

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                     (Y/N)  
OTHER                                          

---

1 Committee/Subcommittee hearing bill: Civil Justice & Claims  
2 Subcommittee

3 Representative Lee offered the following:

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Paragraph (k) is added to subsection (1) of section 119.0714, Florida Statutes, to read:

119.0714 Court files; court records; official records.—

(1) COURT FILES.—Nothing in this chapter shall be construed to exempt from s. 119.07(1) a public record that was made a part of a court file and that is not specifically closed by order of court, except:

(k)1. A petition, and the contents thereof, for an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, stalking, or

Amendment No. 1

17 cyberstalking that is dismissed without a hearing, dismissed at  
18 an ex parte hearing due to failure to state a claim or lack of  
19 jurisdiction, or dismissed for any reason having to do with the  
20 sufficiency of the petition itself without an injunction being  
21 issued on or after July 1, 2017, is exempt from s. 119.07(1) and  
22 s. 24(a), Article I of the State Constitution.

23 2. A petition, and the contents thereof, for an injunction  
24 for protection against domestic violence, repeat violence,  
25 dating violence, sexual violence, stalking, or cyberstalking  
26 that is dismissed without a hearing, dismissed at an ex parte  
27 hearing due to failure to state a claim or lack of jurisdiction,  
28 or dismissed for any reason having to do with the sufficiency of  
29 the petition itself without an injunction being issued before  
30 July 1, 2017, is exempt from s. 119.07(1) and s. 24(a), Article  
31 I of the State Constitution only upon request by an individual  
32 named in the petition as a respondent. The request must be in  
33 the form of a signed, legibly written request specifying the  
34 case name, case number, document heading, and page number. The  
35 request must be delivered by mail, facsimile, or electronic  
36 transmission or in person to the clerk of the court. A fee may  
37 not be charged for such request.

38 Section 2. The Legislature finds that it is a public  
39 necessity that a petition, and the contents thereof, for an  
40 injunction for protection against domestic violence, repeat  
41 violence, dating violence, sexual violence, stalking, or

679387 - h0239-strike.docx

Published On: 2/15/2017 11:05:06 AM

Amendment No. 1

42 cyberstalking that is dismissed without a hearing, dismissed at  
43 an ex parte hearing due to failure to state a claim or lack of  
44 jurisdiction, or dismissed for any reason having to do with the  
45 sufficiency of the petition itself without an injunction being  
46 issued be made exempt from s. 119.07(1), Florida Statutes, and  
47 s. 24(a), Article I of the State Constitution. The Legislature  
48 finds that the existence of, and the unverified allegations  
49 contained in, such a petition may be defamatory to an individual  
50 named in it and cause unwarranted damage to the reputation of  
51 such individual. The Legislature further finds that removing  
52 such a record from public disclosure is the sole means of  
53 protecting the reputation of such individual.

54 Section 3. This act shall take effect July 1, 2017.

55

56

57

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

58  
59 Remove everything before the enacting clause and insert:  
60 An act relating to public records; amending s. 119.0714, F.S.;  
61 providing an exemption from public record requirements for  
62 petitions, and the contents thereof, for certain protective  
63 injunctions that are dismissed in certain circumstances;  
64 providing a statement of public necessity; providing an  
65 effective date.