

CHAPTER 2018-39

House Bill No. 7029

An act relating to a review under the Open Government Sunset Review Act; amending s. 943.0583, F.S., which provides an exemption from public record requirements for certain criminal history records ordered expunged that are retained by the Department of Law Enforcement; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Subsection (10) of section 943.0583, Florida Statutes, is amended to read:

943.0583 Human trafficking victim expunction.—

(10)(a) A criminal history record ordered expunged under this section that is retained by the department is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the record shall be made available:

1. To criminal justice agencies for their respective criminal justice purposes, ~~and~~

2. To any governmental agency that is authorized by state or federal law to determine eligibility to purchase or possess a firearm or to carry a concealed firearm for use in the course of such agency's official duties. ~~Otherwise, such record shall not be disclosed to any person or entity except~~

3. Upon order of a court of competent jurisdiction.

(b) A criminal justice agency may retain a notation indicating compliance with an order to expunge.

~~(b) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2018.

Approved by the Governor March 19, 2018.

Filed in Office Secretary of State March 19, 2018.