act shall take effect on the same date  
61 that HB 731 or similar legislation takes effect, if such  
62 legislation is enacted in the same legislative session, or an  
63 extension thereof, and becomes law.