

By the Committee on Criminal Justice; and Senator Flores

591-03357-13

20131734c1

1                   A bill to be entitled  
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 for future legislative  
7           review and repeal of the exemption under the Open  
8           Government Sunset Review Act; providing a statement of  
9           public necessity; providing a contingent effective  
10          date.

11  
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 and shall not be disclosed to any person or entity  
21 except upon order of a court of competent jurisdiction. A  
22 criminal justice agency may retain a notation indicating  
23 compliance with an order to expunge.

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26 repealed on October 2, 2018, unless reviewed and saved from  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

28           Section 2. The Legislature finds that it is a public  
29 necessity that persons who are victims of human trafficking and

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30 who have been convicted of crimes committed at the behest of  
31 their traffickers are themselves victims of crimes. Such victims  
32 face barriers to employment and other life opportunities as long  
33 as these criminal convictions remain on record and accessible to  
34 potential employers and others. It is necessary that these  
35 records be made confidential in order for human trafficking  
36 victims to have the chance to rebuild their lives and reenter  
37 society.

38       Section 3. This act shall take effect on the same date that  
39 SB 1644 or similar legislation takes effect, if such legislation  
40 is adopted in the same legislative session or an extension  
41 thereof and becomes law.

42       Section 4. This act shall take effect July 1, 2013.