



752452

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
	.	
	.	
	.	

---

The Committee on Governmental Oversight and Accountability  
(Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 570.077, Florida Statutes, is created to  
read:

570.077 Confidentiality of intelligence or investigative  
information.—

(1) Criminal or civil intelligence or investigative  
information, or any other information, held by the department as



752452

11 part of a joint or multiagency examination or investigation with  
12 another state or federal regulatory, administrative, or criminal  
13 justice agency is confidential and exempt from s. 119.07(1) and  
14 s. 24(a), Art. I of the State Constitution. The department may  
15 obtain, use, and release the information in accordance with the  
16 conditions imposed by the joint or multiagency agreement.

17 (2) The department may release information that is made  
18 confidential and exempt under subsection (1):

19 (a) In the furtherance of its official duties and  
20 responsibilities.

21 (b) To another governmental agency in the furtherance of  
22 its official duties and responsibilities.

23 (3) The public record exemption provided in subsection (1)  
24 does not apply to information held by the department as part of  
25 an independent examination or investigation conducted by the  
26 department.

27 (4) This section is subject to the Open Government Sunset  
28 Review Act in accordance with s. 119.15 and shall stand repealed  
29 on October 2, 2020, unless reviewed and saved from repeal  
30 through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public  
32 necessity that criminal or civil intelligence or investigative  
33 information, or any other information, held by the Department of  
34 Agriculture and Consumer Services as part of a joint or  
35 multiagency examination or investigation with another state or  
36 federal regulatory, administrative, or criminal justice agency  
37 be made confidential and exempt from s. 119.07(1), Florida  
38 Statutes, and s. 24(a), Art. I of the State Constitution.  
39 Without the exemption, the department will be unable to obtain



752452

40 information that could assist it in pursuing violations of law  
41 under its jurisdiction. With this exemption, the department  
42 should increase efficiency of investigations by saving time on  
43 developing investigative leads, witness data, and victim data.  
44 Furthermore, the exemption is necessary to enable the department  
45 to participate in joint or multiagency investigations and  
46 examinations. Without the exemption, the department would  
47 continue to be excluded from information due to the inability to  
48 maintain investigative confidentiality. Without the sharing and  
49 coordination of information, governmental agencies may be  
50 required to conduct duplicative independent investigations or  
51 examinations in order to meet their regulatory responsibilities.  
52 With this exemption, the department will strengthen  
53 relationships with other local, state, and federal agencies,  
54 allowing them to become more efficient by sharing critical  
55 investigative data.

56 Section 3. This act shall take effect upon becoming a law  
57 if SB 1444 or similar legislation is adopted in the same  
58 legislative session or an extension thereof and becomes law.

59  
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete everything before the enacting clause  
63 and insert:

64 A bill to be entitled  
65 An act relating to public records; creating s.  
66 570.077, F.S.; providing an exemption from public  
67 records requirements for criminal or civil  
68 intelligence or investigative information, or any



752452

69 other information, held by the Department of  
70 Agriculture and Consumer Services as part of an  
71 investigation with another state or federal  
72 regulatory, administrative, or criminal justice  
73 agency; providing exceptions to the public records  
74 exemption; providing applicability; providing for  
75 future legislative review and repeal of the exemption  
76 under the Open Government Sunset Review Act; providing  
77 a statement of public necessity; providing a  
78 contingent effective date.