



ENROLLED

HB 469, Engrossed 1

2015 Legislature

1
 2 An act relating to public records; amending s.
 3 409.1678, F.S.; providing an exemption from public
 4 records requirements for information about the
 5 location of safe houses, safe foster homes, and other
 6 residential facilities serving victims of sexual
 7 exploitation held by an agency; providing exceptions;
 8 providing for future legislative review and repeal of
 9 the exemption; providing applicability; amending s.
 10 787.06, F.S.; providing an exemption from public
 11 records requirements for information held by an agency
 12 about the location of residential facilities serving
 13 adult victims of human trafficking involving
 14 commercial sexual activity; providing exceptions;
 15 providing applicability; providing for future
 16 legislative review and repeal of the exemption;
 17 providing a statement of public necessity; providing a
 18 contingent effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Subsection (6) is added to section 409.1678,
 23 Florida Statutes, to read:

24 409.1678 Specialized residential options for children who
 25 are victims of sexual exploitation.—

26 (6) (a) LOCATION INFORMATION.—Information about the



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27 location of a safe house, safe foster home, or other residential
28 facility serving victims of sexual exploitation, as defined in
29 s. 39.01(69)(g), which is held by an agency, as defined in s.
30 119.011, is confidential and exempt from s. 119.07(1) and s.
31 24(a), Art. I of the State Constitution. This exemption applies
32 to such confidential and exempt information held by an agency
33 before, on, or after the effective date of the exemption.

34 (b) Information about the location of a safe house, safe
35 foster home, or other residential facility serving victims of
36 sexual exploitation, as defined in s. 39.01(69)(g), may be
37 provided to an agency, as defined in s. 119.011, as necessary to
38 maintain health and safety standards and to address emergency
39 situations in the safe house, safe foster home, or other
40 residential facility.

41 (c) The exemptions from s. 119.07(1) and s. 24(a), Art. I
42 of the State Constitution provided in this subsection do not
43 apply to facilities licensed by the Agency for Health Care
44 Administration.

45 (d) This subsection is subject to the Open Government
46 Sunset Review Act in accordance with s. 119.15 and shall stand
47 repealed on October 2, 2020, unless reviewed and saved from
48 repeal through reenactment by the Legislature.

49 Section 2. Subsection (9) is added to section 787.06,
50 Florida Statutes, to read:

51 787.06 Human trafficking.—

52 (9)(a) Information about the location of a residential



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53 facility offering services for adult victims of human
54 trafficking involving commercial sexual activity, which is held
55 by an agency, as defined in s. 119.011, is confidential and
56 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
57 Constitution. This exemption applies to such confidential and
58 exempt information held by an agency before, on, or after the
59 effective date of the exemption.

60 (b) Information about the location of a residential
61 facility offering services for adult victims of human
62 trafficking involving commercial sexual activity may be provided
63 to an agency, as defined in s. 119.011, as necessary to maintain
64 health and safety standards and to address emergency situations
65 in the residential facility.

66 (c) The exemptions from s. 119.07(1) and s. 24(a), Art. I
67 of the State Constitution provided in this subsection do not
68 apply to facilities licensed by the Agency for Health Care
69 Administration.

70 (d) This subsection is subject to the Open Government
71 Sunset Review Act in accordance with s. 119.15 and shall stand
72 repealed on October 2, 2020, unless reviewed and saved from
73 repeal through reenactment by the Legislature.

74 Section 3. The Legislature finds that it is a public
75 necessity that information about the location of safe houses,
76 safe foster homes, and other residential facilities serving
77 victims of sexual exploitation, as defined in s. 39.01(69)(g),
78 Florida Statutes, or adult victims of human trafficking



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79 involving commercial sexual activity, held by an agency, as
80 defined in s. 119.011, Florida Statutes, be made confidential
81 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
82 Article I of the State Constitution. The Legislature also finds
83 that it is a public necessity that the exemptions apply to such
84 information held by an agency before, on, or after the effective
85 date of the exemptions. Safe houses, safe foster homes, and
86 other residential facilities serving victims of sexual
87 exploitation, as defined in s. 39.01(69)(g), Florida Statutes,
88 or adult victims of human trafficking involving commercial
89 sexual activity, are intended as refuges for sexually exploited
90 victims from those who exploited them. If the individuals who
91 victimized these people were able to learn the location of such
92 facilities, they may attempt to contact their victims, exploit
93 their vulnerabilities, and return them to the situations in
94 which they were victimized. Even without the return of these
95 victims to their former situations, additional contact with
96 those who victimized them would have the effect of continuing
97 their victimization and inhibiting their recoveries.
98 Additionally, knowledge about the location of safe houses, safe
99 foster homes, and other residential facilities serving victims
100 of sexual exploitation, as defined in s. 39.01(69)(g), Florida
101 Statutes, or adult victims of human trafficking involving
102 commercial sexual activity, could enable other individuals to
103 locate and attempt to victimize the residents. Therefore, it is



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104 | the finding of the Legislature that such information must be
105 | made confidential and exempt from public records requirements.

106 | Section 4. This act shall take effect on the same date
107 | that HB 465 or similar legislation relating to human trafficking
108 | takes effect, if such legislation is adopted in the same
109 | legislative session or an extension thereof and becomes a law.