

By the Committees on Governmental Oversight and Accountability;
and Environment and Natural Resources; and Senator Hutson

585-03005-20

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 379.1026, F.S.; providing an exemption from public
4 records requirements for the site-specific location
5 information of certain endangered and threatened
6 species; providing for future legislative review and
7 repeal of the exemption; providing a statement of
8 public necessity; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 379.1026, Florida Statutes, is created
13 to read:

14 379.1026 Site-specific location information for endangered
15 and threatened species; public records exemption.—The site-
16 specific location information held by an agency, as defined in
17 s. 119.011, concerning an endangered species as defined in s.
18 379.2291(3)(b), a threatened species as defined in s.
19 379.2291(3)(c), or a species listed by a federal agency as
20 endangered or threatened is exempt from s. 119.07(1) and s.
21 24(a), Art. I of the State Constitution. This exemption does not
22 apply to the site-specific location information of animals held
23 in captivity. This section is subject to the Open Government
24 Sunset Review Act in accordance with s. 119.15 and shall stand
25 repealed on October 2, 2025, unless reviewed and saved from
26 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 an endangered or threatened species as listed

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30 by a federal agency or the Fish and Wildlife Conservation
31 Commission be made exempt from s. 119.07(1), Florida Statutes,
32 and s. 24(a), Article I of the State Constitution. The
33 Legislature finds that the release of such location information
34 would jeopardize the continued existence of endangered or
35 threatened species by increasing the risk of exposure to
36 wildlife poachers or by threatening the integrity of the site
37 due to increased use or traffic. This exemption protects private
38 property owners from potential trespass and related liability
39 issues when endangered or threatened species are found on their
40 properties and encourages such property owners, as well as
41 researchers, to provide agencies with information they might not
42 otherwise provide if such location information were made public.
43 The Legislature finds that the harm that may result from the
44 release of such location information outweighs any public
45 benefit that may be derived from the disclosure of the
46 information.

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