

By Senator Grall

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.0714, F.S.; providing an exemption from public
4 records requirements for information in a pleading, a
5 request for relief, or other document which has been
6 stricken by the court in a noncriminal case if the
7 court makes specific findings; providing for future
8 legislative review and repeal of the exemption;
9 providing a statement of public necessity; providing a
10 contingent effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (m) is added to subsection (1) of
15 section 119.0714, Florida Statutes, to read:

16 119.0714 Court files; court records; official records.—

17 (1) COURT FILES.—Nothing in this chapter shall be construed
18 to exempt from s. 119.07(1) a public record that was made a part
19 of a court file and that is not specifically closed by order of
20 court, except:

21 (m)1. Any information in a document which has been stricken
22 by the court in a noncriminal case if the court finds that such
23 information:

24 a. Is immaterial, impertinent, or untrue; and

25 b. Would defame or cause unwarranted damage to the name or
26 reputation of an individual or jeopardize the safety of an
27 individual.

28 2. The public records exemption provided in this paragraph
29 any document stricken by the court in noncriminal cases before,

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30 on, or after the effective date of this exemption.

31 3. This paragraph is subject to the Open Government Sunset
32 Review Act in accordance with s. 119.15 and shall stand repealed
33 on October 2, 2030, unless reviewed and saved from repeal
34 through reenactment by the Legislature.

35 Section 2. The Legislature finds that it is a public
36 necessity that immaterial, impertinent, or untrue information
37 contained in a document which has been stricken by a court in a
38 noncriminal case be made confidential and exempt from s.
39 119.0714(1), Florida Statutes, and s. 24(a), Article I of the
40 State Constitution and that such exemption be applied
41 retroactively. The Legislature finds that such information would
42 defame or cause unwarranted damages to the name and reputation
43 of an individual, and that such information may jeopardize the
44 safety of an individual. The Legislature further finds that the
45 harm that may result from the release of such stricken
46 information outweighs any public benefit that may be derived
47 from the disclosure of the stricken information.

48 Section 3. This act shall take effect on the same date that
49 SB 1650 or similar legislation takes effect, if such legislation
50 is adopted in the same session or an extension thereof and
51 becomes a law.