

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WITHDRAWN	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: Local & Federal Affairs  
 2 Committee

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 (k) is added to subsection (5) of  
 8 section 119.071, Florida Statutes, to read:

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

11 (5) OTHER PERSONAL INFORMATION.-

12 (k)1. For purposes of this paragraph, the term:

13 a. "Identification and location information" means the:

14 (I) Home address, telephone number, and date of birth of a  
 15 servicemember; and the telephone number associated with a  
 16 servicemember's personal communication device.

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17 (II) Home address, telephone number, date of birth, and  
18 place of employment of the spouse or dependent of a  
19 servicemember; and the telephone number associated with such  
20 spouse's or dependent's personal communication device.

21 (III) Name and location of the school attended by the  
22 spouse, or the school or day care facility attended by a  
23 dependent, of a servicemember.

24 b. "Servicemember" means a current or former member of the  
25 Armed Forces of the United States, a reserve component of the  
26 Armed Forces of the United States, or the National Guard who  
27 served after September 11, 2001.

28 2. Identification and location information held by an  
29 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the  
30 State Constitution if a servicemember submits the following to  
31 an agency that has custody of the identification and location  
32 information:

33 a. A written request to exempt the identification and  
34 location information from public disclosure; and

35 b. A written statement that he or she has made reasonable  
36 efforts to protect the identification and location information  
37 from being accessible through other means available to the  
38 public.

39 3. This exemption applies to identification and location  
40 information held by an agency before, on, or after the effective  
41 date of this exemption.

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42 4. This paragraph is subject to the Open Government Sunset  
43 Review Act in accordance with s. 119.15 and shall stand repealed  
44 on October 2, 2020, unless reviewed and saved from repeal  
45 through reenactment by the Legislature.

46 Section 2. The Legislature finds that it is a public  
47 necessity that the identification and location information held  
48 by an agency of current or former members of the Armed Forces of  
49 the United States, a reserve component of the Armed Forces of  
50 the United States, or the National Guard who served after  
51 September 11, 2001; their spouses; and their dependents be made  
52 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
53 Article I of the State Constitution. Servicemembers perform  
54 among the most critical, most effective, and most dangerous  
55 operations in defense of our nation's freedom. Terrorist groups  
56 have threatened servicemembers and their families and have  
57 encouraged their sympathizers to harm servicemembers and their  
58 families within the United States. One terrorist group has  
59 allegedly gathered the photographs and home addresses of  
60 servicemembers from public sources to create and publish a list  
61 of servicemembers in order to make such persons vulnerable to an  
62 act of terrorism. The Legislature finds that allowing continued  
63 public access to the identification and location information of  
64 current or former servicemembers and their families jeopardizes  
65 the safety of servicemembers, their spouses, and their  
66 dependents. The Legislature finds that protecting the safety and  
67 security of current or former members of the Armed Forces of the

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68 United States, a reserve component of the Armed Forces of the  
69 United States, or the National Guard who served after September  
70 11, 2001; their spouses; and their dependents outweighs any  
71 public benefit that may be derived from the public disclosure of  
72 the identification and location information.

73 Section 3. This act shall take effect upon becoming a law.

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

77 Remove everything before the enacting clause and insert:

78 A bill to be entitled

79 An act relating to public records; amending s. 119.071, F.S.;

80 defining the terms "identification and location information" and

81 "servicemember"; providing an exemption from public records

82 requirements for certain identification and location information

83 of servicemembers and the spouses and dependents of

84 servicemembers; providing for retroactive application; providing

85 for future legislative review and repeal of the exemption;

86 providing a statement of public necessity; providing an

87 effective date.