

1 (a) With the express written consent of the applicant
2 or licensee or his or her legally authorized representative.

3 (b) By court order upon a showing of good cause.

4 (c) Upon written request by a law enforcement agency
5 in connection with an active criminal investigation.

6 (3) This section is subject to the Open Government
7 Sunset Review Act in accordance with s. 119.15 and shall stand
8 repealed on October 2, 2011, unless reviewed and saved from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 the personal identifying information of an
12 individual who has applied for or received a license to carry
13 a concealed weapon or firearm and which is held by the
14 Division of Licensing of the Department of Agriculture and
15 Consumer Services be made confidential and exempt from
16 public-records requirements, with certain exceptions. The
17 carrying of a concealed weapon in the state by members of the
18 general public requires an individual to obtain a license from
19 the Department of Agriculture and Consumer Services. The
20 applicant for a license to carry a concealed weapon or firearm
21 must state that he or she seeks a concealed weapon or firearms
22 license as a means of lawful self-defense. The knowledge that
23 someone has applied for or received a license to carry a
24 concealed weapon or firearm can very easily lead to the
25 conclusion that the applicant or licensee has in fact armed
26 himself or herself. This knowledge defeats the purpose behind
27 the authorization to carry a concealed weapon or firearm. If
28 the applicant or licensee had intended for the general public
29 to know he or she was carrying a weapon or firearm then he or
30 she only would have applied for a regular weapon or firearms
31 permit. The Legislature has found in prior legislative

1 sessions and has expressed in s. 790.335(1)(a)3., Florida
2 Statutes, that "a . . . record . . . of legally owned firearms
3 or law-abiding firearm owners is . . . an instrument that can
4 be used as a means to profile innocent citizens and to harass
5 and abuse American citizens based solely on their choice to
6 own firearms and exercise their Second Amendment right to keep
7 and bear arms as guaranteed under the United States
8 Constitution." Release of personal identifying information of
9 an individual who has applied for or received a license to
10 carry a concealed weapon or firearm could be used to harass an
11 innocent person based solely on that person's exercised right
12 to carry a concealed weapon or firearm. Furthermore, such
13 information could be used and has been used to identify
14 individuals who have obtained a license to carry a concealed
15 weapon or firearm for the purpose of making the identity of
16 the applicant or licensee publicly available via traditional
17 media and the Internet. Once again, such release contradicts
18 the purpose of carrying a concealed weapon or firearm. As
19 such, the Legislature finds that the personal identifying
20 information of an individual who has applied for or received a
21 license to carry a concealed weapon or firearm pursuant to
22 chapter 790, Florida Statutes, must be held confidential and
23 exempt from public-records requirements.

24 Section 3. This act shall take effect October 1, 2006.

25
26 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
27 COMMITTEE SUBSTITUTE FOR
28 Senate Bill 1162

29 This committee substitute differs from the bill as filed in
30 that it transfers the proposed exemption from ch. 119 to ch.
31 790, F.S., removes from the proposed exemption information
that is exempt under current law, and conforms the public
necessity statement to the proposed exemption.