

By Senator Hays

20-00745A-11

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; providing an exemption from public-
4 records requirements for information furnished by a
5 person to an agency for the purpose of being provided
6 with emergency notification by the agency; providing
7 for retroactive effect of the exemption; providing for
8 future legislative review and repeal of the exemption;
9 providing a statement of public necessity; providing
10 an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (j) is added to subsection (5) of
15 section 119.071, Florida Statutes, to read:

16 119.071 General exemptions from inspection or copying of
17 public records.—

18 (5) OTHER PERSONAL INFORMATION.—

19 (j)1. Any information furnished by a person to an agency
20 for the purpose of being provided with emergency notification by
21 the agency, including the person's name, address, telephone
22 number, e-mail address, or other electronic communication
23 address, is exempt from s. 119.07(1) and s. 24(a), Art. I of the
24 State Constitution. This exemption applies to information held
25 by an agency, before, on, or after the effective date of this
26 exemption.

27 2. This paragraph is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15, and shall stand
29 repealed on October 2, 2016, unless reviewed and saved from

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30 repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity to exempt from public-records requirements any
33 information furnished by a person to an agency for the purpose
34 of being provided with emergency notification by the agency.
35 Through the use of current technology, agencies may contact
36 members of the public by a variety of electronic means,
37 including cellular telephones and electronic mail, to alert them
38 of imminent natural and manmade disasters, medical emergencies,
39 criminal emergencies, and other dangerous conditions. Public
40 safety is significantly enhanced through the use of such
41 emergency notification programs, and expansion of such programs
42 further increases public safety. A public-records exemption for
43 information furnished to an agency for this purpose will
44 encourage greater participation in emergency notification
45 programs by alleviating concerns about disclosure of information
46 that could be used for criminal purposes. For these reasons, the
47 public-records exemption provided in this act is necessary for
48 the effective implementation of and broad participation in
49 emergency notification programs conducted by agencies.

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