

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.0714, F.S.; providing an exemption from public  
 4           records requirements for petitions, and the contents  
 5           thereof, for certain protective injunctions that are  
 6           dismissed in certain circumstances; providing a  
 7           statement of public necessity; providing an effective  
 8           date.

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

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

14           119.0714 Court files; court records; official records.—

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

19           (k)1. A petition, and the contents thereof, for an  
 20           injunction for protection against domestic violence, repeat  
 21           violence, dating violence, sexual violence, stalking, or  
 22           cyberstalking that is dismissed without a hearing, dismissed at  
 23           an ex parte hearing due to failure to state a claim or lack of  
 24           jurisdiction, or dismissed for any reason having to do with the  
 25           sufficiency of the petition itself without an injunction being

26 | issued on or after July 1, 2017, is exempt from s. 119.07(1) and  
27 | s. 24(a), Art. I of the State Constitution.

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

43 | Section 2. The Legislature finds that it is a public  
44 | necessity that a petition, and the contents thereof, for an  
45 | injunction for protection against domestic violence, repeat  
46 | violence, dating violence, sexual violence, stalking, or  
47 | cyberstalking that is dismissed without a hearing, dismissed at  
48 | an ex parte hearing due to failure to state a claim or lack of  
49 | jurisdiction, or dismissed for any reason having to do with the  
50 | sufficiency of the petition itself without an injunction being

51 issued be made exempt from s. 119.07(1), Florida Statutes, and  
52 s. 24(a), Article I of the State Constitution. The Legislature  
53 finds that the existence of, and the unverified allegations  
54 contained in, such a petition may be defamatory to an individual  
55 named in it and cause unwarranted damage to the reputation of  
56 such individual. The Legislature further finds that removing  
57 such a record from public disclosure is the sole means of  
58 protecting the reputation of such an individual.

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