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LEGISLATIVE ACTION

Senate

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House

The Committee on Environment and Natural Resources (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.—

(1) As used in this section, the term:

(a) "Agency" has the same meaning as in s. 119.011.



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11 (b) "Endangered species" has the same meaning as in s.
12 379.2291(3) (b) .

13 (c) "Threatened species" has the same meaning as in s.
14 379.2291(3) (c) .

15 (2) The site-specific location information held by an
16 agency concerning a species listed by a federal agency as
17 endangered or threatened or listed by the Fish and Wildlife
18 Conservation Commission as threatened is exempt from s.
19 119.07(1) and s. 24(a), Art. I of the State Constitution. This
20 exemption does not apply to animals held in captivity and is not
21 waived by the release of such location information to another
22 agency or to an educational institution or scientific facility
23 for research purposes. This section is subject to the Open
24 Government Sunset Review Act in accordance with s. 119.15 and
25 shall stand repealed on October 2, 2025, unless reviewed and
26 saved from 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 a species listed by a federal agency as
30 endangered or threatened or listed by the Fish and Wildlife
31 Conservation Commission as threatened be made exempt from s.
32 119.07(1), Florida Statutes, and s. 24(a), Article I of the
33 State Constitution. The Legislature finds that the release of
34 such location information would jeopardize the continued
35 existence of endangered or threatened species by increasing the
36 risk of exposure to wildlife poachers or by threatening the
37 integrity of the site due to increased use or traffic. This
38 exemption protects private property owners from potential
39 trespass and related liability issues when endangered or



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40 threatened species are found on their properties and encourages
41 such property owners, as well as researchers, to provide
42 agencies with information they might not otherwise provide if
43 such location information were made public. The Legislature
44 finds that the harm that may result from the release of such
45 location information outweighs any public benefit that may be
46 derived from the disclosure of the information.

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

48
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete everything before the enacting clause
52 and insert:

53 A bill to be entitled
54 An act relating to public records; creating s.
55 379.1026, F.S.; providing an exemption from public
56 records requirements for the site-specific location
57 information of certain endangered and threatened
58 species; providing for future legislative review and
59 repeal of the exemption; providing a statement of
60 public necessity; providing an effective date.