

HB 1417

2017

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           787.061, F.S.; providing for closed hearings in  
4           certain civil actions by victims of human trafficking  
5           in certain circumstances; providing for redaction and  
6           sealing of information identifying victims of human  
7           trafficking; providing an exemption from public  
8           records requirements for such sealed and redacted  
9           information; providing for future legislative review  
10          and repeal of the exemption; providing a statement of  
11          public necessity; providing a contingent effective  
12          date.

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

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16           Section 1. Subsection (7) is added to section 787.061,  
17   Florida Statutes, as created by House Bill 1165, to read:

18           (7) CLOSED HEARINGS.—At the victim's request, court  
19   hearings conducted pursuant to this section shall be closed to  
20   the public and any information identifying victims of human  
21   trafficking redacted or sealed in the court file and online  
22   docket for such action. Such redacted information and sealed  
23   files are confidential and exempt from s. 119.07(1) and s.  
24   24(a), Art. I of the State Constitution. This subsection is  
25   subject to the Open Government Sunset Review Act in accordance

26 with s. 119.15 and shall stand repealed on October 2, 2022,  
27 unless reviewed and saved from repeal through reenactment by the  
28 Legislature.

29 Section 2. The Legislature finds that any information  
30 identifying victims of human trafficking redacted or sealed in  
31 the court files and online dockets of civil actions by victims  
32 of human trafficking under s. 787.061, Florida Statutes, be made  
33 confidential and exempt from s. 119.07(1), Florida Statutes, and  
34 s. 24(a), Article I of the State Constitution. Providing an  
35 exemption for such information will protect the identity of a  
36 victim of human trafficking from her or his captor and will  
37 allow the victim to move back into daily life without fear of  
38 retaliation or risk of being enslaved again. The identity of  
39 these victims and details of their victimization is information  
40 of a sensitive personal nature. As such, this exemption serves  
41 to minimize the trauma to victims because the release of such  
42 information would compound the tragedy already visited upon  
43 their lives and would be defamatory to or cause unwarranted  
44 damage to the good name and reputation of the victims. For these  
45 reasons, the Legislature finds that it is a public necessity  
46 that any information identifying victims of human trafficking  
47 redacted or sealed in the court files and online dockets of  
48 civil actions by victims of human trafficking under s. 787.061,  
49 Florida Statutes, be made confidential and exempt from s.  
50 119.07(1), Florida Statutes, and s. 24(a), Article I of the

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51 State Constitution upon request of the plaintiff in such an  
52 action.

53 Section 3. This act shall take effect on the same date  
54 that s. 787.061, Florida Statutes, as created by HB 1165 or  
55 similar legislation takes effect, if such legislation is adopted  
56 in the same legislative session or an extension thereof and  
57 becomes a law.