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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2017	.	
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	.	
	.	

The Committee on Criminal Justice (Bracy) recommended the following:

Senate Amendment (with title amendment)

Delete lines 17 - 43

and insert:

Section 1. Paragraph (c) of subsection (3) of section 119.011, Florida Statutes, is amended to read:

119.011 Definitions.—As used in this chapter, the term:
(3)

(c) "Criminal intelligence information" and "criminal investigative information" shall not include:



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- 11 1. The time, date, location, and nature of a reported
12 crime.
- 13 2. The name, sex, age, and address of a person arrested or
14 of the victim of a crime except as provided in s. 119.071(2) (h).
- 15 3. The time, date, and location of the incident and of the
16 arrest.
- 17 4. The crime charged.
- 18 5. Documents given or required by law or agency rule to be
19 given to the person arrested, except as provided in s.
20 119.071(2) (h) or (2) (m), and, except that the court in a
21 criminal case may order that certain information required by law
22 or agency rule to be given to the person arrested be maintained
23 in a confidential manner and exempt from the provisions of s.
24 119.07(1) until released at trial if it is found that the
25 release of such information would:
- 26 a. Be defamatory to the good name of a victim or witness or
27 would jeopardize the safety of such victim or witness; and
- 28 b. Impair the ability of a state attorney to locate or
29 prosecute a codefendant.
- 30 6. Informations and indictments except as provided in s.
31 905.26.
- 32 Section 2. Paragraph (m) is added to subsection (2) of
33 section 119.071, Florida Statutes, to read:
- 34 119.071 General exemptions from inspection or copying of
35 public records.—
- 36 (2) AGENCY INVESTIGATIONS.—
- 37 (m)1. Criminal intelligence information or criminal
38 investigative information that reveals the personal identifying
39 information of a witness to a murder, as described in s. 782.04,



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40 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.
41 I of the State Constitution for 2 years after the date on which
42 the murder is observed by the witness. A criminal justice agency
43 may disclose such information:

44 a. In the furtherance of its official duties and
45 responsibilities.

46 b. To assist in locating or identifying the witness if the
47 agency believes the witness to be missing or endangered.

48 c. To another governmental agency for use in the
49 performance of its official duties and responsibilities.

50 2. This paragraph is subject to the Open Government Sunset
51 Review Act in accordance with s. 119.15 and shall stand repealed
52 on October 2, 2022, unless reviewed and saved from repeal
53 through reenactment by the Legislature.

54 Section 3. Paragraph (h) of subsection (1) of section
55 119.0714, Florida Statutes, is amended to read:

56 119.0714 Court files; court records; official records.-

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

61 (h) Criminal intelligence information or criminal
62 investigative information that is confidential and exempt as
63 provided in s. 119.071(2) (h) or (2) (m).

64
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete lines 3 - 4

68 and insert:



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69 119.011, F.S.; providing that the personal identifying
70 information of a witness to a murder remains
71 confidential and exempt for a specified period;
72 amending s. 119.071, F.S.; providing an exemption from
73 public records requirements for criminal intelligence
74 or criminal investigative information that reveals the
75 personal identifying