

By the Committees on Governmental Oversight and Accountability;
 and Military and Veterans Affairs, Space, and Domestic Security;
 and Senator Evers

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A bill to be entitled
 An act relating to public records; amending s.
 119.071, F.S.; defining the terms "identification and
 location information" and "servicemember"; providing
 an exemption from public records requirements for
 certain identification and location information of
 servicemembers and the spouses and dependents of
 servicemembers; providing for retroactive application;
 providing for future legislative review and repeal of
 the exemption; providing a statement of public
 necessity; providing an effective date.

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

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:

a. "Identification and location information" means the:

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

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

(III) Name and location of the school attended by the

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30 spouse, or the school or day care facility attended by a
31 dependent, of a servicemember.

32 b. "Servicemember" means a current or former member of the
33 Armed Forces of the United States, a reserve component of the
34 Armed Forces of the United States, or the National Guard who
35 served after September 11, 2001.

36 2. Identification and location information held by an
37 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the
38 State Constitution if a servicemember submits the following to
39 an agency that has custody of the identification and location
40 information:

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

43 b. A written statement that he or she has made reasonable
44 efforts to protect the identification and location information
45 from being accessible through other means available to the
46 public.

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

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

54 Section 2. The Legislature finds that it is a public
55 necessity that the identification and location information held
56 by an agency of current or former members of the Armed Forces of
57 the United States, a reserve component of the Armed Forces of
58 the United States, or the National Guard who served after

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59 September 11, 2001; their spouses; and their dependents be made
60 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
61 Article I of the State Constitution. Servicemembers perform
62 among the most critical, most effective, and most dangerous
63 operations in defense of our nation's freedom. Terrorist groups
64 have threatened servicemembers and their families and have
65 encouraged their sympathizers to harm servicemembers and their
66 families within the United States. One terrorist group has
67 allegedly gathered the photographs and home addresses of
68 servicemembers from public sources to create and publish a list
69 of servicemembers in order to make such persons vulnerable to an
70 act of terrorism. The Legislature finds that allowing continued
71 public access to the identification and location information of
72 current or former servicemembers and their families jeopardizes
73 the safety of servicemembers, their spouses, and their
74 dependents. The Legislature finds that protecting the safety and
75 security of current or former members of the Armed Forces of the
76 United States, a reserve component of the Armed Forces of the
77 United States, or the National Guard who served after September
78 11, 2001; their spouses; and their dependents outweighs any
79 public benefit that may be derived from the public disclosure of
80 their identification and location information.

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