

Committee on Rules

SB 1940 — Public Records and Public Meetings/School Safety

by Senators Galvano and Benacquisto

This bill creates three new public records exemptions. Each of these exemptions is related to legislation on school safety. The School Safety legislation provides for, among other things, enhancement of the School Safety Awareness Program (FortifyFL) through implementation of a new mobile suspicious activity reporting tool, the designation of school guardians and other safe-school officers, and the creation of the Marjory Stoneman Douglas High School Public Safety Commission.

First, the bill makes confidential and exempt from disclosure the identity of a reporting party received through the mobile suspicious activity reporting tool which is held by the Department of Law Enforcement, law enforcement agencies, or school officials. Without the exemption, a person may be fearful of reporting suspicious activity which could otherwise be used by law enforcement as a lead in preventing an incident of mass violence.

Another public records exemption is created to make exempt from disclosure information held by a law enforcement agency, school district, or charter school which would identify whether a particular individual has been appointed as a safe-school officer. The exemption is needed to maximize the effectiveness of safe-school officers, including adequately responding to an active assailant situation.

Finally, the bill makes exempt from disclosure a portion of a meeting of the Marjory Stoneman Douglas High School Public Safety Commission (commission) at which exempt or confidential and exempt information is discussed. In investigating failures in the Marjory Stoneman Douglas High School shooting and other mass violence incidents in the state, the commission will have for its review sensitive information that may already be protected from public records disclosure. Without the exemption provided in this bill, existing public records exemptions would be negated.

Each of these public records exemptions is subject to the Open Government Sunset Review and stands repealed October 2, 2023, unless the Legislature reviews the exemptions and saves them from repeal before that date.

If approved by the Governor, these provisions take effect on the same date that SB 7026 takes effect, which is upon becoming law.

Vote: Senate 36-0; House 114-2