

1                                   A bill to be entitled  
 2           An act relating to public records and public meetings;  
 3           creating s. 570.233, F.S.; specifying that certain  
 4           information held by a law enforcement agency which is  
 5           obtained by the Fraud, Identity Theft, Skimmer  
 6           Advisory Task Force and which is exempt or  
 7           confidential and exempt from public records  
 8           requirements retains its protected status; providing  
 9           an exemption from public meetings requirements for  
 10          portions of advisory task force meetings at which such  
 11          exempt or confidential and exempt information is  
 12          discussed; providing for future legislative review and  
 13          repeal; providing statements of public necessity;  
 14          providing an effective date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

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 18          Section 1.   Section 570.233, Florida Statutes, is created  
 19          to read:

20                 570.233 Fraud, Identity Theft, Skimmer Advisory Task  
 21                 Force; public records exemption.-

22                 (1) Any criminal intelligence information, investigative  
 23                 information, and surveillance techniques, procedures, or  
 24                 personnel, and any other information held by a law enforcement  
 25                 agency which is exempt or confidential and exempt from s.

26 | 119.07(1) and s. 24(a), Art. I of the State Constitution and  
27 | which is obtained by the Fraud, Identity Theft, Skimmer Advisory  
28 | Task Force created by the commissioner pursuant to s. 570.232,  
29 | shall retain its exempt or confidential and exempt status when  
30 | held by the advisory task force.

31 | (2) Those portions of meetings of the advisory task force  
32 | at which criminal intelligence information, investigative  
33 | information, or surveillance techniques, procedures, or  
34 | personnel, or any other information held by a law enforcement  
35 | agency which is exempt or confidential and exempt, is discussed  
36 | are exempt from s. 286.011 and s. 24(b), Art. I of the State  
37 | Constitution.

38 | (3) This section is subject to the Open Government Sunset  
39 | Review Act in accordance with s. 119.15 and shall stand repealed  
40 | on October 2, 2025, unless reviewed and saved from repeal  
41 | through reenactment by the Legislature.

42 | Section 2. (1) The Legislature finds that it is a public  
43 | necessity that all criminal intelligence information,  
44 | investigative information, and surveillance techniques,  
45 | procedures, or personnel, and any other information held by a  
46 | law enforcement agency which is exempt or confidential and  
47 | exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
48 | Article I of the State Constitution remain exempt or  
49 | confidential and exempt after it is obtained by the Fraud,  
50 | Identity Theft, Skimmer Advisory Task Force. Otherwise,

51 sensitive law enforcement information and personal information  
52 of victims of financial crimes would be disclosed, and open  
53 communication and coordination among the parties involved in the  
54 advisory task force would be hampered. Additionally, premature  
55 release of such information could frustrate or thwart a criminal  
56 investigation and lead to further criminal activity. The release  
57 of such information by the Department of Agriculture and  
58 Consumer Services would undermine the specific statutory  
59 exemption protecting that information. The harm that would  
60 result from the release of such information substantially  
61 outweighs any public benefit that would be achieved by  
62 disclosure.

63 (2) The Legislature further finds that it is a public  
64 necessity that portions of meetings of the Fraud, Identity  
65 Theft, Skimmer Advisory Task Force at which criminal  
66 intelligence information, investigative information, or  
67 surveillance techniques, procedures, or personnel, or any other  
68 information held by a law enforcement agency which is exempt or  
69 confidential and exempt is discussed be exempt from s. 286.011,  
70 Florida Statutes, and s. 24(b), Article I of the State  
71 Constitution. The failure to close portions of meetings at which  
72 exempt or confidential and exempt information is discussed would  
73 defeat the purpose of the public records exemption. Further, the  
74 Legislature finds that the exemption is narrowly tailored to  
75 apply to only certain portions of meetings of the advisory task

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76 | force to allow for public oversight.

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