

By Senator Brandes

22-00231-14

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 190.0121, F.S.; providing an exemption from public
4 records requirements for certain surveillance
5 recordings held by a community development district;
6 providing for future legislative review and repeal of
7 the exemption; providing a statement of public
8 necessity; providing an effective date.

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

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12 Section 1. Section 190.0121, Florida Statutes, is created
13 to read:

14 190.0121 Public records exemption; surveillance
15 recordings.-

16 (1) A surveillance recording created by monitoring
17 activities occurring inside or outside of a public building or
18 on public property which is held by a community development
19 district is confidential and exempt from s. 119.07(1) and s.
20 24(a), Art. I of the State Constitution.

21 (2) A community development district may disclose such a
22 recording:

23 (a) To a law enforcement agency in the furtherance of its
24 official duties and responsibilities; or

25 (b) Pursuant to a court order.

26 (3) This section is subject to the Open Government Sunset
27 Review Act in accordance with s. 119.15 and shall stand repealed
28 on October 2, 2019, unless reviewed and saved from repeal
29 through reenactment by the Legislature.

22-00231-14

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30 Section 2. The Legislature finds that it is a public
31 necessity that any surveillance recording created by monitoring
32 activities occurring inside or outside of a public building or
33 on public property which is held by a community development
34 district be made confidential and exempt from s. 119.07(1),
35 Florida Statutes, and s. 24(a), Article I of the State
36 Constitution. Community development districts provide
37 surveillance of public areas in order to monitor activities
38 occurring within the district and to ensure the security of the
39 residents. The exemption for surveillance recordings allows
40 community development districts to effectively and efficiently
41 provide security and surveillance while maintaining the privacy
42 of the residents and the guests of the residents, including
43 those who use community facilities. Without the public records
44 exemption, coverage and other technical aspects of the
45 surveillance system would be revealed and would make it easier
46 for individuals who wish to evade detection by the surveillance
47 systems to do so. As such, the Legislature finds that it is a
48 public necessity to prohibit the disclosure of such surveillance
49 recordings held by a community development district.

50 Section 3. This act shall take effect July 1, 2014.