

By Senator Flores

37-00753-15

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       409.1678, F.S.; providing an exemption from public  
4       records requirements for information held by an agency  
5       about the location of safe houses, safe foster homes,  
6       and other residential facilities serving victims of  
7       sexual exploitation; providing for future legislative  
8       review and repeal of the exemption; amending s.  
9       787.06, F.S.; providing an exemption from public  
10      records requirements for information held by an agency  
11      about the location of residential facilities serving  
12      adult victims of human trafficking involving  
13      commercial sexual activity; providing for future  
14      legislative review and repeal of the exemption;  
15      providing a statement of public necessity; providing a  
16      contingent effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20       Section 1. Subsection (6) is added to section 409.1678,  
21 Florida Statutes, to read:

22       409.1678 Specialized residential options for children who  
23 are victims of sexual exploitation.—

24       (6) (a) LOCATION INFORMATION.—Information about the location  
25 of a safe house, safe foster home, or other residential facility  
26 serving children who are victims of sexual exploitation, as  
27 defined in s. 39.01(69)(g), which is held by an agency, as  
28 defined in s. 119.011, is confidential and exempt from s.  
29 119.07(1) and s. 24(a), Art. I of the State Constitution.

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30 (b) Information about the location of a safe house, safe  
31 foster home, or other residential facility serving children who  
32 are victims of sexual exploitation, as defined in s.  
33 39.01(69)(g), may be provided to an agency, as defined in s.  
34 119.011, as necessary to maintain health and safety standards  
35 and to address emergency situations in the safe house, safe  
36 foster home, or other residential facility.

37 (c) This subsection is subject to the Open Government  
38 Sunset Review Act in accordance with s. 119.15 and shall stand  
39 repealed on October 2, 2020, unless reviewed and saved from  
40 repeal through reenactment by the Legislature.

41 Section 2. Subsection (9) is added to section 787.06,  
42 Florida Statutes, to read:

43 787.06 Human trafficking.—

44 (9)(a) Information about the location of a residential  
45 facility offering services for adult victims of human  
46 trafficking involving commercial sexual activity, which is held  
47 by an agency, as defined in s. 119.011, is confidential and  
48 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
49 Constitution.

50 (b) Information about the location of a residential  
51 facility offering services for adult victims of human  
52 trafficking involving commercial sexual activity may be provided  
53 to an agency, as defined in s. 119.011, as necessary to maintain  
54 health and safety standards and to address emergency situations  
55 in the residential facility.

56 (c) This subsection is subject to the Open Government  
57 Sunset Review Act in accordance with s. 119.15 and shall stand  
58 repealed on October 2, 2020, unless reviewed and saved from

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59 repeal through reenactment by the Legislature.

60       Section 3. The Legislature finds that it is a public  
61 necessity that information about the location of safe houses,  
62 safe foster homes, and other residential facilities serving  
63 children who are victims of sexual exploitation, as defined in  
64 s. 39.01(69)(g), Florida Statutes, or adult victims of human  
65 trafficking involving commercial sexual activity, held by an  
66 agency, as defined in s. 119.011, Florida Statutes, be made  
67 confidential and exempt from s. 119.07(1), Florida Statutes, and  
68 s. 24(a), Article I of the State Constitution. Safe houses, safe  
69 foster homes, and other residential facilities serving victims  
70 of sexual exploitation, as defined in s. 39.01(69)(g), Florida  
71 Statutes, or adult victims of human trafficking involving  
72 commercial sexual activity, are intended as refuges for sexually  
73 exploited victims from those who exploited them. If the  
74 individuals who victimized these people were able to learn the  
75 location of such facilities, they may attempt to contact their  
76 victims, exploit their vulnerabilities, and return them to the  
77 situations in which they were victimized. Even without the  
78 return of these victims to their former situations, additional  
79 contact with those who victimized them would have the effect of  
80 continuing their victimization and inhibiting their recoveries.  
81 Additionally, knowledge about the location of safe houses, safe  
82 foster homes, and other residential facilities serving victims  
83 of sexual exploitation, as defined in s. 39.01(69)(g), Florida  
84 Statutes, or adult victims of human trafficking involving  
85 commercial sexual activity, could enable other individuals to  
86 locate and attempt to victimize the residents. Therefore, it is  
87 the finding of the Legislature that such information must be

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88 made confidential and exempt from public records requirements.

89 Section 4. This act shall take effect on the same date that

90 SB \_\_\_\_ or similar legislation relating to human trafficking

91 takes effect, if such legislation is adopted in the same

92 legislative session or an extension thereof and becomes a law.