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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2015	.	
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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. Paragraph (k) is added to subsection (5) of
section 119.071, Florida Statutes, to read:

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

(5) OTHER PERSONAL INFORMATION.—

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



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11 a. "Identification and location information" means the:
12 (I) Home address, telephone number, and date of birth of a
13 servicemember; and the telephone number associated with a
14 servicemember's personal communication device.

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

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

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

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

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

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

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



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41 Review Act in accordance with s. 119.15 and shall stand repealed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

44 Section 2. The Legislature finds that it is a public
45 necessity that the identification and location information held
46 by an agency of current or former members of the Armed Forces of
47 the United States, a reserve component of the Armed Forces of
48 the United States, or the National Guard who served after
49 September 11, 2001; their spouses; and their dependents be made
50 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
51 Article I of the State Constitution. Servicemembers perform
52 among the most critical, most effective, and most dangerous
53 operations in defense of our nation's freedom. Terrorist groups
54 have threatened servicemembers and their families and have
55 encouraged their sympathizers to harm servicemembers and their
56 families within the United States. One terrorist group has
57 allegedly gathered the photographs and home addresses of
58 servicemembers from public sources to create and publish a list
59 of servicemembers in order to make such persons vulnerable to an
60 act of terrorism. The Legislature finds that allowing continued
61 public access to the identification and location information of
62 current or former servicemembers and their families jeopardizes
63 the safety of servicemembers, their spouses, and their
64 dependents. The Legislature finds that protecting the safety and
65 security of current or former members of the Armed Forces of the
66 United States, a reserve component of the Armed Forces of the
67 United States, or the National Guard who served after September
68 11, 2001; their spouses; and their dependents outweighs any



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69 public benefit that may be derived from the public disclosure of
70 the identification and location information.

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

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73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete everything before the enacting clause

76 and insert:

77 A bill to be entitled

78 An act relating to public records; amending s.

79 119.071, F.S.; defining the terms "identification and

80 location information" and "servicemember"; providing

81 an exemption from public records requirements for

82 certain identification and location information of

83 servicemembers and the spouses and dependents of

84 servicemembers; providing for retroactive application;

85 providing for future legislative review and repeal of

86 the exemption; providing a statement of public

87 necessity; providing an effective date.