

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; defining terms; expanding a public
4 records exemption for crime victims to include the
5 name and personal identification number of a victim
6 and any other information that could be used to
7 locate, intimidate, harass, or abuse the victim;
8 providing that such exemption includes the portions of
9 records generated by any agency that regularly
10 generates or receives information from or concerning
11 victims of crime; providing for a public records
12 exemption for the identity of a victim's family
13 member, lawful representative, or next of kin and any
14 other information that could be used to locate,
15 intimidate, harass, or abuse these individuals;
16 providing that such exemption includes the portions of
17 records generated or received by any agency that
18 regularly generates or receives information from or
19 concerning victims of crime; providing applicability;
20 providing that the name of a law enforcement officer
21 in a public record which identifies him or her as a
22 victim of crime in specified circumstances is
23 confidential and exempt for 72 hours and providing
24 that such information is exempt for 60 days
25 thereafter; providing construction; providing for

future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

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

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:

(I) "Family member" means a spouse, child, parent or legal guardian, or sibling. This term does not include the accused.

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

(III) "Victim" means a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed. The term does not include the accused.

b.(I) Any portion of a public record which ~~document that~~ reveals the identity, including the name or personal identification number, home or employment telephone number, home

51 or employment address, or personal assets, of a the victim, or
52 any other information that could be used to locate, intimidate,
53 harass, or abuse the victim, which ~~of a crime and~~ identifies
54 that person as the victim of a crime, and which is a public
55 record that is generated or document is received by any agency
56 that regularly generates or receives information from or
57 concerning the victims of crime, is exempt from s. 119.07(1) and
58 s. 24(a), Art. I of the State Constitution.

59 (II) Any portion of a public record which reveals the
60 identity, including the name or personal identification number,
61 home or employment telephone number, home or employment address,
62 or personal assets, of a lawful representative, family member,
63 or next of kin of the person identified as a victim by the
64 public record, or any other information that could be used to
65 locate, intimidate, harass, or abuse such persons, and which is
66 a public record that is generated or received by any agency that
67 regularly generates or receives information from or concerning
68 the victims of crime is exempt from s. 119.07(1) and s. 24(a),
69 Art. I of the State Constitution. This exemption does not apply
70 to the accused, or to a lawful representative, family member, or
71 next of kin of a victim upon a showing that the interest of such
72 person would be in actual or potential conflict with the
73 interests of the victim.

74 (III) (A) Notwithstanding sub-sub-subparagraph
75 (2) (j) 1.b. (I), the portion of a public record exempted under

76 sub-sub-subparagraph (2)(j)1.b.(I) which contains the name of an
77 officer who became a victim in the course and scope of the
78 officer's employment or official duties is confidential and
79 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
80 Constitution for the first 72 hours after the incident in which
81 the officer became a victim. These portions of a public record
82 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
83 Constitution for an additional 60 days after the expiration of
84 the 72-hour period. After the expiration of the 60-day period,
85 the portion of a public record which contains the name of an
86 officer who became a victim in the course and scope of his or
87 her employment or official duties and which identifies the
88 officer as a victim is no longer exempt.

89 (B) Sub-sub-sub-subparagraph (2)(j)1.b.(III)(A) does not
90 supersede the exemption provided for victims of sexual battery
91 in sub-subparagraph (2)(h)1.b.

92 (IV) This sub-subparagraph is subject to the Open
93 Government Sunset Review Act in accordance with s. 119.15 and
94 shall stand repealed on October 2, 2031, unless reviewed and
95 saved from repeal through reenactment by the Legislature. If,
96 after review, this sub-subparagraph is not reenacted, the text
97 of this sub-subparagraph shall revert to that in existence on
98 June 30, 2026, except that any amendments to this sub-
99 paragraph enacted other than by this act shall be preserved
100 and continue to operate to the extent that such amendments are

101 not dependent upon the amendments to the sub-subparagraph made
102 by this act.

103 c. Any information not otherwise held confidential or
104 exempt from s. 119.07(1) which reveals the home or employment
105 telephone number, home or employment address, or personal assets
106 of a person who has been the victim of sexual battery,
107 aggravated child abuse, aggravated stalking, harassment,
108 aggravated battery, or domestic violence is exempt from s.
109 119.07(1) and s. 24(a), Art. I of the State Constitution, upon
110 written request by the victim, which must include official
111 verification that an applicable crime has occurred. Such
112 information shall cease to be exempt 5 years after the receipt
113 of the written request.

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

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

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

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

Section 2. (1) The Legislature finds that it is a public necessity that the following information held by an agency that

151 regularly generates or receives information from or concerning
152 victims of crime be made exempt from s. 119.07(1), Florida
153 Statutes, and s. 24(a), Article I of the State Constitution:

154 (a) The portions of public records which identify a person
155 as a victim of a crime, or any other information that could be
156 used to locate, intimidate, harass, or abuse a victim.

157 (b) The portions of public records which reveal the
158 identity of a lawful representative, family member, or next of
159 kin of a person identified as a victim by the public record, or
160 any other information that could be used to locate, intimidate,
161 harass, or abuse such persons.

162 (2) The Legislature finds that it is a public necessity
163 that the portion of public records which is held by an agency
164 that regularly generates or receives information from or
165 concerning victims of crime and which contains the name of an
166 officer who became a victim in the course and scope of the
167 officer's employment or official duties be made confidential and
168 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
169 Article I of the State Constitution for a 72-hour period after
170 the incident in which the officer became a victim. The
171 Legislature further finds it is a public necessity that these
172 portions of a public record be exempt from s. 119.07(1), Florida
173 Statutes, and s. 24(a), Article I of the State Constitution for
174 an additional 60 days after the expiration of the 72-hour
175 period.

176 (3) Victims, and their lawful representatives, family
177 members, and next of kin, have a right to be free from
178 intimidation, harassment, and abuse. Community attention is
179 often piqued when a person becomes a victim, which may lead to
180 the undue intrusion into the person's privacy, as well as the
181 privacy of his or her lawful representative, family member, or
182 next of kin. The identifying information of such persons could
183 be used to further traumatize them. The risk of additional harm
184 or harassment outweighs any public benefit that may be derived
185 from the public disclosure of such information. The Legislature
186 also finds that the release of such portions of records may
187 deter crime victims from cooperating with law enforcement and
188 reporting criminal acts based on a victim's fear of additional
189 retaliation or attention. This exemption is narrowly tailored to
190 balance the public's right to access public records by allowing
191 the release of the name of a law enforcement officer who becomes
192 a victim within the course and scope of his or her employment or
193 duties 63 days after the incident. The risk of additional harm
194 or harassment outweighs any public benefit that may be derived
195 from the public disclosure of such information.

196 **Section 3.** This act shall take effect July 1, 2026.