

**By** the Committee on Governmental Oversight and Accountability;  
and Senator Grall

585-02209A-26

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A bill to be entitled  
An act relating to public records; amending s.  
119.071, F.S.; defining terms; expanding a public  
records exemption for crime victims to include the  
name and personal identification number of a victim  
and any other information that could be used to  
locate, intimidate, harass, or abuse the victim;  
providing that such exemption includes the portions of  
records generated by any agency that regularly  
generates or receives information from or concerning  
victims of crime; providing for a public records  
exemption for the identity of a victim's family  
member, lawful representative, or next of kin and any  
other information that could be used to locate,  
intimidate, harass, or abuse these individuals;  
providing that such exemption includes the portions of  
records generated by any agency that regularly  
generates or receives information from or concerning  
victims of crime and that the record identifies the  
person as a family member, lawful representative, or  
next of kin of a person identified as a victim of  
crime in the record; providing that the name of a law  
enforcement officer in a public record which  
identifies him or her as a victim of crime in  
specified circumstances is confidential and exempt for  
72 hours and providing that such information is exempt  
for 60 days thereafter; providing that such exemption  
includes the portions of records generated by any  
agency that regularly generates or receives

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information from or concerning victims of crime;  
providing applicability; 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 ~~document~~ that reveals  
the identity, including the name or personal identification  
number, home or employment telephone number, home or employment  
address, or personal assets of ~~a~~ the victim, or any other  
information that could be used to locate, intimidate, harass, or

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59 abuse the victim, which ~~of a crime and~~ identifies that person as  
60 the victim of a crime, and which is a public record that is  
61 generated or document is received by any agency that regularly  
62 generates or receives information from or concerning the victims  
63 of crime, is exempt from s. 119.07(1) and s. 24(a), Art. I of  
64 the State Constitution.

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

80 (III) (A) Notwithstanding sub-sub-subparagraph  
81 (2) (j) 1.b. (I), the portion of a public record exempted under  
82 sub-sub-subparagraph (2) (j) 1.b. (I) which contains the name of an  
83 officer who became a victim in the course and scope of the  
84 officer's employment or official duties is confidential and  
85 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
86 Constitution for the first 72 hours after the incident in which  
87 the officer became a victim. These portions of a public record

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are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for an additional 60 days after the expiration of the 72-hour period. After the expiration of the 60-day period, the portion of a public record which contains the name of an officer who became a victim in the course and scope of his or her employment or official duties and which identifies the officer as a victim is no longer exempt.

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

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

c. Any information not otherwise held confidential or exempt from s. 119.07(1) which reveals the home or employment telephone number, home or employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, upon written request by the victim, which must include official

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117 verification that an applicable crime has occurred. Such  
118 information shall cease to be exempt 5 years after the receipt  
119 of the written request.

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

124 2.a. Any information in a videotaped statement of a minor  
125 who is alleged to be or who is a victim of sexual battery, lewd  
126 acts, or other sexual misconduct proscribed in chapter 800 or in  
127 s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s.  
128 847.0133, or s. 847.0145, which reveals that minor's identity,  
129 including, but not limited to, the minor's face; the minor's  
130 home, school, church, or employment telephone number; the  
131 minor's home, school, church, or employment address; the name of  
132 the minor's school, church, or place of employment; or the  
133 personal assets of the minor; and which identifies that minor as  
134 the victim of a crime described in this subparagraph, held by a  
135 law enforcement agency, is confidential and exempt from s.  
136 119.07(1) and s. 24(a), Art. I of the State Constitution. Any  
137 governmental agency that is authorized to have access to such  
138 statements by any provision of law shall be granted such access  
139 in the furtherance of the agency's statutory duties,  
140 notwithstanding the provisions of this section.

141 b. A public employee or officer who has access to a  
142 videotaped statement of a minor who is alleged to be or who is a  
143 victim of sexual battery, lewd acts, or other sexual misconduct  
144 proscribed in chapter 800 or in s. 794.011, s. 827.071, s.  
145 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145

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146 may not willfully and knowingly disclose videotaped information  
147 that reveals the minor's identity to a person who is not  
148 assisting in the investigation or prosecution of the alleged  
149 offense or to any person other than the defendant, the  
150 defendant's attorney, or a person specified in an order entered  
151 by the court having jurisdiction of the alleged offense. A  
152 person who violates this provision commits a misdemeanor of the  
153 first degree, punishable as provided in s. 775.082 or s.  
154 775.083.

155       Section 2. (1) The Legislature finds that it is a public  
156 necessity that the following information held by an agency that  
157 regularly generates or receives information from or concerning  
158 victims of crime be made exempt from s. 119.07(1), Florida  
159 Statutes, and s. 24(a), Article I of the State Constitution:

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

163       (b) The portions of public records that reveal the identity  
164 of the lawful representative, family member, or next of kin of a  
165 person identified as a victim by the public record, or any other  
166 information that could be used to locate, intimidate, harass, or  
167 abuse such persons.

168       (2) The Legislature finds that it is a public necessity  
169 that the portion of public records that is held by an agency  
170 that regularly generates or receives information from or  
171 concerning victims of crime which contains the name of an  
172 officer who became a victim in the course and scope of the  
173 officer's employment or official duties be made confidential and  
174 exempt from s. 119.07(1), Florida Statutes and s. 24(a), Art. I

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175 of the State Constitution for a 72-hour period after the  
176 incident in which the officer became a victim. The Legislature  
177 further finds it is a public necessity that these portions of a  
178 public record be exempt from s. 119.07(1), Florida Statutes, and  
179 s. 24(a), Art. I of the State Constitution for an additional 60  
180 days after the expiration of the 72-hour period.

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

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