

By Senator Hays

20-00946-12

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 943.44353, F.S.; creating a public records exemption
4 for the electronic mail address and physical address
5 information provided to the Department of Law
6 Enforcement by a person requesting access to the
7 automatic notification system of registration
8 information regarding sexual predators and sexual
9 offenders; providing for future legislative review and
10 repeal of the exemption under the Open Government
11 Sunset Review Act; providing a statement of public
12 necessity; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (3) is added to section 943.44353,
17 Florida Statutes, to read:

18 943.44353 Automatic notification of registration
19 information regarding sexual predators and offenders.—

20 (3) (a) Any electronic mail address or physical address
21 information provided to the department by a person, other than a
22 sexual predator and sexual offender, who requests access to the
23 automatic notification system is confidential and exempt from s.
24 119.07(1) and s. 24(a), Art. I of the State Constitution. This
25 exemption applies to any electronic mail address or physical
26 address information held by the department before, on, or after
27 July 1, 2012.

28 (b) This subsection is subject to the Open Government
29 Sunset Review Act in accordance with s. 119.15, and shall stand

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30 repealed on October 2, 2017, unless reviewed and saved from
31 repeal through reenactment by the Legislature.

32 Section 2. The Legislature finds that it is a public
33 necessity to exempt from public records requirements the
34 electronic mail address and physical address information
35 furnished to the Department of Law Enforcement by persons
36 requesting access to the automatic notification system of
37 registration information regarding sexual predators and sexual
38 offenders. A public records exemption for such information
39 furnished to the department will encourage greater access to the
40 notification system by alleviating concerns about disclosure of
41 electronic mail and physical location information that could be
42 used for criminal purposes. Public safety is significantly
43 enhanced through the use of the department's notification
44 system. For these reasons, the public records exemption provided
45 by this act is necessary for effective and broad participation
46 in the notification system by those seeking notification.

47 Section 3. This act shall take effect July 1, 2012.