

By the Committee on Governmental Oversight and Accountability

585-01993-22

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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. 119.071, F.S.; revising  
4 an exemption from public records requirements for  
5 personal identifying information of the alleged victim  
6 in an allegation of sexual harassment or the victim of  
7 sexual harassment if such information identifies that  
8 person as an alleged victim or as a victim of sexual  
9 harassment; authorizing the alleged victim or the  
10 victim to waive confidentiality in writing; extending  
11 the date for future legislative review and repeal of  
12 the exemption; providing a statement of public  
13 necessity; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Paragraph (n) of subsection (2) of section  
18 119.071, Florida Statutes, is amended to read:

19 119.071 General exemptions from inspection or copying of  
20 public records.—

21 (2) AGENCY INVESTIGATIONS.—

22 (n) Personal identifying information of the alleged victim  
23 in an allegation of sexual harassment or the victim of sexual  
24 harassment is confidential and exempt from s. 119.07(1) and s.  
25 24(a), Art. I of the State Constitution if such information  
26 identifies that person as an alleged victim or as a victim of  
27 sexual harassment. Confidentiality may be waived in writing by  
28 the alleged victim or the victim. Such information may be  
29 disclosed to another governmental entity in the furtherance of

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30 its official duties and responsibilities. This paragraph is  
31 subject to the Open Government Sunset Review Act in accordance  
32 with s. 119.15 and shall stand repealed on October 2, 2027 ~~2022~~,  
33 unless reviewed and saved from repeal through reenactment by the  
34 Legislature.

35       Section 2. The Legislature finds that it is a public  
36 necessity that personal identifying information of the alleged  
37 victim in an allegation of sexual harassment or the victim of  
38 sexual harassment be made confidential and exempt from s.  
39 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
40 State Constitution if such information identifies that person as  
41 an alleged victim or as a victim of sexual harassment. The  
42 disclosure of such information could harm alleged victims or  
43 victims of sexual harassment by placing them at risk of further  
44 harassment and retaliation. Additionally, the potential for  
45 disclosure of such information could create a disincentive for  
46 alleged victims to report instances of alleged harassment.  
47 Therefore, the Legislature finds that the potential harm that  
48 may result from the release of such information outweighs any  
49 public benefit that may be derived from the disclosure of such  
50 information.

51       Section 3. This act shall take effect October 1, 2022.