

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; providing that specific types of public
 4 records that are associated with crime victims are
 5 confidential and exempt from public records
 6 requirements; specifying conditions under which such
 7 confidential information must be released; specifying
 8 conditions under which other entities that have access
 9 to such confidential information may reveal such
 10 information; providing penalties; specifying powers
 11 retained by courts in regulating the conduct of
 12 parties in judicial proceedings; providing for future
 13 legislative review and repeal of the exemption;
 14 providing a statement of public necessity; providing
 15 an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:
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19 **Section 1. Paragraph (j) of subsection (2) of section**
 20 **119.071, Florida Statutes, is amended to read:**

21 119.071 General exemptions from inspection or copying of
 22 public records.—

23 (2) AGENCY INVESTIGATIONS.—

24 (j)1. Any public record ~~document~~ that reveals the
 25 identity, personal identification number, home or employment

26 | telephone number, home or employment address, or personal assets
27 | of the victim or any other information or records that could be
28 | used to locate, intimidate, harass, or abuse a victim or the
29 | victim's family ~~of a crime and identifies that person as the~~
30 | ~~victim of a crime,~~ which public record is generated or document
31 | ~~is~~ received by any agency that regularly generates or receives
32 | information from or concerning the victims of crime, is
33 | confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
34 | of the State Constitution. The confidential information shall be
35 | released as needed in furtherance of any judicial proceeding at
36 | a court's discretion. The court may not deny a criminal
37 | defendant access to the information if the denial would
38 | interfere with the defendant's constitutional rights or due
39 | process. Those who are entitled to access confidential
40 | information as part of any judicial proceeding may not reveal to
41 | any outside party any confidential information obtained under
42 | this subparagraph except as is reasonably necessary to prepare a
43 | defense and pursue legal remedies. A person who violates this
44 | subparagraph commits a misdemeanor of the first degree,
45 | punishable as provided in s. 775.082 or s. 775.083. This
46 | subparagraph does not restrict the contempt powers of any court
47 | or a court's inherent authority to regulate the conduct of the
48 | parties in any judicial proceeding. ~~Any information not~~
49 | ~~otherwise held confidential or exempt from s. 119.07(1) which~~
50 | ~~reveals the home or employment telephone number, home or~~

51 ~~employment address, or personal assets of a person who has been~~
52 ~~the victim of sexual battery, aggravated child abuse, aggravated~~
53 ~~stalking, harassment, aggravated battery, or domestic violence~~
54 ~~is exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
55 ~~Constitution, upon written request by the victim, which must~~
56 ~~include official verification that an applicable crime has~~
57 ~~occurred. Such information shall cease to be exempt 5 years~~
58 ~~after the receipt of the written request. Any state or federal~~
59 agency that is authorized to have access to such documents by
60 any provision of law shall be granted such access in the
61 furtherance of such agency's statutory duties, notwithstanding
62 this section.

63 2.a. Any information in a videotaped statement of a minor
64 who is alleged to be or who is a victim of sexual battery, lewd
65 acts, or other sexual misconduct proscribed in chapter 800 or in
66 s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s.
67 847.0133, or s. 847.0145, which reveals that minor's identity,
68 including, but not limited to, the minor's face; the minor's
69 home, school, church, or employment telephone number; the
70 minor's home, school, church, or employment address; the name of
71 the minor's school, church, or place of employment; or the
72 personal assets of the minor; and which identifies that minor as
73 the victim of a crime described in this subparagraph, held by a
74 law enforcement agency, is confidential and exempt from s.
75 119.07(1) and s. 24(a), Art. I of the State Constitution. Any

76 governmental agency that is authorized to have access to such
 77 statements by any provision of law shall be granted such access
 78 in the furtherance of the agency's statutory duties,
 79 notwithstanding the provisions of this section.

80 b. A public employee or officer who has access to a
 81 videotaped statement of a minor who is alleged to be or who is a
 82 victim of sexual battery, lewd acts, or other sexual misconduct
 83 proscribed in chapter 800 or in s. 794.011, s. 827.071, s.
 84 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145
 85 may not willfully and knowingly disclose videotaped information
 86 that reveals the minor's identity to a person who is not
 87 assisting in the investigation or prosecution of the alleged
 88 offense or to any person other than the defendant, the
 89 defendant's attorney, or a person specified in an order entered
 90 by the court having jurisdiction of the alleged offense. A
 91 person who violates this provision commits a misdemeanor of the
 92 first degree, punishable as provided in s. 775.082 or s.
 93 775.083.

94 **Section 2.** The amendment made by this act to s.
 95 119.071(2)(j), Florida Statutes, is subject to the Open
 96 Government Sunset Review Act in accordance with s. 119.15,
 97 Florida Statutes, and shall stand repealed on October 2, 2030,
 98 unless reviewed and saved from repeal through reenactment by the
 99 Legislature and the text of that paragraph shall revert to that
 100 in existence on June 30, 2025, except that any amendments to

101 such text enacted other than by this act shall be preserved and
102 continue to operate to the extent that such amendments are not
103 dependent upon the amendments to the text which expire pursuant
104 to this section.

105 **Section 3.** The Legislature finds that s. 16(b), Article I
106 of the State Constitution mandates that crime victims have a
107 right to be free from intimidation, harassment, and abuse and
108 that it is a public necessity that information or records that
109 may be used to locate, intimidate, harass, or abuse crime
110 victims be made exempt under s. 119.071, Florida Statutes. The
111 Legislature finds it is a public necessity that information or
112 records that identify a crime victim's family also be made
113 exempt from s. 119.071(1), Florida Statutes, and s. 24(a),
114 Article I of the State Constitution. The Legislature also finds
115 that the release of such records or documents may deter crime
116 victims or the families of crime victims from cooperating with
117 law enforcement and reporting criminal acts. The Legislature
118 further finds that the harm that may result from the release of
119 such personal identifying and location information outweighs any
120 public benefit that may be derived from the disclosure of the
121 information.

122 **Section 4.** This act shall take effect July 1, 2025.