1   A bill to be entitled

2   An act relating to public records; amending s.

3   787.061, F.S.; providing for closed hearings in

4   certain civil actions by victims of human trafficking

5   in certain circumstances; providing for redaction and

6   sealing of information identifying victims of human

7   trafficking; providing an exemption from public

8   records requirements for such sealed and redacted

9   information; providing a statement of public

10   necessity; providing a contingent effective date.

11

12   Be It Enacted by the Legislature of the State of Florida:

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14   Section 1. Subsection (7) is added to section 787.061,

15   Florida Statutes, as created by CS/HB 1165, to read:

16   (7) CLOSED HEARINGS.—At the victim's request, court

17   hearings conducted pursuant to this section shall be closed to

18   the public and any information identifying victims of human

19   trafficking redacted or sealed in the court file and online

20   docket for such action. Such redacted information and sealed

21   files are confidential and exempt from s. 119.07(1) and s.

22   24(a), Art. I of the State Constitution.

23   Section 2. The Legislature finds that hearings conducted

24   pursuant to s. 787.061, Florida Statutes, for victims of human

25   trafficking should be closed and be made confidential and exempt

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26   from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
27   the State Constitution at the victim's request. Providing an
28   exemption for such hearings will allow victims of human
29   trafficking to seek relief in the courts of the state without
30   exposing their victimization to the public and protecting their
31   identity as they continue to recover from their time as a victim
32   of human trafficking. For these reasons the Legislature finds
33   that it is a public necessity that hearings conducted pursuant
34   to s. 787.061, Florida Statutes, be made confidential and exempt
35   from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
36   the State Constitution upon the victim's request in such
37   hearings. The Legislature further finds that any information
38   identifying victims of human trafficking redacted or sealed in
39   the court files and online dockets of civil actions by victims
40   of human trafficking under s. 787.061, Florida Statutes, should
41   be made confidential and exempt from s. 119.07(1), Florida
42   Statutes, and s. 24(a), Article I of the State Constitution at
43   the victim's request. Providing an exemption for such
44   information will protect the identity of a victim of human
45   trafficking from her or his captor and will allow the victim to
46   move back into daily life without fear of retaliation or risk of
47   being enslaved again. The identity of these victims and details
48   of their victimization is information of a sensitive personal
49   nature. As such, this exemption serves to minimize the trauma to
50   victims because the release of such information would compound

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51 the tragedy already visited upon their lives and would be
52 defamatory to or cause unwarranted damage to the good name and
53 reputation of the victims. For these reasons, the Legislature
54 finds that it is a public necessity that any information
55 identifying victims of human trafficking redacted or sealed in
56 the court files and online dockets of civil actions by victims
57 of human trafficking under s. 787.061, Florida Statutes, be made
58 confidential and exempt from s. 119.07(1), Florida Statutes, and
59 s. 24(a), Article I of the State Constitution upon request of
60 the plaintiff in such an action.
61   Section 3. This act shall take effect on the same date
62 that s. 787.061, Florida Statutes, as created by CS/HB 1165 or
63 similar legislation takes effect, if such legislation is adopted
64 in the same legislative session or an extension thereof and
65 becomes a law.

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