

20187024e1

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           119.071, F.S.; creating an exemption from public  
4           records requirements for the address of a victim of an  
5           incident of mass violence; providing definitions;  
6           providing for future legislative review and repeal of  
7           the exemption; amending s. 119.011, F.S.; designating  
8           the address of a victim of an incident of mass  
9           violence as criminal intelligence information and  
10          criminal investigative information; providing a  
11          statement of public necessity; providing an effective  
12          date.

13  
14   Be It Enacted by the Legislature of the State of Florida:

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

18           119.071 General exemptions from inspection or copying of  
19           public records.—

20           (2) AGENCY INVESTIGATIONS.—

21           (o) The address of a victim of an incident of mass violence  
22           is exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
23           Constitution. For purposes of this paragraph, the term "incident  
24           of mass violence" means an incident in which four or more  
25           people, not including the perpetrator, are severely injured or  
26           killed by an intentional and indiscriminate act of violence of  
27           another. For purposes of this paragraph, the term "victim" means  
28           a person killed or injured during an incident of mass violence,  
29           not including the perpetrator. This paragraph is subject to the

20187024e1

30 Open Government Sunset Review Act in accordance with s. 119.15  
31 and shall stand repealed on October 2, 2023, unless reviewed and  
32 saved from repeal through reenactment by the Legislature.

33 Section 2. Paragraph (c) of subsection (3) of section  
34 119.011, Florida Statutes, is amended to read:

35 119.011 Definitions.—As used in this chapter, the term:

36 (3)

37 (c) "Criminal intelligence information" and "criminal  
38 investigative information" shall not include:

39 1. The time, date, location, and nature of a reported  
40 crime.

41 2. The name, sex, age, and address of a person arrested or  
42 of the victim of a crime except as provided in s. 119.071(2) (h)  
43 or (o).

44 3. The time, date, and location of the incident and of the  
45 arrest.

46 4. The crime charged.

47 5. Documents given or required by law or agency rule to be  
48 given to the person arrested, except as provided in s.

49 119.071(2) (h) or (m), and, except that the court in a criminal  
50 case may order that certain information required by law or

51 agency rule to be given to the person arrested be maintained in  
52 a confidential manner and exempt from the provisions of s.

53 119.07(1) until released at trial if it is found that the  
54 release of such information would:

55 a. Be defamatory to the good name of a victim or witness or  
56 would jeopardize the safety of such victim or witness; and

57 b. Impair the ability of a state attorney to locate or  
58 prosecute a codefendant.

20187024e1

59           6. Informations and indictments except as provided in s.  
60 905.26.

61           Section 3. The Legislature finds that it is a public  
62 necessity that the address of victims of an incident of mass  
63 violence be made exempt from s. 119.07(1), Florida Statutes, and  
64 s. 24(a), Article I of the State Constitution. After an incident  
65 of mass violence has occurred, victims of such an incident are  
66 in a vulnerable state as they assist law enforcement with the  
67 investigation of the incident and try to recover from the events  
68 that occurred. In some instances, the victim may have been  
69 killed or injured leaving their families to deal with the  
70 aftermath of the crime. The public availability of such victim's  
71 address may be used to locate the victim or the victim's family.  
72 The availability of such information has allowed people to take  
73 advantage of the victims or their families by subjecting the  
74 victims or their families to media intrusions at their homes and  
75 other unwelcome intrusions into their privacy. Therefore, it is  
76 necessary that the address of victims of incidents of mass  
77 violence be protected to ensure that persons affected by such  
78 incidents are not harassed, taken advantage of, or otherwise  
79 subjected to additional pain and suffering.

80           Section 4. This act shall take effect upon becoming a law.