

By the Committees on Rules; Governmental Oversight and Accountability; and Military and Veterans Affairs and Space

595-04231-20

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., which
4 provides a public records exemption for the
5 identification and location information of
6 servicemembers and the spouses and dependents of
7 servicemembers; revising and defining terms; narrowing
8 the exemption by requiring the servicemember to have
9 been deployed to overseas service for the United
10 States Department of Defense; requiring a
11 servicemember to provide certain documentation to the
12 custodial agency in order for his or her
13 identification and location information to be subject
14 to the exemption; revising the scheduled repeal of the
15 exemption; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraph (k) of subsection (5) of section
20 119.071, Florida Statutes, is amended to read:

21 119.071 General exemptions from inspection or copying of
22 public records.—

23 (5) OTHER PERSONAL INFORMATION.—

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

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

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

29 (II) Home address, telephone number, date of birth, and

595-04231-20

20207010c2

30 place of employment of the spouse or dependent of a
31 servicemember, and the telephone number associated with such
32 spouse's or dependent's personal communication device.

33 (III) Name and location of a school attended by the spouse
34 of a servicemember or a school or day care facility attended by
35 a dependent of a servicemember.

36 b. "Overseas service" means participation in an overseas
37 military operation, such as crisis response, infrastructure and
38 coalition support for operations in Iraq and Afghanistan,
39 humanitarian assistance in the Middle East and North Africa, and
40 embassy security, as well as other needs abroad in the Global
41 War on Terrorism.

42 c. "Servicemember" means a current or former member of the
43 Armed Forces of the United States, a reserve component of the
44 Armed Forces of the United States, or the National Guard, who
45 was deployed to overseas service for the United States
46 Department of Defense served after September 11, 2001.

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

51 a. A written request to exempt the identification and
52 location information from public disclosure; ~~and~~

53 b. A copy of the servicemember's United States Department
54 of Defense form DD-214 or a statement from the servicemember's
55 commander that the servicemember deployed to overseas service
56 after September 11, 2001; and

57 c. A written statement that the servicemember ~~he or she~~ has
58 made reasonable efforts to protect the identification and

595-04231-20

20207010c2

59 location information from being accessible through other means
60 available to the public.

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

64 4. This paragraph is subject to the Open Government Sunset
65 Review Act in accordance with s. 119.15 and shall stand repealed
66 on October 2, 2025 ~~2020~~, unless reviewed and saved from repeal
67 through reenactment by the Legislature.

68 Section 2. This act shall take effect October 1, 2020.