

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Veteran & Military Affairs
 2 Subcommittee

3 Representative Gaetz offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (j) of subsection (5) of section
 8 119.071, Florida Statutes, is amended to read:

9 119.071 General exemptions from inspection or copying of
 10 public records.-

11 (5) OTHER PERSONAL INFORMATION.-

12 (j)1. For purposes of this paragraph, "identification and
 13 location information" means the:

14 a. Home address, telephone number, and photograph of a
 15 current or former servicemember of a United States military
 16 special operations unit;

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17 b. Home address, telephone number, photograph, and place
18 of employment of the spouse or child of such servicemember; and

19 c. Name and location of the school or day care facility
20 attended by the child of such servicemember.

21 2. Identification and location information held by an
22 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the
23 State Constitution if such servicemember submits to an agency
24 that has custody of the identification and location information:

25 a. A written request to exempt such information from
26 public disclosure; and

27 b. A written statement that he or she has made reasonable
28 efforts to protect the identification and location information
29 from being accessible through other means available to the
30 public.

31 3. This paragraph is subject to the Open Government Sunset
32 Review Act in accordance with s. 119.15, and shall stand
33 repealed on October 2, 2020, unless reviewed and saved from
34 repeal through reenactment by the Legislature.

35 Section 2. The Legislature finds that it is a public
36 necessity that the identification and location information held
37 by an agency of a current or former servicemember of a United
38 States military special operations unit; the spouse and children
39 of such servicemember; and the schools and day care facilities
40 attended by the children of such servicemember be made exempt
41 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
42 the State Constitution. United States military special

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43 operations units perform among the most critical, most
44 effective, and most dangerous operations in defense of our
45 nation's freedom. The unique missions undertaken by special
46 operations units render these servicemembers and their families
47 among the most critical assets worthy of protection in our state
48 and country. The Legislature finds that allowing public access
49 to the name, addresses, and identifying information of a current
50 or former servicemember of a United States military special
51 operations unit and his or her family may jeopardize the safety
52 of the servicemember, his or her spouse, and their children. The
53 Legislature finds that protecting a current or former
54 servicemember of a United States military special operations
55 unit, his or her spouse, and their children outweighs any public
56 benefit that may be derived from the disclosure of the
57 identifying information protected herein.

58 Section 3. This act shall take effect October 1, 2015.

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61 **T I T L E A M E N D M E N T**

62 Remove lines 2-10 and insert:

63 An act relating to public records; amending s. 119.071, F.S.;
64 providing an exemption from public records requirements for
65 certain personal identifying information of current or former
66 servicemembers of a military special operations unit and the
67 spouses and children of such servicemembers; providing for

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68 future legislative review and repeal of the exemption; providing
69 a statement of public necessity; providing an effective date.