

By the Committee on Governmental Oversight and Productivity;
and Senator Posey

302-1894-01

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A bill to be entitled
An act relating to public records exemptions;
amending s. 119.07, F.S.; exempting from
disclosure technical information pertaining to
trunking radio communication systems and mobile
data communications systems used by
governmental agencies; providing legislative
findings of public necessity; providing an
effective date.

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

Section 1. Paragraph (dd) is added to subsection (3)
of section 119.07, Florida Statutes, to read:

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

(3)

(dd) Technical information pertaining to trunking
radio communications systems and mobile data communications
systems used by state, county, and municipal government
agencies, including, but not limited to, law enforcement
agencies, fire departments, emergency medical services,
government administration, school districts, water management
districts, and emergency management agencies, which would
allow unauthorized individuals to gain transmit access on such
systems or provide the ability to monitor encrypted or
privileged communications by officers or employees of such
agencies is exempt from the provisions of subsection (1) and
s. 24(a), Art. I of the State Constitution. As used in this
paragraph, the term "technical information" means system
trunking format data, mobile data terminal information, coded

1 radio identification information, information pertaining to
2 internal system structuring (agency/fleet/subfleet structure
3 and identification data), system keys, encryption codes used
4 to facilitate secure communications, and control channel data
5 format information.

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

18 Section 3. This act shall take effect upon becoming a
19 law.

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21 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22 COMMITTEE SUBSTITUTE FOR
23 SB 1762

24 Clarifies and narrows the scope of the exemption.

25 Clarifies and explicates the statement of public necessity by
26 providing that trunking systems are used by state, county and
municipal governmental agencies.

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