

1 A bill to be entitled
 2 An act relating to public records exemptions; amending s.
 3 943.059, F.S.; making confidential and exempt certain
 4 criminal history information relating to minors from
 5 public records requirements; providing for the release of
 6 such information in certain circumstances; providing for
 7 future review and repeal; providing a statement of public
 8 necessity; providing an effective date.

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

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 12 Section 1. Subsection (5) is added to section 943.059,
 13 Florida Statutes, to read:

14 943.059 Court-ordered sealing of criminal history
 15 records.--

16 (5) The criminal history record of a minor compiled by the
 17 Criminal Justice Information Program from intrastate sources is
 18 confidential and exempt from s. 119.071(1) and s. 24(a), Art. I
 19 of the State Constitution, unless that minor is at any time
 20 arrested for, or found to have committed, regardless of
 21 adjudication, a felony offense, or is at any time arrested for,
 22 or found to have committed, regardless of adjudication, a
 23 misdemeanor offense after having been arrested for, or found to
 24 have committed, regardless of adjudication, misdemeanor offenses
 25 on at least three prior occasions. In the event of any such
 26 arrest or finding, the exemption provided by the subsection
 27 shall not apply to any portion of the criminal history record of
 28 the minor, unless otherwise provided by law. Such records may

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29 be disclosed, without waiving the exemption, to those persons
30 and entities authorized by s. 943.059(4) to receive sealed
31 criminal history information, and to those persons and entities
32 authorized by s. 985.04(1) to receive information obtained under
33 Chapter 985.

34 Section 2. The Legislature finds that it is a public
35 necessity that criminal history information of minors who have
36 not been arrested for, or found to have committed, regardless of
37 adjudication, a felony offense, be made confidential and exempt
38 from public records requirements. Youth are often denied
39 employment and other life and career opportunities as a result
40 of mistakes made during adolescence. These offenses can have
41 short and long term consequences, becoming serious impediments
42 to employment, education, and other socially productive and
43 meaningful pursuits, whether at the time they enter adulthood or
44 at some other critical life juncture years after the arrest or
45 conviction.

46 Section 3. This act shall take effect January 1, 2009.