

By Senator Burgess

20-00685-21

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1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           252.385, F.S.; creating an exemption from public  
4           records requirements for the name, address, and  
5           telephone number of a person which are held by an  
6           agency providing shelter or assistance to such person  
7           during an emergency; providing for future legislative  
8           review and repeal of the exemption; providing a  
9           statement of public necessity; providing an effective  
10          date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (5) is added to section 252.385,  
15 Florida Statutes, to read:

16           252.385 Public shelter space; public records exemption.—

17           (5) The name, address, and telephone number of a person  
18 which are held by an agency, as defined in s. 119.011, providing  
19 shelter or assistance to such person during an emergency are  
20 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
21 Constitution. This subsection is subject to the Open Government  
22 Sunset Review Act in accordance with s. 119.15 and shall stand  
23 repealed on October 2, 2026, unless reviewed and saved from  
24 repeal through reenactment by the Legislature.

25           Section 2. The Legislature finds that it is a public  
26 necessity that the name, address, and telephone number of a  
27 person which are held by an agency providing shelter or  
28 assistance to such person during an emergency be made exempt  
29 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of

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30 the State Constitution. Shelters are made available to the  
31 public to provide a safe place of accommodation before, during,  
32 and immediately following an emergency. During an emergency, the  
33 people affected are in a vulnerable state, as they have  
34 voluntarily displaced themselves from their residences and  
35 possessions to seek refuge. The information submitted to an  
36 agency by such a person seeking shelter or assistance could be  
37 used by persons seeking to take advantage of their vulnerability  
38 during or following the emergency. In addition, people seeking  
39 shelter or assistance for their safety and the safety of their  
40 families should not be forced to forfeit their privacy for the  
41 sake of such safety. Therefore, the Legislature finds that it is  
42 a public necessity to protect such information from public  
43 disclosure.

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