

FOR CONSIDERATION By the Committee on Governmental Oversight and Accountability

585-01876A-22

20227024pb

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; revising an exemption from public
4 records requirements for personal identifying
5 information of the alleged victim in an allegation of
6 sexual harassment or the victim of sexual harassment
7 if such information identifies that person as an
8 alleged victim or as a victim of sexual harassment;
9 authorizing the alleged victim or the victim to waive
10 confidentiality in writing; extending the deadline for
11 legislative review and repeal of the exemption;
12 providing a statement of public necessity; providing
13 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

585-01876A-22

20227024pb

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32 with s. 119.15 and shall stand repealed on October 2, 2027
33 ~~October 2, 2022~~, unless reviewed and saved from repeal through
34 reenactment by the 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.