

ENROLLED

CS/CS/HB 397

2017 Legislature

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2 An act relating to public records; amending s.
3 119.071, F.S.; providing an exemption from public
4 records requirements for personal identifying
5 information of the alleged victim in an allegation of
6 sexual harassment; authorizing the disclosure of such
7 information for certain purposes; providing for future
8 legislative review and repeal of the exemption;
9 providing a statement of public necessity; providing
10 an effective date.

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

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14 Section 1. Paragraph (m) is added to subsection (2) of
15 section 119.071, Florida Statutes, to read:

16 119.071 General exemptions from inspection or copying of
17 public records.—

18 (2) AGENCY INVESTIGATIONS.—

19 (m) Personal identifying information of the alleged victim
20 in an allegation of sexual harassment is confidential and exempt
21 from s. 119.07(1) and s. 24(a), Art. I of the State
22 Constitution. Such information may be disclosed to another
23 governmental entity in the furtherance of its official duties
24 and responsibilities. This paragraph is subject to the Open
25 Government Sunset Review Act in accordance with s. 119.15 and

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26 | shall stand repealed on October 2, 2022, unless reviewed and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

28 | Section 2. The Legislature finds that it is a public
29 | necessity that personal identifying information of the alleged
30 | victim in an allegation of sexual harassment be made
31 | confidential and exempt from s. 119.07(1), Florida Statutes, and
32 | s. 24(a), Article I of the State Constitution. The disclosure of
33 | such information could harm alleged victims by placing them at
34 | risk of further harassment and retaliation. Additionally, the
35 | potential for disclosure of such information could create a
36 | disincentive for alleged victims to report instances of alleged
37 | harassment. The Legislature finds that the potential harm that
38 | may result from the release of such information outweighs any
39 | public benefit that may be derived from the disclosure of such
40 | information.

41 | Section 3. This act shall take effect upon becoming a law.