

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.0712, F.S.; providing an exemption from public  
 4           records requirements for certain information received  
 5           or maintained by the Department of Military Affairs  
 6           stored in a United States Department of Defense system  
 7           of records, transmitted using a United States  
 8           Department of Defense network or communications  
 9           device, or pertaining to the United States Department  
 10          of Defense; providing that certain information may be  
 11          disclosed only in accordance with applicable federal  
 12          and state laws; providing for retroactive application;  
 13          providing for future legislative review and repeal of  
 14          the exemption; providing a statement of public  
 15          necessity; providing an effective date.

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

18  
 19           Section 1. Subsection (4) is added to section 119.0712,  
 20 Florida Statutes, to read:

21           119.0712 Executive branch agency-specific exemptions from  
 22 inspection or copying of public records.—

23           (4) DEPARTMENT OF MILITARY AFFAIRS.—Information received  
 24 or maintained by the Department of Military Affairs that is  
 25 stored in a United States Department of Defense system of

26 | records, transmitted using a United States Department of Defense  
27 | network or communications device, or pertaining to the United  
28 | States Department of Defense, pursuant to 10 U.S.C. s. 394, is  
29 | exempt from s. 119.07(1) and s. 24(a) of Art. I of the State  
30 | Constitution. Any information not made exempt by this subsection  
31 | may be disclosed only after the department makes any redactions  
32 | in accordance with applicable federal and state laws. This  
33 | exemption applies to information made exempt by this subsection  
34 | which is held by the department before, on, or after the  
35 | effective date of the exemption. This subsection is subject to  
36 | the Open Government Sunset Review Act in accordance with s.  
37 | 119.15 and shall stand repealed on October 2, 2026, unless  
38 | reviewed and saved from repeal through reenactment by the  
39 | Legislature.

40 |       Section 2. The Legislature finds that it is a public  
41 | necessity that information received or maintained by the  
42 | Department of Military Affairs and stored in a United States  
43 | Department of Defense system of records, transmitted using a  
44 | United States Department of Defense network or communications  
45 | device, or pertaining to the United States Department of  
46 | Defense, pursuant to 10 U.S.C. s. 394, be made exempt from s.  
47 | 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
48 | State Constitution. The disclosure of such sensitive military  
49 | information within these systems such as information on military  
50 | missions, units, personnel, deployments, and troop concentration

51 could adversely affect military members and national security.  
52 For this reason it is necessary that such sensitive military  
53 information in the custody of the Department of Military Affairs  
54 be protected from disclosure to the same degree that is required  
55 under federal law. Therefore, the Legislature finds that it is a  
56 public necessity that such information be made exempt from  
57 public record requirements.

58 Section 3. This act shall take effect upon becoming a law.