

ENROLLED

CS/HB 549

2020 Legislature

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An act relating to public records; creating s. 379.1026, F.S.; providing an exemption from public records requirements for the site-specific location information of certain endangered and threatened species; 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. Section 379.1026, Florida Statutes, is created to read:

379.1026 Site-specific location information for endangered and threatened species; public records exemption.—The site-specific location information held by an agency as defined in s. 119.011 concerning an endangered species as defined in s. 379.2291(3)(b), a threatened species as defined in s. 379.2291(3)(c), or a species listed by a federal agency as endangered or threatened, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to the site-specific location information of animals held in captivity. This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from

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26 | repeal by the Legislature.

27 |       Section 2. The Legislature finds that it is a public  
28 | necessity that the site-specific location information held by an  
29 | agency concerning an endangered or threatened species as listed  
30 | by a federal agency or the Fish and Wildlife Conservation  
31 | Commission be made exempt from s. 119.07(1), Florida Statutes,  
32 | and s. 24(a), Article I of the State Constitution. The  
33 | Legislature finds that the release of such location information  
34 | would jeopardize the continued existence of endangered or  
35 | threatened species by increasing the risk of exposure to  
36 | wildlife poachers or by threatening the integrity of the site  
37 | due to increased use or traffic. This exemption protects private  
38 | property owners from potential trespass and related liability  
39 | issues when endangered or threatened species are found on their  
40 | properties and encourages such property owners, as well as  
41 | researchers, to provide agencies with information they might not  
42 | otherwise provide if such location information were made public.  
43 | The Legislature finds that the harm that may result from the  
44 | release of such location information outweighs any public  
45 | benefit that may be derived from the disclosure of the  
46 | information.

47 |       Section 3. This act shall take effect July 1, 2020.