

CHAPTER 2017-103

Committee Substitute for Committee Substitute for House Bill No. 397

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

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

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

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

(2) AGENCY INVESTIGATIONS.—

(m) Personal identifying information of the alleged victim in an allegation of sexual harassment is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such information may be disclosed to another governmental entity in the furtherance of its official duties and responsibilities. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

Approved by the Governor June 14, 2017.

Filed in Office Secretary of State June 14, 2017.