



744366

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/17/2017	.	
	.	
	.	
	.	

The Committee on Criminal Justice (Bracy) recommended the following:

1 **Senate Substitute for Amendment (491246) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 787.065, Florida Statutes, is created to
7 read:

8 787.065 Public records exemption for victims of human
9 trafficking.-

10 (1) CLOSED HEARINGS.-At the request of the victim, or the



744366

11 Statewide Council on Human Trafficking on behalf of the victim,
12 court hearings conducted pursuant to s. 787.063 shall be closed
13 to the public, and any personal identifying information of the
14 victim of human trafficking shall be redacted or sealed in the
15 court file and online docket for such hearings. Such redacted or
16 sealed information in the court file and online docket is
17 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
18 of the State Constitution. This subsection is subject to the
19 Open Government Sunset Review Act in accordance with s. 119.15
20 and shall stand repealed on October 2, 2022, unless reviewed and
21 saved from repeal through reenactment by the Legislature.

22 (2) COUNCIL RECORDS.—At the victim's request, any personal
23 identifying information of the victim of human trafficking held
24 by the council under s. 787.063 is confidential and exempt from
25 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
26 This subsection is subject to the Open Government Sunset Review
27 Act in accordance with s. 119.15 and shall stand repealed on
28 October 2, 2022, unless reviewed and saved from repeal through
29 reenactment by the Legislature.

30 Section 2. (1) The Legislature finds that hearings
31 conducted pursuant to s. 787.063, Florida Statutes, for victims
32 of human trafficking should be closed to the public at the
33 request of the victim or the Statewide Council on Human
34 Trafficking on behalf of the victim. Preventing public access to
35 such hearings will allow victims of human trafficking to seek
36 relief in the courts of the state without exposing their
37 victimization to the public and to protect their identities as
38 they continue to recover from their time as victims of human
39 trafficking. For these reasons, the Legislature finds that it is



744366

40 a public necessity that, upon the request of the victim or the
41 council on behalf of the victim, hearings conducted pursuant to
42 s. 787.063, Florida Statutes, be closed to the public.

43 (2) The Legislature further finds that any personal
44 identifying information of victims of human trafficking which,
45 upon request, is redacted or sealed in the court files and
46 online dockets of actions brought by, or on behalf of, victims
47 of human trafficking under s. 787.063, Florida Statutes, and any
48 personal identifying information held by the council should be
49 made confidential and exempt from s. 119.07(1), Florida
50 Statutes, and s. 24(a), Article I of the State Constitution. The
51 identity of these victims and the details of their victimization
52 are information of a sensitive, personal nature. As such, this
53 exemption serves to minimize the trauma to victims because the
54 release of such information would compound the tragedy already
55 visited upon their lives and would be defamatory, or cause
56 unwarranted damage, to the good name and reputation of the
57 victims. For these reasons, the Legislature finds that it is a
58 public necessity that any personal identifying information of
59 victims of human trafficking which, upon request, is redacted or
60 sealed in the court files and online dockets of actions by
61 victims of human trafficking under s. 787.063, Florida Statutes,
62 and any personal identifying information held by the council be
63 made confidential and exempt from s. 119.07(1), Florida
64 Statutes, and s. 24(a), Article I of the State Constitution.

65 Section 3. This act shall take effect on the same date that
66 SB 972 or similar legislation takes effect, if such legislation
67 is adopted in the same legislative session or an extension
68 thereof and becomes a law.



744366

69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to public records; creating s.
787.065, F.S.; providing for closed hearings in
certain civil actions upon the request of victims, or
the Statewide Council on Human Trafficking on behalf
of the victims, of human trafficking; providing for
redaction and sealing of personal identifying
information of victims of human trafficking upon
request; exempting from public records requirements
the redacted and sealed information; providing for
future review and repeal of the exemption; exempting
from public records requirements the personal
identifying information of victims of human
trafficking held by the council; providing for future
review and repeal of the exemption; providing a
statement of public necessity; providing a contingent
effective date.