

20267004er

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2 An act relating to a review under the Open Government  
3 Sunset Review Act; amending s. 119.071, F.S., which  
4 provides an exemption from public records requirements  
5 for certain conviction integrity unit reinvestigation  
6 information; abrogating the scheduled repeal of the  
7 exemption; providing an effective date.  
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9 Be It Enacted by the Legislature of the State of Florida:  
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11 Section 1. Paragraph (q) of subsection (2) of section  
12 119.071, Florida Statutes, is amended to read:

13 119.071 General exemptions from inspection or copying of  
14 public records.—

15 (2) AGENCY INVESTIGATIONS.—

16 (q)1. As used in this paragraph, the term:

17 a. "Conviction integrity unit" means a unit within a state  
18 attorney's office established for the purpose of reviewing  
19 plausible claims of actual innocence.

20 b. "Conviction integrity unit reinvestigation information"  
21 means information or materials generated during a new  
22 investigation by a conviction integrity unit following the  
23 unit's formal written acceptance of an applicant's case. The  
24 term does not include:

25 (I) Information, materials, or records generated by a state  
26 attorney's office during an investigation done for the purpose  
27 of responding to motions made pursuant to Rule 3.800, Rule  
28 3.850, or Rule 3.853, Florida Rules of Criminal Procedure, or  
29 any other collateral proceeding.

20267004er

30 (II) Petitions by applicants to the conviction integrity  
31 unit.

32 (III) Criminal investigative information generated before  
33 the commencement of a conviction integrity unit investigation  
34 which is not otherwise exempt from this section.

35 2. Conviction integrity unit reinvestigation information is  
36 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
37 Constitution for a reasonable period of time during an active,  
38 ongoing, and good faith investigation of a claim of actual  
39 innocence in a case that previously resulted in the conviction  
40 of the accused person and until the claim is no longer capable  
41 of further investigation. ~~This paragraph is subject to the Open  
42 Government Sunset Review Act in accordance with s. 119.15 and  
43 shall stand repealed on October 2, 2026, unless reviewed and  
44 saved from repeal through reenactment by the Legislature.~~

45 Section 2. This act shall take effect upon becoming a law.