By Senator Richter

	23-01727-15 20151446
1	A bill to be entitled
2	An act relating to public records; creating s.
3	570.077, F.S.; providing an exemption from public
4	records requirements for information received by the
5	Department of Agriculture and Consumer Services from
6	another state or federal agency and which is otherwise
7	confidential or exempt pursuant to the laws of the
8	other state or federal law; providing an exemption
9	from public records requirements for information
10	received or developed by the department as part of an
11	investigation with another state or federal agency;
12	providing applicability; providing for future
13	legislative review and repeal; providing a statement
14	of public necessity; providing a contingent effective
15	date.
16	
17	Be It Enacted by the Legislature of the State of Florida:
18	
19	Section 1. Section 570.077, Florida Statutes, is created to
20	read:
21	570.077 Confidentiality of intelligence and investigative
22	information
23	(1) The following information held by the Department of
24	Agriculture and Consumer Services before, on, or after July 1,
25	2015, is confidential and exempt from s. 119.07(1) and s. 24(a),
26	Art. I of the State Constitution:
27	(a) Criminal and civil intelligence, investigative
28	information, and any other information received from another
29	state or federal regulatory, administrative, or criminal justice

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CODING: Words stricken are deletions; words underlined are additions.

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<ul> <li>Review Act in accordance with s. 119.15 and shall stand repealed</li> <li>on October 2, 2020, unless reviewed and saved from repeal</li> <li>through reenactment by the Legislature.</li> <li>Section 2. (1) The Legislature finds that it is a public</li> <li>necessity that criminal and civil intelligence, investigative</li> <li>information, and any other information held by the Department of</li> <li>Agriculture and Consumer Services before, on, or after July 1,</li> <li>2015, which is received from another state or federal</li> <li>regulatory, administrative, or criminal justice agency and which</li> <li>is confidential or exempt pursuant to the laws of the other</li> <li>state or federal law be made confidential and exempt from s.</li> <li>119.07(1), Florida Statutes, and s. 24(a), Article I of the</li> <li>State Constitution. Without the exemption, the department will</li> <li>be unable to obtain information that could assist it in pursuing</li> </ul>	<ul> <li>Review Act in accordance with s. 119.15 and shall stand repealed</li> <li>on October 2, 2020, unless reviewed and saved from repeal</li> <li>through reenactment by the Legislature.</li> <li>Section 2. (1) The Legislature finds that it is a public</li> <li>necessity that criminal and civil intelligence, investigative</li> <li>information, and any other information held by the Department of</li> <li>Agriculture and Consumer Services before, on, or after July 1,</li> <li>2015, which is received from another state or federal</li> <li>regulatory, administrative, or criminal justice agency and which</li> <li>is confidential or exempt pursuant to the laws of the other</li> <li>state or federal law be made confidential and exempt from s.</li> <li>119.07(1), Florida Statutes, and s. 24(a), Article I of the</li> <li>State Constitution. Without the exemption, the department will</li> <li>be unable to obtain information that could assist it in pursuing</li> <li>violations of law under its jurisdiction. With this exemption,</li> </ul>	41	an independent examination or investigation under Florida law.
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<u> </u>	57 violations of law under its jurisdiction. With this exemption,	55	State Constitution. Without the exemption, the department will
57 violations of law under its jurisdiction. With this exemption,		56	be unable to obtain information that could assist it in pursuing
	58 the department should increase efficiency of investigations by	57	violations of law under its jurisdiction. With this exemption,
58 the department should increase efficiency of investigations by		58	the department should increase efficiency of investigations by

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CODING: Words stricken are deletions; words underlined are additions.

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59	saving time in developing investigative leads, witness data, and
60	victim data.
61	(2) The Legislature finds that it is a public necessity
62	that information held by the Department of Agriculture and
63	Consumer Services which is received or developed by the
64	department as part of a joint or multiagency examination or
65	investigation with another state or federal regulatory,
66	administrative, or criminal justice agency be made confidential
67	and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
68	Article I of the State Constitution. The exemption is necessary
69	to enable the department to participate in joint or multiagency
70	investigations and examinations. Without the exemption, the
71	department would continue to be excluded from information due to
72	the inability to maintain investigative confidentiality. Without
73	the sharing and coordination of information, governmental
74	agencies may be required to conduct duplicative independent
75	investigations or examinations in order to meet their regulatory
76	responsibilities. With this exemption, the department will
77	strengthen relationships with other local, state, and federal
78	agencies, allowing them to become more efficient by sharing
79	critical intelligence and investigative data.
80	Section 3. This act shall take effect on the same date that
81	SB or similar legislation takes effect, if such legislation
82	is adopted in the same legislative session or an extension
83	thereof and becomes a law.

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