



116034

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/27/2017	.	
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The Committee on Governmental Oversight and Accountability  
(Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 18 - 40  
and insert:  
information of an adult who participates in and completes a  
civil citation or prearrest diversion program is exempt from s.  
119.07(1) and s. 24(a), Art. I of the State Constitution. This  
exemption applies to personal identifying information held by  
the entity operating an adult civil citation or prearrest  
diversion program before, on, or after the effective date of



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11 this exemption. This subsection is subject to the Open  
12 Government Sunset Review Act in accordance with s. 119.15 and  
13 shall stand repealed on October 2, 2022, unless reviewed and  
14 saved from such repeal through reenactment by the Legislature.

15 Section 1. The Legislature finds that it is a public  
16 necessity that the personal identifying information of an adult  
17 who participates in and completes a civil citation or prearrest  
18 diversion program be exempt from s. 119.07(1), Florida Statutes,  
19 and s. 24(a), Article I of the State Constitution. The goal of  
20 such programs is to give a second chance to adults who commit  
21 misdemeanor offenses and allow them the opportunity to avoid  
22 having an arrest record. If the personal identifying information  
23 of such adults were not exempt from disclosure, it would defeat  
24 the program's goal of giving adults who commit misdemeanor  
25 offenses a means to avoid the negative consequences of an arrest  
26 and prosecution. If such information were able to be obtained by  
27 the public, the disclosure might negatively impact the  
28 effectiveness of the program. For these reasons, the Legislature  
29 finds that it is a public necessity that the personal  
30 identifying information of an adult who participates in and  
31 completes a civil citation or prearrest diversion program be

32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete lines 4 - 7

36 and insert:

37 information of an adult who participates in and  
38 completes a civil citation or prearrest diversion  
39 program is exempt from public records requirements;



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40 providing for future review and repeal of the  
41 exemption; providing for retroactive application;  
42 providing a statement of