



480408

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Governmental Oversight and Accountability
(Brandes) recommended the following:

Senate Substitute for Amendment (116034) (with title amendment)

Delete lines 18 - 40

and insert:

information of an adult participating in a civil citation or prearrest diversion program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The exemption shall not apply to the personal identifying information of an adult who fails to complete the civil citation or prearrest diversion



11 program. This exemption applies to personal identifying
12 information held by a law enforcement agency, a program services
13 provider, or the entity operating an adult civil citation or
14 prearrest diversion program before, on, or after the effective
15 date of this exemption. This subsection is subject to the Open
16 Government Sunset Review Act in accordance with s. 119.15 and
17 shall stand repealed on October 2, 2022, unless reviewed and
18 saved from such repeal through reenactment by the Legislature.

19 Section 1. The Legislature finds that it is a public
20 necessity that the personal identifying information of an adult
21 participating in a civil citation or prearrest diversion program
22 is exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
23 Article I of the State Constitution. The exemption shall not
24 apply to the personal identifying information of an adult who
25 fails to complete the civil citation or prearrest diversion
26 program. The goal of such programs is to give a second chance to
27 adults who commit misdemeanor offenses and allow them the
28 opportunity to avoid having an arrest record. If the personal
29 identifying information of such adults were not exempt from
30 disclosure, it would defeat the program's goal of giving adults
31 who commit misdemeanor offenses a means to avoid the negative
32 consequences of an arrest and prosecution. If such information
33 were able to be obtained by the public, the disclosure might
34 negatively impact the effectiveness of the program. For these
35 reasons, the Legislature finds that it is a public necessity
36 that the personal identifying information of an adult
37 participating in a civil citation or prearrest diversion program
38 is
39



480408

40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete lines 4 - 7

43 and insert:

44 information of an adult participating in a civil
45 citation or prearrest diversion program is exempt from
46 public records requirements; providing applicability;
47 providing for future review and repeal of the
48 exemption; providing for retroactive application;
49 providing a statement of