

By the Committee on Criminal Justice; and Senator Bracy

591-03935-17

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 787.065, F.S.; providing for closed hearings in
4 certain civil actions upon the request of victims, or
5 the Statewide Council on Human Trafficking on behalf
6 of the victims, of human trafficking; providing for
7 redaction and sealing of personal identifying
8 information of victims of human trafficking upon
9 request; exempting from public records requirements
10 the redacted and sealed information; providing for
11 future review and repeal of the exemption; exempting
12 from public records requirements the personal
13 identifying information of victims of human
14 trafficking held by the council; providing for future
15 review and repeal of the exemption; providing a
16 statement of public necessity; providing a contingent
17 effective date.

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

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21 Section 1. Section 787.065, Florida Statutes, is created to
22 read:

23 787.065 Public records exemption for victims of human
24 trafficking.—

25 (1) CLOSED HEARINGS.—At the request of the victim, or the
26 Statewide Council on Human Trafficking on behalf of the victim,
27 court hearings conducted pursuant to s. 787.063 shall be closed
28 to the public, and any personal identifying information of the
29 victim of human trafficking shall be redacted or sealed in the

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30 court file and online docket for such hearings. Such redacted or
31 sealed information in the court file and online docket is
32 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
33 of the State Constitution. This subsection is subject to the
34 Open Government Sunset Review Act in accordance with s. 119.15
35 and shall stand repealed on October 2, 2022, unless reviewed and
36 saved from repeal through reenactment by the Legislature.

37 (2) COUNCIL RECORDS.—At the victim’s request, any personal
38 identifying information of the victim of human trafficking held
39 by the council under s. 787.063 is confidential and exempt from
40 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
41 This subsection is subject to the Open Government Sunset Review
42 Act in accordance with s. 119.15 and shall stand repealed on
43 October 2, 2022, unless reviewed and saved from repeal through
44 reenactment by the Legislature.

45 Section 2. (1) The Legislature finds that hearings
46 conducted pursuant to s. 787.063, Florida Statutes, for victims
47 of human trafficking should be closed to the public at the
48 request of the victim or the Statewide Council on Human
49 Trafficking on behalf of the victim. Preventing public access to
50 such hearings will allow victims of human trafficking to seek
51 relief in the courts of the state without exposing their
52 victimization to the public and to protect their identities as
53 they continue to recover from their time as victims of human
54 trafficking. For these reasons, the Legislature finds that it is
55 a public necessity that, upon the request of the victim or the
56 council on behalf of the victim, hearings conducted pursuant to
57 s. 787.063, Florida Statutes, be closed to the public.

58 (2) The Legislature further finds that any personal

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59 identifying information of victims of human trafficking which,
60 upon request, is redacted or sealed in the court files and
61 online dockets of actions brought by, or on behalf of, victims
62 of human trafficking under s. 787.063, Florida Statutes, and any
63 personal identifying information held by the council should be
64 made confidential and exempt from s. 119.07(1), Florida
65 Statutes, and s. 24(a), Article I of the State Constitution. The
66 identity of these victims and the details of their victimization
67 are information of a sensitive, personal nature. As such, this
68 exemption serves to minimize the trauma to victims because the
69 release of such information would compound the tragedy already
70 visited upon their lives and would be defamatory, or cause
71 unwarranted damage, to the good name and reputation of the
72 victims. For these reasons, the Legislature finds that it is a
73 public necessity that any personal identifying information of
74 victims of human trafficking which, upon request, is redacted or
75 sealed in the court files and online dockets of actions by
76 victims of human trafficking under s. 787.063, Florida Statutes,
77 and any personal identifying information held by the council be
78 made confidential and exempt from s. 119.07(1), Florida
79 Statutes, and s. 24(a), Article I of the State Constitution.

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