

By Senator Pizzo

38-00893A-21

20211974__

1 A bill to be entitled
2 An act relating to public records; amending s.
3 741.301, F.S.; providing that all pleadings and
4 documents related to a petition domestic violence
5 injunction that have been ordered to be sealed are
6 confidential and exempt from public records
7 requirements; providing for future legislative review
8 and repeal of the exemption under the Open Government
9 Sunset Review Act; providing a statement of public
10 necessity; providing a contingent effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 741.301, Florida Statutes, as created by
15 SB ____, 2021 Regular Session, is amended to read:

16 741.301 Sealing of domestic violence injunction petitions
17 not granted.—

18 (1) A respondent to a petition made under s. 741.30 may
19 petition the court to seal the petition for injunction and all
20 records and documents related to it if the petition for
21 injunction was withdrawn or dismissed or if there was a ruling
22 in favor of the respondent. A petition for sealing under this
23 section may be filed at any time.

24 (2) (a) A petition, records, and documents that have been
25 ordered sealed under subsection (1) and the petition for sealing
26 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
27 I of the State Constitution.

28 (b) This subsection is subject to the Open Government
29 Sunset Review Act in accordance with s. 119.15 and shall stand

38-00893A-21

20211974__

30 repealed on October 2, 2026, unless reviewed and saved from
31 repeal through reenactment by the Legislature.

32 Section 2. The Legislature finds that it is a public
33 necessity that petitions filed under ss. 741.30 and 741.301,
34 Florida Statutes, and all records and documents related to the
35 petitions be made confidential and exempt from s. 119.07(1),
36 Florida Statutes, and s. 24(a), Article I of the State
37 Constitution unless the domestic violence petition was granted.
38 Persons who have been accused of domestic violence face barriers
39 to employment and other life opportunities, and knowledge that
40 they were so accused, although no injunction was granted, would
41 expose them to possible discrimination and public obloquy. It is
42 necessary that these petitions and related documents be made
43 confidential and exempt in order for such petitioners to have
44 the chance to continue their lives without such consequences
45 when no injunction was ever issued.

46 Section 3. This act shall take effect on the same date that
47 SB ____ or similar legislation takes effect, if such legislation
48 is adopted in the same legislative session or an extension
49 thereof and becomes a law.