

By Senator Collins

14-00658-24

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.071, F.S.; defining terms; providing an exemption  
4       from public records requirements for identification  
5       and location information of certain current and former  
6       military personnel and their spouses and dependents;  
7       providing for retroactive application of the  
8       exemption; providing for future legislative review and  
9       repeal of the exemption; providing a statement of  
10      public necessity; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14       Section 1. Paragraph (k) is added to subsection (5) of  
15      section 119.071, Florida Statutes, to read:

16       119.071 General exemptions from inspection or copying of  
17      public records.—

18       (5) OTHER PERSONAL INFORMATION.—

19       (k)1. For purposes of this paragraph, the term:

20       a. "Identification and location information" means the:

21       (I) Home addresses, telephone numbers, and dates of birth  
22      of current and former military personnel, and the telephone  
23      numbers associated with the personal communication devices of  
24      current and former military personnel.

25       (II) Home addresses, telephone numbers, and dates of birth  
26      of the spouses and dependents of current and former military  
27      personnel, and the telephone numbers associated with the  
28      personal communication devices of such spouses and dependents.

29       (III) Names and locations of schools attended by the

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30 spouses of current and former military personnel and schools or  
31 day care facilities attended by dependents of current and former  
32 military personnel.

33 b. "Military personnel" means persons employed by the  
34 United States Department of Defense who are authorized to access  
35 information that is deemed "secret" or "top secret" by the  
36 Federal Government or who are servicemembers of a special  
37 operations force.

38 c. "Special operations force" has the same meaning as  
39 provided in s. 943.10(22).

40 2. Identification and location information held by an  
41 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the  
42 State Constitution if the current or former military personnel  
43 member submits to an agency that has custody of the  
44 identification and location information:

45 a. A written request to exempt the identification and  
46 location information from public disclosure; and

47 b. A written statement that he or she has made reasonable  
48 efforts to protect the identification and location information  
49 from being accessible through other means available to the  
50 public.

51 3. This exemption applies to identification and location  
52 information held by an agency before, on, or after the effective  
53 date of this exemption.

54 4. This paragraph is subject to the Open Government Sunset  
55 Review Act in accordance with s. 119.15 and shall stand repealed  
56 on October 2, 2029, unless reviewed and saved from repeal  
57 through reenactment by the Legislature.

58 Section 2. The Legislature finds that it is a public

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59 necessity that identification and location information of  
60 current and former military personnel, and of their spouses and  
61 dependents, which is held by an agency be made exempt from s.  
62 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
63 State Constitution. Military personnel perform among the most  
64 critical, most effective, and most dangerous operations in  
65 defense of our nation's freedom. Terrorist groups have  
66 threatened military personnel and their families and have  
67 encouraged terrorist sympathizers to harm military personnel and  
68 their families within the United States. One terrorist group has  
69 allegedly gathered the photographs and home addresses of  
70 military personnel from public sources to create and publish a  
71 list of military personnel in order to make such persons  
72 vulnerable to an act of terrorism. The Legislature finds that  
73 allowing continued public access to the identification and  
74 location information of current and former military personnel  
75 and their families jeopardizes the safety of these personnel,  
76 their spouses, and their dependents. The Legislature finds that  
77 protecting the safety and security of current and former  
78 military personnel, and their spouses and dependents, outweighs  
79 any public benefit that may be derived from the public  
80 disclosure of the identification and location information.

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