

By Senator Grall

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; defining terms; expanding a public
records exemption for crime victims to include the
name and personal identification number of a victim
and any other information or record that could be used
to locate, intimidate, harass, or abuse the victim or
the victim's family; providing that such exemption
includes records generated by any agency that
regularly generates information from or concerning the
victims of crime; providing that certain records
identifying law enforcement officers who are involved
in a use of force incident are confidential and exempt
for a specified timeframe; specifying requirements for
extending such timeframe; providing for future
legislative review and repeal of the exemptions;
providing a statement of public necessity; providing
an effective date.

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

Section 1. Paragraph (j) of subsection (2) of section
119.071, Florida Statutes, is amended to read:

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

(2) AGENCY INVESTIGATIONS.—

(j)1.a. For purposes of this subparagraph, the term:

(I) "Employing agency head" means an elected or appointed
head official of an employing agency as defined in s. 943.10(4)

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who is certified under s. 943.13.

(II) "Officer" means any full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer certified under s. 943.13.

(III) "Use of force incident" means any incident that occurs within the scope of an officer's employment or official duties and involves the officer's use of deadly force as defined in s. 776.06, or any other use of force that results in great bodily harm.

(IV) "Victim" means a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed. The term includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon a showing that the interest of such person would be in actual or potential conflict with the interests of the victim. The term does not include the accused.

b.(I) Any public record ~~document~~ that reveals the identity, including the name or personal identification number, home or employment telephone number, home or employment address, or personal assets of a the victim, or any other information or record that could be used to locate, intimidate, harass, or abuse the victim or the victim's family ~~of a crime and identifies that person as the victim of a crime,~~ which public record is generated or ~~document is~~ received by any agency that regularly generates or receives information from or concerning the victims of crime, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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59 (II) This sub-subparagraph is subject to the Open
60 Government Sunset Review Act in accordance with s. 119.15 and
61 shall stand repealed on October 2, 2031, unless reviewed and
62 saved from repeal through reenactment by the Legislature. If,
63 after review, this sub-subparagraph is not reenacted, the text
64 of this sub-subparagraph shall revert to that in existence on
65 June 30, 2026, except that any amendments to this sub-
66 paragraph enacted other than by this act shall be preserved
67 and continue to operate to the extent that such amendments are
68 not dependent upon the amendments to the sub-subparagraph made
69 by this act.

70 c. Any information not otherwise held confidential or
71 exempt from s. 119.07(1) which reveals the home or employment
72 telephone number, home or employment address, or personal assets
73 of a person who has been the victim of sexual battery,
74 aggravated child abuse, aggravated stalking, harassment,
75 aggravated battery, or domestic violence is exempt from s.
76 119.07(1) and s. 24(a), Art. I of the State Constitution, upon
77 written request by the victim, which must include official
78 verification that an applicable crime has occurred. Such
79 information shall cease to be exempt 5 years after the receipt
80 of the written request.

81 d. Any state or federal agency that is authorized to have
82 access to such documents by any provision of law shall be
83 granted such access in the furtherance of such agency's
84 statutory duties, notwithstanding this section.

85 e.(I) The identity of an officer involved in a use of force
86 incident who becomes the victim of a crime in the course and
87 scope of the officer's employment or official duties in the same

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or a related incident is confidential and exempt from the public records law as set forth in sub-sub-subparagraphs (II) and (III).

(II) During the 72 hours immediately following an incident in which an officer becomes the victim of a crime, the identity of the officer contained in a public record that reveals that the officer was involved in such a use of force incident is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. At the expiration of the 72-hour period, the officer's identity shall be subject to s. 119.07(1) unless the employing agency head provides written findings setting forth the necessity for an extension of the confidentiality of the officer's identity.

(III) The employing agency head may extend the confidentiality of the identity of an officer contained in a public record that reveals that the officer was involved in such a use of force incident only upon written findings. The written findings by the employing agency head must state the necessity of extending the confidentiality of the officer's identity beyond the 72-hour period and must be made public before the 72-hour period expires. Such an extension may not exceed 60 days.

(IV) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

2.a. Any information in a videotaped statement of a minor who is alleged to be or who is a victim of sexual battery, lewd acts, or other sexual misconduct proscribed in chapter 800 or in s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s.

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847.0133, or s. 847.0145, which reveals that minor's identity, including, but not limited to, the minor's face; the minor's home, school, church, or employment telephone number; the minor's home, school, church, or employment address; the name of the minor's school, church, or place of employment; or the personal assets of the minor; and which identifies that minor as the victim of a crime described in this subparagraph, held by a law enforcement agency, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any governmental agency that is authorized to have access to such statements by any provision of law shall be granted such access in the furtherance of the agency's statutory duties, notwithstanding the provisions of this section.

b. A public employee or officer who has access to a videotaped statement of a minor who is alleged to be or who is a victim of sexual battery, lewd acts, or other sexual misconduct proscribed in chapter 800 or in s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145 may not willfully and knowingly disclose videotaped information that reveals the minor's identity to a person who is not assisting in the investigation or prosecution of the alleged offense or to any person other than the defendant, the defendant's attorney, or a person specified in an order entered by the court having jurisdiction of the alleged offense. A person who violates this provision commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. The Legislature finds that s. 16(b), Article I of the State Constitution mandates that crime victims have a

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146 right to be free from intimidation, harassment, and abuse and
147 that it is a public necessity that information or records that
148 may be used to locate, intimidate, harass, or abuse crime
149 victims be made exempt from s. 119.07(1), Florida Statutes, and
150 s. 24(a), Article I of the State Constitution. The Legislature
151 further finds that exempting records or documents from s.
152 119.07(1), Florida Statutes, and s. 24(a), Article I of the
153 State Constitution which identify a crime victim, the victim's
154 family, or any information that may be used to threaten or
155 harass the victim or the victim's family is a public necessity
156 to prevent the possibility of further trauma. The Legislature
157 also finds that the release of such records or documents may
158 deter crime victims from cooperating with law enforcement and
159 reporting criminal acts.

160 Section 3. This act shall take effect July 1, 2026.