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HB 7019

2020 Legislature

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 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.071, F.S., which
 4 provides an exemption from public records requirements
 5 for certain criminal intelligence and criminal
 6 investigative information that reveals the identity of
 7 a victim of certain human trafficking offenses;
 8 removing the scheduled repeal of the exemption;
 9 amending s. 943.0583, F.S., which provides an
 10 exemption from public records requirements for
 11 criminal intelligence and criminal investigative
 12 information revealing the identity of a victim of
 13 human trafficking whose criminal history record has
 14 been ordered expunged; removing the scheduled repeal
 15 of the exemption; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Paragraph (h) of subsection (2) of section
 20 119.071, Florida Statutes, is amended to read:

21 119.071 General exemptions from inspection or copying of
 22 public records.—

23 (2) AGENCY INVESTIGATIONS.—

24 (h)1. The following criminal intelligence information or
 25 criminal investigative information is confidential and exempt

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26 | from s. 119.07(1) and s. 24(a), Art. I of the State
 27 | Constitution:

28 | a. Any information that reveals the identity of the victim
 29 | of the crime of child abuse as defined by chapter 827 or that
 30 | reveals the identity of a person under the age of 18 who is the
 31 | victim of the crime of human trafficking proscribed in s.
 32 | 787.06(3) (a).

33 | b. Any information that may reveal the identity of a
 34 | person who is a victim of any sexual offense, including a sexual
 35 | offense proscribed in s. 787.06(3) (b), (d), (f), or (g), chapter
 36 | 794, chapter 796, chapter 800, chapter 827, or chapter 847.

37 | c. A photograph, videotape, or image of any part of the
 38 | body of the victim of a sexual offense prohibited under s.
 39 | 787.06(3) (b), (d), (f), or (g), chapter 794, chapter 796,
 40 | chapter 800, s. 810.145, chapter 827, or chapter 847, regardless
 41 | of whether the photograph, videotape, or image identifies the
 42 | victim.

43 | 2. Criminal investigative information and criminal
 44 | intelligence information made confidential and exempt under this
 45 | paragraph may be disclosed by a law enforcement agency:

46 | a. In the furtherance of its official duties and
 47 | responsibilities.

48 | b. For print, publication, or broadcast if the law
 49 | enforcement agency determines that such release would assist in
 50 | locating or identifying a person that such agency believes to be

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51 missing or endangered. The information provided should be
52 limited to that needed to identify or locate the victim and not
53 include the sexual nature of the offense committed against the
54 person.

55 c. To another governmental agency in the furtherance of
56 its official duties and responsibilities.

57 3. This exemption applies to such confidential and exempt
58 criminal intelligence information or criminal investigative
59 information held by a law enforcement agency before, on, or
60 after the effective date of the exemption.

61 ~~4. This paragraph is subject to the Open Government Sunset~~
62 ~~Review Act in accordance with s. 119.15, and shall stand~~
63 ~~repealed on October 2, 2020, unless reviewed and saved from~~
64 ~~repeal through reenactment by the Legislature.~~

65 Section 2. Paragraph (d) of subsection (11) of section
66 943.0583, Florida Statutes, is amended to read:

67 943.0583 Human trafficking victim expunction.—

68 (11)

69 ~~(d) This subsection is subject to the Open Government~~
70 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
71 ~~repealed on October 2, 2020, unless reviewed and saved from~~
72 ~~repeal through reenactment by the Legislature.~~

73 Section 3. This act shall take effect October 1, 2020.