

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 943.0583, F.S., which
 4 provides an exemption from public record requirements
 5 for certain criminal history records ordered expunged
 6 that are retained by the Department of Law
 7 Enforcement; removing the scheduled repeal of the
 8 exemption; providing an effective date.

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

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 12 Section 1. Subsection (10) of section 943.0583, Florida
 13 Statutes, is amended to read:

14 943.0583 Human trafficking victim expunction.—

15 (10) (a) A criminal history record ordered expunged under
 16 this section that is retained by the department is confidential
 17 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 18 Constitution, except that the record shall be made available:

19 1. To criminal justice agencies for their respective
 20 criminal justice purposes. ~~and~~

21 2. To any governmental agency that is authorized by state
 22 or federal law to determine eligibility to purchase or possess a
 23 firearm or to carry a concealed firearm for use in the course of
 24 such agency's official duties. ~~Otherwise, such record shall not~~
 25 ~~be disclosed to any person or entity except~~

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26 | 3. Upon order of a court of competent jurisdiction.

27 | (b) A criminal justice agency may retain a notation
28 | indicating compliance with an order to expunge.

29 | ~~(b) This subsection is subject to the Open Government~~
30 | ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
31 | ~~repealed on October 2, 2018, unless reviewed and saved from~~
32 | ~~repeal through reenactment by the Legislature.~~

33 | Section 2. This act shall take effect October 1, 2018.