

By Senator Bracy

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 787.061, F.S.; providing an exemption from public
4 records requirements for specified redacted and sealed
5 information identifying a victim of human trafficking;
6 providing for future legislative review and repeal of
7 the exemption; providing a statement of public
8 necessity; providing a contingent effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (9) is added to section 787.061,
13 Florida Statutes, as created by SB 972, 2017 Regular Session, to
14 read:

15 787.061 Human trafficking; civil action.—

16 (9) EXEMPTION.—A court file of a victim of human
17 trafficking sealed under subsection (7) and any information
18 identifying a victim of human trafficking in an online docket
19 which is redacted under subsection (7) is confidential and
20 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
21 Constitution. This subsection is subject to the Open Government
22 Sunset Review Act in accordance with s. 119.15 and shall stand
23 repealed on October 2, 2022, unless reviewed and saved from
24 repeal through reenactment by the Legislature.

25 Section 2. The Legislature finds that it is a public
26 necessity that a sealed court file of a victim of human
27 trafficking and any redacted information identifying a victim of
28 human trafficking in an online docket in a civil action brought
29 by a victim of human trafficking under s. 787.061, Florida

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30 Statutes, be made confidential and exempt from s. 119.07(1),
31 Florida Statutes, and s. 24(a), Article I of the State
32 Constitution. The identity of these victims and details of their
33 victimization are information of a sensitive, personal nature.
34 As such, this exemption serves to minimize the trauma to victims
35 because the release of such information would compound the
36 tragedy they have already endured and would be defamatory or
37 cause unwarranted damage to the good name and reputation of
38 these victims. For these reasons, the Legislature finds that it
39 is a public necessity that any information identifying victims
40 of human trafficking which is redacted or sealed in court files
41 and online dockets in civil actions by victims of human
42 trafficking under s. 787.061, Florida Statutes, be made
43 confidential and exempt from s. 119.07(1), Florida Statutes, and
44 s. 24(a), Article I of the State Constitution upon request of
45 the plaintiff in such an action.

46 Section 3. This act shall take effect on the same date that
47 SB 972 or similar legislation takes effect, if such legislation
48 is adopted in the same legislative session or an extension
49 thereof and becomes a law.