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LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

05/02/2014 03:52 PM

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Senator Braynon moved the following:

**Senate Amendment**

Delete lines 96 - 133

and insert:

s. 787.06(3)(a)1., (c)1., or (e)1., in s. 787.06(3)(b), (d),  
(f), or (g), or in chapter 794 or chapter 800, or with child  
abuse, aggravated child abuse, or sexual performance by a child  
as described in chapter 827, may apply to the trial court for an  
order of disclosure of information in court records held



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12 under this section. Such identifying information concerning the  
13 victim may be released to the defendant or his or her attorney  
14 in order to prepare the defense. The confidential and exempt  
15 status of this information does ~~may not be construed to~~ prevent  
16 the disclosure of the victim's identity to the defendant;  
17 however, the defendant may not disclose the victim's identity to  
18 any person other than the defendant's attorney or any other  
19 person directly involved in the preparation of the defense. A  
20 willful and knowing disclosure of the identity of the victim to  
21 any other person by the defendant constitutes contempt.

22 (3) The state may use a pseudonym instead of the victim's  
23 name to designate the victim of a crime specified ~~described~~ in  
24 s. 787.06(3)(a)1., (c)1., or (e)1., in s. 787.06(3)(b), (d),  
25 (f), or (g), or in chapter 794 or chapter 800, or of child  
26 abuse, aggravated child abuse, or sexual performance by a child  
27 as described in chapter 827, or any crime involving the  
28 production, possession, or promotion of child pornography as  
29 described in chapter 847, in all court records and records of  
30 court proceedings, both civil and criminal.

31 (4) The protection of this section may be waived by the  
32 victim of the alleged offense in a writing filed with the court,  
33 in which the victim consents to the use or release of  
34 identifying information during court proceedings and in the  
35 records of court proceedings.

36 (5) This section does not prohibit the publication or  
37 broadcast of the substance of trial testimony in a prosecution  
38 for an offense specified ~~described~~ in s. 787.06(3)(a)1., (c)1.,  
39 or (e)1., in s. 787.06(3)(b), (d), (f), or (g), or in chapter  
40 794 or chapter 800, or for a crime of