

26 members of homicide victims.-

27 (1) As used in this section, the term:

28 (a) "Employee" has the same meaning as in s. 440.02(15).

29 (b) "Employer" has the same meaning as in s. 440.02(16).

30 (c) "Family or household member" has the same meaning as
 31 in s. 741.28.

32 (d) "Homicide" means an unlawful act that causes the death
 33 of another person.

34 (e) "Homicide victim" means a deceased person who was
 35 killed in a homicide.

36 (2) This section applies to an employer who employs 50 or
 37 more employees and to an employee who has been employed by the
 38 employer for at least 3 months.

39 (3)(a) If an employee has a family or household member who
 40 is a homicide victim, the employee may request, and an employer
 41 must grant, up to 3 working days of leave in any 12-month period
 42 to:

43 1. Make funeral or burial arrangements, or to attend a
 44 funeral or memorial service, for a family or household member
 45 who is a homicide victim;

46 2. Secure his or her home from the perpetrator, or his or
 47 her associates, of the homicide or to seek new housing in order
 48 to escape the perpetrator, or his or her associates, of the
 49 homicide;

50 3. Attend meetings in person with a representative from

51 the law enforcement agency or the state attorney's office
52 responsible for the investigation and prosecution of the
53 homicide; or

54 4. Attend or prepare for court or court-related
55 proceedings arising from the homicide.

56 (b) Leave requested under this subsection may be with or
57 without pay, at the discretion of the employer.

58 (c) An employee requesting leave under this subsection
59 must exhaust his or her annual or vacation leave, personal
60 leave, and sick leave, if applicable, before receiving leave
61 under this subsection unless the employer waives this
62 requirement.

63 (4) Except in cases where there is an imminent danger to
64 the health or safety of the employee or a family or household
65 member of the employee, an employee requesting leave under
66 subsection (3) must provide appropriate advance notice of the
67 leave to his or her employer in accordance with the employer's
68 employment policies, including sufficient documentation of the
69 homicide as required by the employer.

70 (5) (a) A private employer must keep all information
71 relating to an employee's leave taken under subsection (3)
72 confidential.

73 (b) An employer that qualifies as an agency, as defined in
74 s. 119.011, must keep all information relating to an employee's
75 leave taken under subsection (3) confidential and exempt from

76 disclosure to the extent authorized under subsection (8).

77 (6)(a) An employer may not interfere with, restrain, or
78 deny the exercise or attempted exercise of any right provided
79 under subsection (3).

80 (b) An employer may not discharge, demote, suspend,
81 retaliate, or in any other manner discriminate against an
82 employee for exercising his or her rights under subsection (3).

83 (c) An employee does not have any greater rights to
84 continued employment or to other benefits and conditions of
85 employment than if the employee was not entitled to leave under
86 subsection (3).

87 (d) This subsection does not limit an employer's right to
88 discipline or terminate an employee for any reason, including,
89 but not limited to, a reduction in work force, termination for
90 cause, or for no reason at all, other than exercising his or her
91 rights under subsection (3).

92 (7) The exclusive remedy for a person aggrieved by a
93 violation of this section is to bring a civil action for damages
94 or equitable relief, or both, in circuit court. An aggrieved
95 person may claim as damages all wages and benefits that would
96 have been due to the person had the violation not occurred up to
97 and including the date of the final judgment. An aggrieved
98 person is not entitled to wages or benefits for any period of
99 leave without pay that the employer granted under subsection
100 (3). This subsection does not relieve the aggrieved person from

101 his or her obligation to mitigate damages.

102 Section 3. Paragraph (v) is added to subsection (1) of
103 section 960.001, Florida Statutes, to read:

104 960.001 Guidelines for fair treatment of victims and
105 witnesses in the criminal justice and juvenile justice systems.—

106 (1) The Department of Legal Affairs, the state attorneys,
107 the Department of Corrections, the Department of Juvenile
108 Justice, the Florida Commission on Offender Review, the State
109 Courts Administrator and circuit court administrators, the
110 Department of Law Enforcement, and every sheriff's department,
111 police department, or other law enforcement agency as defined in
112 s. 943.10(4) shall develop and implement guidelines for the use
113 of their respective agencies, which guidelines are consistent
114 with the purposes of this act and s. 16(b), Art. I of the State
115 Constitution and are designed to implement s. 16(b), Art. I of
116 the State Constitution and to achieve the following objectives:

117 (v) Information concerning an investigation into the death
118 of a minor.—

119 1. During the investigation of the death of a minor, the
120 law enforcement agency that initiates or bears the primary
121 responsibility for the investigation must provide the minor's
122 next of kin with all of the following information:

123 a. The contact information for the primary contact, if
124 known, for the particular investigation, as well as the contact
125 information for each law enforcement agency involved in the

126 investigation.

127 b. The case number for the investigation, if applicable.

128 c. A list of the minor's personal effects that were found
129 on or with the minor and information on how the minor's next of
130 kin can collect such personal effects. A law enforcement agency
131 may withhold the information in this sub-subparagraph if
132 providing the information would jeopardize or otherwise
133 interfere with an active investigation.

134 d. Information regarding the status of the investigation,
135 at the discretion of the law enforcement agency.

136 2. A law enforcement agency may not provide any of the
137 information under this paragraph if doing so would jeopardize or
138 otherwise interfere with an active investigation.

139 3. This paragraph does not require a law enforcement
140 agency to provide investigative records generated during its
141 investigation to a minor's next of kin for inspection.

142 Section 4. This act shall take effect July 1, 2023.