

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 thereof;
 7 expanding the exemption by removing the requirement
 8 that a servicemember submit a written statement that
 9 reasonable efforts have been made to protect the
 10 information in order to claim the exemption; extending
 11 the repeal date; providing a statement of public
 12 necessity; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Paragraph (k) of subsection (5) of section
 17 119.071, Florida Statutes, is amended 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 a. "Identification and location information" means the:

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

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

30 (III) Name and location of a school attended by the spouse
 31 of a servicemember or a school or day care facility attended by
 32 a dependent of a servicemember.

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

37 2. Identification and location information held by an
 38 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the
 39 State Constitution if a servicemember submits to an agency that
 40 has custody of the identification and location 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, 2025 ~~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 to make identification and location information of
56 | current or former members of the Armed Forces of the United
57 | States, a reserve component of the Armed Forces of the United
58 | States, or the National Guard, who served after September 11,
59 | 2001, and the spouses and dependents of servicemembers, exempt
60 | from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
61 | the State Constitution, regardless of whether such individuals
62 | made reasonable efforts to protect such information from being
63 | public. Servicemembers perform among the most critical, most
64 | effective, and most dangerous operations in defense of our
65 | nation's freedom. Terrorist groups continue to threaten
66 | servicemembers and their families and encourage terrorist
67 | sympathizers to harm servicemembers and their families within
68 | the United States. The Legislature finds that allowing public
69 | access to the identification and location information of current
70 | or former servicemembers and their families jeopardizes the
71 | safety of servicemembers and their spouses and dependents. The
72 | Legislature finds that protecting the safety and security of
73 | current or former members of the Armed Forces of the United
74 | States, a reserve component of the Armed Forces of the United
75 | States, or the National Guard, who served after September 11,

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76 | 2001, and their spouses and dependents, outweighs any public
77 | benefit that may be derived from the public disclosure of the
78 | identification and location information.

79 | Section 3. This act shall take effect October 1, 2020.