

By the Council for Ready Infrastructure and Representative
Ball

1 A bill to be entitled
2 An act relating to public records exemptions;
3 amending s. 119.07, F.S.; providing an
4 exemption from public records requirements for
5 technical information pertaining to trunking
6 radio communication systems and mobile data
7 communications systems used by governmental
8 agencies; providing for future review and
9 repeal; providing legislative findings of
10 public 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. Paragraph (dd) is added to subsection (3)
15 of section 119.07, Florida Statutes, to read:

16 119.07 Inspection, examination, and duplication of
17 records; exemptions.--

18 (3)

19 (dd) Technical information pertaining to trunking
20 radio communications systems and mobile data communications
21 systems used by state, county, and municipal government
22 agencies, including, but not limited to, law enforcement
23 agencies, fire departments, emergency medical services,
24 government administration, school districts, water management
25 districts, and emergency management agencies, which would
26 allow unauthorized individuals to gain transmit access on such
27 systems or provide the ability to monitor encrypted or
28 privileged communications by officers or employees of such
29 agencies is exempt from the provisions of subsection (1) and
30 s. 24(a), Art. I of the State Constitution. "Technical
31 information" means system trunking format data, mobile data

1 terminal information, coded radio identification information,
2 information pertaining to internal system structuring
3 (agency/fleet/subfleet structure and identification data),
4 system keys, encryption codes used to facilitate secure
5 communications, and control channel data format information.
6 This paragraph is subject to the Open Government Sunset Review
7 Act of 1995 in accordance with s. 119.15, and shall stand
8 repealed on October 2, 2006, unless reviewed and saved from
9 repeal through reenactment by the Legislature.

10 Section 2. The Legislature finds that it is a public
11 necessity that technical information pertaining to trunking
12 radio communications systems and mobile data communications
13 systems used by state, county, and municipal government
14 agencies be made exempt from public disclosure as provided in
15 s. 119.07(3)(dd), Florida Statutes. The Legislature further
16 finds that disclosure of such technical information involves
17 risks that communications carried on such systems could be
18 intercepted by persons who wish to use such technical
19 information so obtained for the purpose of facilitating the
20 commission of, or escaping detection and apprehension
21 following commission of, crimes and in hindering or
22 interrupting essential governmental services.

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

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