

By Representative Bloom

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 certain records relating to secondhand goods
5 acquisitions; providing for future review and
6 repeal; providing a finding of public
7 necessity; providing an effective date.

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

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11 Section 1. All records relating to secondhand goods
12 acquisitions delivered to a police department or sheriff's
13 department pursuant to s. 538.04, Florida Statutes, are exempt
14 from the provisions of s. 119.07(1), Florida Statutes, and s.
15 24(a), Art. I of the State Constitution and may be used only
16 for official law enforcement purposes. This section does not
17 prohibit the disclosure by the police department or sheriff's
18 department receiving the records, or by the Department of Law
19 Enforcement, of the name and address of the secondhand dealer,
20 the name and address of the conveying customer, or a
21 description of the property acquired by the secondhand dealer
22 to the alleged owner of the acquired property. This section is
23 subject to the Open Government Sunset Review Act of 1995 in
24 accordance with s. 119.15, Florida Statutes, and shall stand
25 repealed on July 1, 2005, unless reviewed and saved from
26 repeal through reenactment by the Legislature.

27 Section 2. The Legislature finds that the exemption
28 from the public records law of records relating to secondhand
29 goods acquisitions delivered to a police department or to a
30 sheriff's department serves a legitimate public purpose. The
31 Legislature further finds that the release of such information

1 would cause an unwarranted invasion into the life of the
2 previous owner of the secondhand goods and that there is no
3 overriding public interest to be served in allowing such
4 information to be made public. The Legislature further finds
5 that such exemption is necessary in order for law enforcement
6 agencies and the Department of Law Enforcement to carry out
7 their duties.

8 Section 3. This act shall take effect July 1, 2000, if
9 HB or similar legislation is adopted in the same
10 legislative session or an extension thereof.

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13 HOUSE SUMMARY

14 Exempts records relating to secondhand goods acquisitions
15 delivered to a police department or sheriff's department
16 from the public records. Provides an exception. Provides
17 for future review and repeal. Provides a statement of
18 public necessity.
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