

By the Committee on Criminal Justice

591-02256-20

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1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act; amending s. 895.06, F.S., relating  
 4           to an exemption from public records requirements for  
 5           information held by an investigative agency pursuant  
 6           to an investigation relating to an activity prohibited  
 7           under the Florida RICO Act; removing the scheduled  
 8           repeal of the 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 (7) of section 895.06, Florida  
 13           Statutes, is amended to read:

14           895.06 Civil investigative subpoenas; public records  
 15           exemption.—

16           (7) (a) Information held by an investigative agency pursuant  
 17           to an investigation of a violation of s. 895.03 is confidential  
 18           and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 19           Constitution.

20           (b) Information made confidential and exempt under  
 21           paragraph (a) may be disclosed by the investigative agency to:

22           1. A government entity in the performance of its official  
 23           duties.

24           2. A court or tribunal.

25           (c) Information made confidential and exempt under  
 26           paragraph (a) is no longer confidential and exempt once all  
 27           investigations to which the information pertains are completed,  
 28           unless the information is otherwise protected by law.

29           (d) For purposes of this subsection, an investigation is

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30 considered complete once the investigative agency either files  
31 an action or closes its investigation without filing an action.

32 ~~(c) This subsection is subject to the Open Government~~  
33 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
34 ~~repealed on October 2, 2020, unless reviewed and saved from~~  
35 ~~repeal through reenactment by the Legislature.~~

36 Section 2. This act shall take effect October 1, 2020.