

By the Committees on Governmental Oversight and Accountability;  
and Criminal Justice; and Senator Flores

585-04021-13

20131734c2

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 an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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

15 943.0583 Human trafficking victim expunction.—

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

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25 repealed on October 2, 2018, unless reviewed and saved from  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

27 Section 2. The Legislature finds that it is a public  
28 necessity that a criminal history record ordered expunged under  
29 s. 943.0583, Florida Statutes, that is retained by the

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

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

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