

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Spano offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 52-212 and insert:

5 Section 1. Subsections (2), (3), and (5) of section 92.56,
6 Florida Statutes, are amended to read:

7 92.56 Judicial proceedings and court records involving
8 sexual offenses and human trafficking.-

9 (2) A defendant charged with a crime described in s.
10 787.06(3)(a)1., (c)1., or (e)1., s. 787.06(3)(b), (d), (f), or
11 (g), chapter 794, or chapter 800, or with child abuse,
12 aggravated child abuse, or sexual performance by a child as
13 described in chapter 827, may apply to the trial court for an
14 order of disclosure of information in court records held

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15 confidential and exempt pursuant to s. 119.0714(1)(h) or
16 maintained as confidential and exempt pursuant to court order
17 under this section. Such identifying information concerning the
18 victim may be released to the defendant or his or her attorney
19 in order to prepare the defense. The confidential and exempt
20 status of this information may not be construed to prevent the
21 disclosure of the victim's identity to the defendant; however,
22 the defendant may not disclose the victim's identity to any
23 person other than the defendant's attorney or any other person
24 directly involved in the preparation of the defense. A willful
25 and knowing disclosure of the identity of the victim to any
26 other person by the defendant constitutes contempt.

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

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 described in s. 787.06(3)(a)1., (c)1., or (e)1.,
39 s. 787.06(3)(b), (d), (f), or (g), chapter 794, or chapter 800,
40 or a crime of child abuse, aggravated child abuse, or sexual

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41 performance by a child, as described in chapter 827, but the
42 publication or broadcast may not include an identifying
43 photograph, an identifiable voice, or the name or address of the
44 victim, unless the victim has consented in writing to the
45 publication and filed such consent with the court or unless the
46 court has declared such records not confidential and exempt as
47 provided for in subsection (1).

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49 Section 2. Paragraph (b) of subsection (2) of section
50 960.065, Florida Statutes, is amended to read:

51 960.065 Eligibility for awards.—

52 (2) Any claim filed by or on behalf of a person who:

53 (b) Was engaged in an unlawful activity at the time of the
54 crime upon which the claim for compensation is based, unless the
55 victim was engaged in prostitution as a result of being a victim
56 of human trafficking as described in s. 787.06(3)(b), (d), (f),
57 or (g);

58

59 is ineligible for an award.

60 Section 3. Section 960.199, Florida Statutes, is amended
61 to read:

62 960.199 Relocation assistance for victims of sexual
63 battery or human trafficking.—

64 (1) The department may award a one-time payment of up to
65 \$1,500 on any one claim and a lifetime maximum of \$3,000 to a
66 victim of sexual battery, as defined in s. 794.011, or a victim

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67 of human trafficking, as described in s. 787.06(3)(b), (d), (f),
68 or (g), who needs relocation assistance.

69 (2) In order for an award to be granted to a victim for
70 relocation assistance:

71 (a) There must be proof that a sexual battery offense or
72 human trafficking offense, as described in s. 787.06(3)(b), (d),
73 (f), or (g), was committed.

74 (b) The sexual battery offense or human trafficking
75 offense, as defined in s. 787.06(3)(b), (d), (f), or (g), must
76 be reported to the proper authorities.

77 (c) The victim's need for assistance must be certified by
78 a certified rape crisis center in this state or by the state
79 attorney or statewide prosecutor having jurisdiction over the
80 offense. A victim of human trafficking's need for assistance may
81 also be certified by a certified domestic violence center in
82 this state.

83 (d) The center's ~~center~~ certification must assert that the
84 victim is cooperating with law enforcement officials, if
85 applicable, and must include documentation that the victim has
86 developed a safety plan. If the victim seeking relocation
87 assistance is a victim of a human trafficking offense as
88 described in s. 787.06(3)(b), (d), (f), or (g), the certified
89 rape crisis center's or certified domestic violence center's
90 certification must include, if applicable, approval of the state
91 attorney or statewide prosecutor attesting that the victim is
92 cooperating with law enforcement officials.

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93 (e) The act of sexual battery or human trafficking, as
94 described in s. 787.06(3)(b), (d), (f), or (g), must be

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97 **T I T L E A M E N D M E N T**

98 Remove lines 2-9 and insert:

99 An act relating to human trafficking; amending s.
100 92.56, F.S.; including human trafficking within
101 provisions providing for confidentiality of court
102 records concerning certain offenses involving
103 children; amending s. 960.065,

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