

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26 repealed on July 1, 2005, unless reviewed and saved from  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

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

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

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

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