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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2025	.	
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The Committee on Criminal Justice (Gruters) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (j) of subsection (2) of section  
119.071, Florida Statutes, is amended to read:

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

(2) AGENCY INVESTIGATIONS.—

(j) 1.a. For purposes of this subparagraph, the term:



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11        (I) "Employing agency head" means an elected or appointed  
12 head official of an employing agency as defined in s. 943.10(4)  
13 who is certified under s. 943.13.

14        (II) "Officer" means any full-time, part-time, or auxiliary  
15 law enforcement officer, correctional officer, or correctional  
16 probation officer certified under s. 943.13.

17        (III) "Use of force incident" means any incident that  
18 occurs within the scope of an officer's employment or official  
19 duties and involves the officer's use of deadly force as defined  
20 in s. 776.06, or any other use of force that results in great  
21 bodily harm.

22        (IV) "Victim" means a person who suffers direct or  
23 threatened physical, psychological, or financial harm as a  
24 result of the commission or attempted commission of a crime or  
25 delinquent act or against whom the crime or delinquent act is  
26 committed. The term includes the victim's lawful representative,  
27 the parent or guardian of a minor, or the next of kin of a  
28 homicide victim, except upon a showing that the interest of such  
29 person would be in actual or potential conflict with the  
30 interests of the victim. The term does not include the accused.

31        b. Any public record ~~document~~ that reveals the identity,  
32 including the name or personal identification number, home or  
33 employment telephone number, home or employment address, or  
34 personal assets of the victim, or any other information or  
35 records that could be used to locate, intimidate, harass, or  
36 abuse the victim or the victim's family, ~~of a crime and~~  
37 ~~identifies that person as the victim of a crime,~~ which public  
38 record is generated or ~~document is~~ received by any agency that  
39 regularly generates or receives information from or concerning



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40 the victims of crime, is confidential and exempt from s.  
41 119.07(1) and s. 24(a), Art. I of the State Constitution.

42 (I) A victim may waive the exemption or confidentiality of  
43 this subparagraph at any time in writing.

44 (II) The confidential information shall be released as  
45 needed in furtherance of any judicial proceeding at a court's  
46 discretion. The court may not deny a criminal defendant access  
47 to the information if the denial would interfere with the  
48 defendant's constitutional rights. Those who are entitled to  
49 access confidential information as part of any judicial  
50 proceeding may not reveal to any outside party any confidential  
51 information obtained under this subparagraph except as is  
52 reasonably necessary to prepare a defense and pursue legal  
53 remedies.

54 (III) This subparagraph does not restrict the contempt  
55 powers of any court or a court's inherent authority to regulate  
56 the conduct of the parties in any judicial proceeding.

57 (IV) This sub-subparagraph is subject to the Open  
58 Government Sunset Review Act in accordance with s. 119.15 and  
59 shall stand repealed on October 2, 2030, unless reviewed and  
60 saved from repeal through reenactment by the Legislature. If,  
61 after review, this sub-subparagraph is not reenacted, the text  
62 of this sub-subparagraph shall revert to that in existence on  
63 June 30, 2025, except that any amendments to this sub-  
64 subparagraph enacted other than by this act shall be preserved  
65 and continue to operate to the extent that such amendments are  
66 not dependent upon the amendments to the sub-subparagraph made  
67 by this act.

68 c. Any information not otherwise held confidential or



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69 exempt from s. 119.07(1) which reveals the home or employment  
70 telephone number, home or employment address, or personal assets  
71 of a person who has been the victim of sexual battery,  
72 aggravated child abuse, aggravated stalking, harassment,  
73 aggravated battery, or domestic violence is exempt from s.  
74 119.07(1) and s. 24(a), Art. I of the State Constitution, upon  
75 written request by the victim, which must include official  
76 verification that an applicable crime has occurred. Such  
77 information shall cease to be exempt 5 years after the receipt  
78 of the written request.

79 d. Any state or federal agency that is authorized to have  
80 access to such documents by any provision of law shall be  
81 granted such access in the furtherance of such agency's  
82 statutory duties, notwithstanding this section.

83 e.(I) Any public record that reveals the identity,  
84 including the name or personal identification number, home or  
85 cellular telephone number, home address, personal assets, or any  
86 other information that could be used to locate, intimidate,  
87 harass, or abuse any officer who is involved in a use of force  
88 incident is confidential and exempt from s. 119.07(1) and s.  
89 24(a), Art. I of the State Constitution for a period of 72 hours  
90 immediately following the use of force incident. Upon the  
91 expiration of the 72-hour period, the officer's identity shall  
92 be subject to s. 119.07(1) unless the employing agency head  
93 determines it is necessary to extend the confidentiality of any  
94 public record that reveals the officer's identity and  
95 identifying information.

96 (II) The employing agency head may extend the  
97 confidentiality of any public record that reveals the officer's



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98 identity beyond the 72-hour period if he or she determines it is  
99 necessary. An employing agency head may make written findings to  
100 disseminate to the public explaining the necessity of the  
101 extension.

102 (III) The exemption or confidentiality may be extended  
103 until the employing agency head determines that there is no  
104 further necessity for the confidentiality of any public record  
105 that reveals the officer's identity to remain. The employing  
106 agency head must consider the applicable officer's circumstances  
107 and, upon the officer's request, consult with the officer, to  
108 determine if an extension is necessary. If an extension was  
109 granted after the original 72-hour period, and the employing  
110 agency head subsequently determines that the officer is no  
111 longer entitled to the protection of his or her identity, the  
112 employing agency head must give notice to the officer 5 days  
113 before the release of any public record that reveals the  
114 officer's identity.

115 (IV) An officer may waive the exemption or confidentiality  
116 of this sub-subparagraph at any time in writing.

117 (V) This sub-subparagraph is subject to the Open Government  
118 Sunset Review Act in accordance with s. 119.15 and shall stand  
119 repealed on October 2, 2030, unless reviewed and saved from  
120 repeal through reenactment by the Legislature.

121 2.a. Any information in a videotaped statement of a minor  
122 who is alleged to be or who is a victim of sexual battery, lewd  
123 acts, or other sexual misconduct proscribed in chapter 800 or in  
124 s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s.  
125 847.0133, or s. 847.0145, which reveals that minor's identity,  
126 including, but not limited to, the minor's face; the minor's



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127 home, school, church, or employment telephone number; the  
128 minor's home, school, church, or employment address; the name of  
129 the minor's school, church, or place of employment; or the  
130 personal assets of the minor; and which identifies that minor as  
131 the victim of a crime described in this subparagraph, held by a  
132 law enforcement agency, is confidential and exempt from s.  
133 119.07(1) and s. 24(a), Art. I of the State Constitution. Any  
134 governmental agency that is authorized to have access to such  
135 statements by any provision of law shall be granted such access  
136 in the furtherance of the agency's statutory duties,  
137 notwithstanding the provisions of this section.

138       b. A public employee or officer who has access to a  
139 videotaped statement of a minor who is alleged to be or who is a  
140 victim of sexual battery, lewd acts, or other sexual misconduct  
141 proscribed in chapter 800 or in s. 794.011, s. 827.071, s.  
142 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145  
143 may not willfully and knowingly disclose videotaped information  
144 that reveals the minor's identity to a person who is not  
145 assisting in the investigation or prosecution of the alleged  
146 offense or to any person other than the defendant, the  
147 defendant's attorney, or a person specified in an order entered  
148 by the court having jurisdiction of the alleged offense. A  
149 person who violates this provision commits a misdemeanor of the  
150 first degree, punishable as provided in s. 775.082 or s.  
151 775.083.

152       Section 2. The Legislature finds that s. 16(b), Article I  
153 of the State Constitution mandates that crime victims have a  
154 right to be free from intimidation, harassment, and abuse and  
155 that it is a public necessity that information or records that



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156 may be used to locate, intimidate, harass, or abuse crime  
157 victims be made confidential and exempt under s. 119.071,  
158 Florida Statutes, and s. 24(a), Article I of the State  
159 Constitution. The Legislature also finds that the release of  
160 such records or documents may deter crime victims or the  
161 families of crime victims from cooperating with law enforcement  
162 and reporting criminal acts. The Legislature further finds that  
163 the harm that may result from the release of such personal  
164 identifying and location information outweighs any public  
165 benefit that may be derived from the disclosure of the  
166 information.

167 Section 3. This act shall take effect July 1, 2025.

168  
169 ===== T I T L E A M E N D M E N T =====

170 And the title is amended as follows:

171 Delete everything before the enacting clause  
172 and insert:

173 A bill to be entitled  
174 An act relating to public records; amending s.  
175 119.071, F.S.; providing definitions; expanding a  
176 public records exemption for crime victims to include  
177 the name and personal identification number of the  
178 victim and any other information or records that could  
179 be used to locate, intimidate, harass, or abuse a  
180 victim or the victim's family; providing that such  
181 exemption includes records generated by any agency  
182 that regularly generates information from or  
183 concerning the victims of crime; providing an  
184 exception to the public records exemption; providing



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185       that certain records identifying law enforcement  
186       officers who are involved in a use of force incident  
187       are confidential and exempt for a specified timeframe;  
188       providing requirements for extending such timeframe;  
189       authorizing waivers of the exemptions; providing for  
190       future legislative review and repeal of the  
191       exemptions; providing a statement of public necessity;  
192       providing an effective date.