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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 records requirements for all information contained in 4 5 a petition for certain protective injunctions, and any 6 related affidavit, notice of hearing, and temporary 7 injunction, until the respondent has been personally 8 served; providing a statement of public necessity; 9 providing an effective date. 10 11 Be It Enacted by the Legislature of the State of Florida: 12 13 Section 1. Paragraph (k) of subsection (1) of section 14 119.0714, Florida Statutes, is amended to read: 119.0714 Court files; court records; official records.-15 16 (1)COURT FILES.-Nothing in this chapter shall be 17 construed to exempt from s. 119.07(1) a public record that was 18 made a part of a court file and that is not specifically closed 19 by order of court, except: 20 (k)1. A petition, and the contents thereof, for an 21 injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, stalking, or 22 23 cyberstalking that is dismissed without a hearing, dismissed at an ex parte hearing due to failure to state a claim or lack of 24 25 jurisdiction, or dismissed for any reason having to do with the Page 1 of 3

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sufficiency of the petition itself without an injunction being issued on or after July 1, 2017, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

29 2. A petition, and the contents thereof, for an injunction 30 for protection against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking 31 32 that is dismissed without a hearing, dismissed at an ex parte 33 hearing due to failure to state a claim or lack of jurisdiction, or dismissed for any reason having to do with the sufficiency of 34 35 the petition itself without an injunction being issued before July 1, 2017, is exempt from s. 119.07(1) and s. 24(a), Art. I 36 37 of the State Constitution only upon request by an individual 38 named in the petition as a respondent. The request must be in 39 the form of a signed, legibly written request specifying the case name, case number, document heading, and page number. The 40 request must be delivered by mail, facsimile, or electronic 41 42 transmission or in person to the clerk of the court. A fee may 43 not be charged for such request.

<u>3. All information contained in a petition for an</u>
<u>injunction against domestic violence, repeat violence, dating</u>
<u>violence, sexual violence, stalking, or cyberstalking, and any</u>
<u>affidavits, notice of hearing, and temporary injunction, is</u>
<u>confidential and exempt from s. 119.07(1) and s. 24(a), Art. I</u>
<u>of the State Constitution until the respondent has been</u>
<u>personally served with a copy of the petition for injunction,</u>

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51	affidavits, notice of hearing, and temporary injunction.
52	Section 2. The Legislature finds that it is a public
53	necessity that all information contained in a petition for an
54	injunction against domestic violence, repeat violence, dating
55	violence, sexual violence, stalking, or cyberstalking, and
56	affidavits, notice of hearing, and temporary injunction, be made
57	confidential and exempt from s. 119.07(1), Florida Statutes, and
58	s. 24(a), Article I of the State Constitution. Release of such
59	information before the respondent has been personally served
60	with a copy of the petition, affidavits, notice of hearing, and
61	temporary injunction could significantly threaten the physical
62	safety and security of persons seeking protection through
63	injunctive proceedings and their families, and of law
64	enforcement tasked with serving the petition for injunction,
65	affidavits, notice of hearing, and temporary injunction on the
66	respondent. The harm that may result from the release of the
67	information outweighs any public benefit that might result from
68	public disclosure of the information.
69	Section 3. This act shall take effect July 1, 2019.
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