

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 390.01116; expanding an existing public records
 4 exemption to include information that could identify a
 5 pregnant minor which is contained in a record held by
 6 the court relating to the pregnant minor's petition to
 7 waive consent requirements to obtain an abortion;
 8 providing for future legislative review and repeal of
 9 the expanded exemption under the Open Government
 10 Sunset Review Act; providing for reversion of
 11 specified language if the exemption is not saved from
 12 repeal; providing a statement of public necessity;
 13 providing a contingent effective date.

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

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 17 Section 1. Section 390.01116, Florida Statutes, is amended
 18 to read:

19 390.01116 Public records exemptions; minors seeking waiver
 20 of notice and consent requirements.—Any information that can be
 21 used to identify a minor petitioning a circuit court for a
 22 judicial waiver, as provided in s. 390.01114, of the ~~notice~~
 23 requirements under the Parental Notice of and Consent for
 24 Abortion Act is:

25 (1) Confidential and exempt from s. 24(a), Art. I of the

26 State Constitution if held by a circuit court or an appellate
27 court.

28 (2) Confidential and exempt from s. 119.07(1) and s.
29 24(a), Art. I of the State Constitution if held by the office of
30 criminal conflict and civil regional counsel or the Justice
31 Administrative Commission.

32
33 The expansion of the public records exemption under this section
34 to include information that could identify a pregnant minor
35 under 18 years of age which is contained in a record held by the
36 court relating to the pregnant minor's petition to waive consent
37 requirements to obtain an abortion is subject to the Open
38 Government Sunset Review Act in accordance with s. 119.15 and
39 shall stand repealed on October 2, 2025, unless reviewed and
40 saved from repeal through reenactment by the Legislature. If the
41 expansion of the exemption is not saved from repeal, this
42 section shall revert to that in existence on June 30, 2020,
43 except that any amendments to such text other than by this act
44 shall be preserved and continue to operate to the extent that
45 such amendments are not dependent upon the portions of text
46 which expire pursuant to this section.

47 Section 2. The Legislature finds that it is a public
48 necessity to keep confidential and exempt from public disclosure
49 information contained in a court record which could be used to
50 identify a pregnant minor who petitions the court for a waiver

51 from the statutory requirement that a parent or legal guardian
52 give consent before the pregnant minor may obtain an abortion.
53 The information contained in such records is of a sensitive,
54 personal nature regarding a minor petitioner, release of which
55 could harm the reputation of the pregnant minor, as well as
56 jeopardize her safety. Disclosure of this information could
57 jeopardize the safety of the pregnant minor in instances when
58 child abuse or child sexual abuse against her is present by
59 exposing her to further acts of abuse from an abuser who, if the
60 information was not held confidential, could learn of her
61 pregnancy, her plans to obtain an abortion, and her petition to
62 the court.

63 Section 3. This act shall take effect on the same date
64 that HB 265 or similar legislation takes effect, if such
65 legislation is adopted in the same legislative session or an
66 extension thereof and becomes a law.