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2 An act relating to public records; amending s.
3 828.30, F.S.; providing an exemption from
4 public records requirements for information
5 contained in a rabies vaccination certificate;
6 authorizing disclosure to certain public
7 agencies and to other persons under certain
8 conditions; providing for future review and
9 repeal; providing a finding of public
10 necessity; providing an effective date.

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

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14 Section 1. Present subsections (4) and (5) of section
15 828.30, Florida Statutes, are redesignated as subsections (5)
16 and (6), respectively, and a new subsection (4) is added to
17 that section, to read:

18 828.30 Rabies vaccination of dogs and cats.--
19 (4) Any information contained in the rabies
20 vaccination certificate provided to the animal control
21 authority which identifies the owner of the animal vaccinated
22 is confidential and exempt from s. 119.07(1) and s. 24(a),
23 Art. I of the State Constitution. However, the physician of,
24 or, any person who has been bitten, scratched, or otherwise
25 exposed to a zoonotic disease and a veterinarian who is
26 treating an animal that has been bitten, scratched, or
27 otherwise exposed to a zoonotic disease or the owner of an
28 animal that has been bitten, scratched, or otherwise exposed
29 to a zoonotic disease, shall be provided with any information
30 contained in a rabies vaccination certificate but only with
31 respect to the particular animal biting, scratching, or

1 otherwise causing exposure. Any person with an animal tag
2 number may receive vaccination certificate information with
3 regard to that animal. Federal, state, and local law
4 enforcement and prosecutorial agencies; other animal control
5 authorities; and emergency and medical response, disease
6 control, or other governmental health agencies shall be
7 provided information contained in the rabies vaccination
8 certificate for the purpose of controlling the transmission of
9 rabies; however, they must not release such information to the
10 public. Any person, pursuant to a written request, may view
11 or copy any individual rabies vaccination certificate, one
12 record at a time. A copy of any existing database may be
13 obtained provided that the owner's name, street address, and
14 phone number, and the animal tag number, are not made
15 available.

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17 This exemption is subject to the Open Government Sunset Review
18 Act of 1995 in accordance with s. 119.15, and shall stand
19 repealed on October 2, 2003, unless reviewed and saved from
20 repeal through reenactment by the Legislature.

21 (5)(4) Violation of this section is a civil
22 infraction, punishable as provided in s. 828.27(2).

23 (6)(5) This section does not prohibit or limit
24 municipalities or counties from enacting requirements similar
25 to or more stringent than the provisions of this section for
26 the implementation and enforcement of rabies-control
27 ordinances.

28 Section 2. The Legislature finds that there is a
29 public necessity to compile information contained in rabies
30 vaccination certificates and to readily provide such
31 information when necessary to promote public health, safety,

1 and welfare. However, the Legislature also finds that such
2 information is both confidential to the pet owner and
3 proprietary for the veterinarian and should be distributed
4 only when the public health, safety, and welfare demand.
5 Rabies certificates include personal information about
6 individual pet owners which, when compiled, can be used to
7 produce the client list of each veterinarian who has complied
8 with the provisions of s. 828.30, Florida Statutes, which
9 requires the filing of a copy of rabies vaccination
10 certificates with the local animal control authority. Such
11 lists are trade secrets as defined by s. 812.081, Florida
12 Statutes. The Legislature finds that it is a public necessity
13 that trade secret information be expressly made confidential
14 and exempt from public records law because it is a felony to
15 disclose such records. Thus, the public and private harm in
16 disclosing trade secrets significantly outweighs any public
17 benefit derived from disclosure, and the public's ability to
18 scrutinize and monitor agency action is not diminished by
19 nondisclosure of trade secrets. Release of such information
20 for reasons outside the scope of public health, safety, and
21 welfare unnecessarily jeopardizes the right to privacy of pet
22 owners who have their pets vaccinated and, further, negatively
23 impacts veterinarians submitting rabies vaccination
24 certificates by making the identities of their clients readily
25 available to competing business interests. Furthermore,
26 veterinarians are subject to medical confidentiality
27 provisions. Release of identifying information in the rabies
28 vaccination certificate for reasons other than the protection
29 of public health, safety, and welfare could represent a breach
30 of client confidentiality. In addition, release of the
31 information contained in a rabies vaccination certificate

1 could subject pet owners to possible theft or harassment by
2 individuals who target particular breeds, as well as to
3 solicitations, including solicitations from competing
4 veterinary business interests. Owners could become reluctant
5 to have their pets vaccinated against rabies. Any decrease in
6 the number of dogs and cats vaccinated against rabies would
7 hinder the ability of animal control authorities to protect
8 the public against the spread of rabies and endanger the
9 public health, safety, and welfare.

10 Section 3. This act shall take effect upon becoming
11 law.