

ENROLLED
CS/HB 1327

2013 Legislature

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2 An act relating to public records; amending s.
3 943.0583, F.S.; providing an exemption from public
4 records requirements for criminal history records of
5 victims of human trafficking expunged under s.
6 943.0583, F.S.; providing an exception; providing for
7 future legislative review and repeal of the exemption
8 under the Open Government Sunset Review Act; providing
9 a statement of public necessity; providing a
10 contingent effective date.

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

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14 Section 1. Subsection (9) of section 943.0583, Florida
15 Statutes, is created to read:

16 943.0583 Human trafficking victim expunction.—

17 (9) (a) A criminal history record ordered expunged under
18 this section that is retained by the department is confidential
19 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
20 Constitution, except that the record shall be made available to
21 criminal justice agencies for their respective criminal justice
22 purposes. Otherwise, such record shall not be disclosed to any
23 person or entity except upon order of a court of competent
24 jurisdiction. A criminal justice agency may retain a notation
25 indicating compliance with an order to expunge.

26 (b) This subsection is subject to the Open Government
27 Sunset Review Act in accordance with s. 119.15 and shall stand
28 repealed on October 2, 2018, unless reviewed and saved from

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29 repeal through reenactment by the Legislature.

30 Section 2. The Legislature finds that it is a public
31 necessity that a criminal history record ordered expunged under
32 s. 943.0583, Florida Statutes, that is retained by the
33 Department of Law Enforcement be made confidential and exempt
34 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
35 the State Constitution. Persons who are victims of human
36 trafficking and who have been convicted of crimes committed at
37 the behest of their traffickers are themselves victims of
38 crimes. Such victims face barriers to employment and other life
39 opportunities as long as these criminal convictions remain on
40 record and accessible to potential employers and others. It is
41 necessary that these records be made confidential in order for
42 human trafficking victims to have the chance to rebuild their
43 lives and reenter society.

44 Section 3. This act shall take effect on the same date
45 that CS/CS/HB 1325 or similar legislation takes effect, if such
46 legislation is adopted in the same legislative session or an
47 extension thereof and becomes law.