

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; defining the term "identification and
 4 location information"; providing an exemption from
 5 public records requirements for certain identification
 6 and location information of current or former active
 7 duty servicemembers of the United States Armed Forces,
 8 Reserve Forces, or National Guard and the spouses and
 9 children of such servicemembers; providing for future
 10 legislative review and repeal of the exemption;
 11 providing a statement of public necessity; providing
 12 an effective date.

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

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 16 Section 1. Paragraph (k) is added to subsection (5) of
 17 section 119.071, Florida Statutes, to read:

18 119.071 General exemptions from inspection or copying of
 19 public records.—

20 (5) OTHER PERSONAL INFORMATION.—

21 (k)1. For purposes of this paragraph, the term
 22 "identification and location information" means the:

23 a. Home address, telephone number, date of birth, and
 24 photograph of a current or former active duty servicemember of
 25 the United States Armed Forces, Reserve Forces, or National
 26 Guard.

27 b. Home address, telephone number, date of birth,
28 photograph, and place of employment of the spouse or child of
29 such servicemember.

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

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

36 a. A written request to exempt such information from
37 public disclosure; and

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

42 3. 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43 Review Act in accordance with s. 119.15 and shall stand repealed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 certain identification and location information
48 of current or former active duty servicemembers of the United
49 States Armed Forces, Reserve Forces, or National Guard, and the
50 spouses and children of such servicemembers, that is held by an
51 agency be made exempt from s. 119.07(1), Florida Statutes, and
52 s. 24(a), Article I of the State Constitution. Servicemembers of

53 the United States Armed Forces, Reserve Forces, or National
54 Guard perform among the most critical, most effective, and most
55 dangerous operations in defense of our nation's freedom. The
56 missions undertaken by servicemembers of the United States Armed
57 Forces, Reserve Forces, or National Guard render these
58 servicemembers and their spouses and children among the most
59 critical assets worthy of protection in our state and country.
60 The Legislature finds that allowing public access to
61 identification and location information of current or former
62 active duty servicemembers of the United States Armed Forces,
63 Reserve Forces, or National Guard, and their spouses and
64 children may jeopardize their safety. Therefore, the Legislature
65 finds that protecting the home address, telephone number, date
66 of birth, and photograph of a current or former active duty
67 servicemember of the United States Armed Forces, Reserve Forces,
68 or National Guard; the home address, telephone number, date of
69 birth, photograph, and place of employment of the spouse or
70 child of such servicemember; and the name and location of the
71 school or day care facility attended by the child of such
72 servicemember, outweighs any public benefit that may be derived
73 from the disclosure of such information.

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