



460032

LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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.



11 379.2291(3)(b), a threatened species as defined in s.
12 379.2291(3)(c), or a species listed by a federal agency as
13 endangered or threatened is exempt from s. 119.07(1) and s.
14 24(a), Art. I of the State Constitution. This exemption does not
15 apply to the site-specific location information of animals held
16 in captivity. This section is subject to the Open Government
17 Sunset Review Act in accordance with s. 119.15 and shall stand
18 repealed on October 2, 2025, unless reviewed and saved from
19 repeal by the Legislature.

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



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

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42 ===== T I T L E A M E N D M E N T =====

43 And the title is amended as follows:

44 Delete everything before the enacting clause
45 and insert:

46 A bill to be entitled
47 An act relating to public records; creating s.
48 379.1026, F.S.; providing an exemption from public
49 records requirements for the site-specific location
50 information of certain endangered and threatened
51 species; providing for future legislative review and
52 repeal of the exemption; providing a statement of
53 public necessity; providing an effective date.