

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0714, F.S.; exempting from public records
 4 requirements a petition for a protective injunction
 5 for repeat violence that has been dismissed and the
 6 petition's contents; providing for removal of
 7 petitions dismissed before the effective date of the
 8 act; providing a statement of public necessity;
 9 providing a directive to the Division of Law Revision
 10 and Information; providing an 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. Paragraph (g) is added to subsection (3) of
 15 section 119.0714, Florida Statutes, to read:

16 119.0714 Court files; court records; official records.—

17 (3) OFFICIAL RECORDS.—A person who prepares or files a
 18 record for recording in the official records as provided in
 19 chapter 28 may not include in that record a social security
 20 number or a bank account, debit, charge, or credit card number
 21 unless otherwise expressly required by law.

22 (g)1. A petition for a protective injunction for repeat
 23 violence that is dismissed without a hearing or at an ex parte
 24 hearing without an issued injunction, and the petition's
 25 contents, are confidential and exempt from s. 119.07(1) and s.
 26 24(a), Art. I of the State Constitution.

27 2.a. Effective on the effective date of this act and
28 thereafter, a petition and the contents thereof described in
29 subparagraph 1. must be removed from all publically accessible
30 records upon dismissal.

31 b. A petition described in subparagraph 1. dismissed
32 before the effective date of this act and the contents thereof
33 shall be removed upon request by a person named in the petition
34 as a respondent. The request must be in the form of a signed,
35 legibly written request specifying the case name, case number,
36 document heading, and page number. The request must be delivered
37 by mail, facsimile, electronic transmission, or in person to the
38 clerk of the court. A fee may not be charged for the removal
39 pursuant to the request.

40 Section 2. The Legislature finds that it is a public
41 necessity that a petition for a protective injunction for repeat
42 violence that is dismissed without a hearing or at an ex parte
43 hearing without an issued injunction, and the petition's
44 contents, be made confidential and exempt from s. 119.07(1),
45 Florida Statutes, and s. 24(a), Article I of the State
46 Constitution. The Legislature finds that the existence of such a
47 petition and of such information would be defamatory to an
48 individual and would cause unwarranted damage to the reputation
49 of such individual in a circumstance when the petition is
50 dismissed without a hearing or at an ex parte hearing without an
51 issued injunction.

52 Section 3. The Division of Law Revision and Information is

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53 directed to replace the phrase "the effective date of this act"
54 wherever it occurs in this act with such date.

55 Section 4. This act shall take effect upon becoming a law.