

CHAPTER 2026-32

Committee Substitute for House Bill No. 1113

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 that could be used to locate, intimidate, harass, or abuse the victim; providing that such exemption includes the portions of records generated by any agency that regularly generates or receives information from or concerning victims of crime; providing for a public records exemption for the identity of a victim's family member, lawful representative, or next of kin and any other information that could be used to locate, intimidate, harass, or abuse these individuals; providing that such exemption includes the portions of records generated or received by any agency that regularly generates or receives information from or concerning victims of crime; providing applicability; providing that the name of a law enforcement officer in a public record which identifies him or her as a victim of crime in specified circumstances is confidential and exempt for 72 hours and providing that such information is exempt for 60 days thereafter; providing construction; 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) "Family member" means a spouse, child, parent or legal guardian, or sibling. This term does not include the accused.

(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) "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 does not include the accused.

b.(I) Any portion of a public record which 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 that could be used to locate, intimidate, harass, or abuse the victim, which of a crime and identifies that person as the victim of a crime, and which is a public record that 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.

(II) Any portion of a public record which reveals the identity, including the name or personal identification number, home or employment telephone number, home or employment address, or personal assets, of a lawful representative, family member, or next of kin of the person identified as a victim by the public record, or any other information that could be used to locate, intimidate, harass, or abuse such persons, and which is a public record that is generated or 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. This exemption does not apply to the accused, or to a lawful representative, family member, or next of kin of a victim upon a showing that the interest of such person would be in actual or potential conflict with the interests of the victim.

(III)(A) Notwithstanding sub-sub-subparagraph (2)(j)1.b.(I), the portion of a public record exempted under sub-sub-subparagraph (2)(j)1.b.(I) which contains the name of an officer who became a victim in the course and scope of the officer's employment or official duties is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for the first 72 hours after the incident in which the officer became a victim. These portions of a public record are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for an additional 60 days after the expiration of the 72-hour period. After the expiration of the 60-day period, the portion of a public record which contains the name of an officer who became a victim in the course and scope of his or her employment or official duties and which identifies the officer as a victim is no longer exempt.

(B) Sub-sub-sub-subparagraph (2)(j)1.b.(III)(A) does not supersede the exemption provided for victims of sexual battery in sub-subparagraph (2)(h) 1.b.

(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. If, after review, this sub-subparagraph is not reenacted, the text of this sub-subparagraph shall revert to that in existence on June 30, 2026, except that any amendments to this sub-subparagraph enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the amendments to the sub-subparagraph made by this act.

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

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

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. 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. (1) The Legislature finds that it is a public necessity that the following information held by an agency that regularly generates or receives information from or concerning victims of crime be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution:

(a) The portions of public records which identify a person as a victim of a crime, or any other information that could be used to locate, intimidate, harass, or abuse a victim.

(b) The portions of public records which reveal the identity of a lawful representative, family member, or next of kin of a person identified as a victim by the public record, or any other information that could be used to locate, intimidate, harass, or abuse such persons.

(2) The Legislature finds that it is a public necessity that the portion of public records which is held by an agency that regularly generates or receives information from or concerning victims of crime and which contains the name of an officer who became a victim in the course and scope of the officer's employment or official duties be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution for a 72-hour period after the incident in which the officer became a victim. The Legislature further finds it is a public necessity that these portions of a public record be exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution for an additional 60 days after the expiration of the 72-hour period.

(3) Victims, and their lawful representatives, family members, and next of kin, have a right to be free from intimidation, harassment, and abuse. Community attention is often piqued when a person becomes a victim, which may lead to the undue intrusion into the person's privacy, as well as the privacy of his or her lawful representative, family member, or next of kin. The identifying information of such persons could be used to further traumatize them. The risk of additional harm or harassment outweighs any public benefit that may be derived from the public disclosure of such information. The Legislature also finds that the release of such portions of records may deter crime victims from cooperating with law enforcement and reporting criminal acts based on a victim's fear of additional retaliation or attention. This exemption is narrowly tailored to balance the public's right to access public records by allowing the release of the name of a law enforcement officer who becomes a victim within the course and scope of his or her employment or duties 63 days after the incident. The risk of additional harm or harassment outweighs any public benefit that may be derived from the public disclosure of such information.

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

Approved by the Governor April 14, 2026.

Filed in Office Secretary of State April 14, 2026.