



184448

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/30/2021	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(4) DEPARTMENT OF MILITARY AFFAIRS.—Information received or
maintained by the Department of Military Affairs which is stored



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11 in a United States Department of Defense system of records, is
12 transmitted using a United States Department of Defense network
13 or communications device, or pertains to the United States
14 Department of Defense, pursuant to 10 U.S.C. s. 394, is exempt
15 from s. 119.07(1) and s. 24(a), Art. I of the State
16 Constitution. This exemption applies to information made exempt
17 by this subsection which is held by the department before, on,
18 or after the effective date of the exemption. This subsection is
19 subject to the Open Government Sunset Review Act in accordance
20 with s. 119.15 and shall stand repealed on October 2, 2026,
21 unless reviewed and saved from repeal through reenactment by the
22 Legislature.

23 Section 2. The Legislature finds that it is a public
24 necessity that certain information received or maintained by the
25 Department of Military Affairs which is stored in a United
26 States Department of Defense system of records, is transmitted
27 using a United States Department of Defense network or
28 communications device, or pertains to the United States
29 Department of Defense, pursuant to 10 U.S.C. s. 394, be made
30 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
31 Article I of the State Constitution. The disclosure of such
32 information could adversely affect national security and the
33 safety of servicemembers and their families. A servicemember's
34 information should only be disclosed by consent, as provided in
35 the Privacy Act of 1974. It is necessary that such sensitive
36 information in the custody of the Department of Military Affairs
37 be protected from disclosure to the same degree required under
38 federal law. Therefore, the Legislature finds that it is a
39 public necessity that such information be made exempt from



40 public records requirements.

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

42

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

44 And the title is amended as follows:

45 Delete everything before the enacting clause

46 and insert:

47 A bill to be entitled

48 An act relating to public records; amending s.

49 119.0712, F.S.; providing an exemption from public

50 records requirements for certain information received

51 or maintained by the Department of Military Affairs

52 which is stored in a United States Department of

53 Defense system of records, is transmitted using a

54 United States Department of Defense network or

55 communications device, or pertains to the United

56 States Department of Defense; providing for

57 retroactive application; providing for future

58 legislative review and repeal of the exemption;

59 providing a statement of public necessity; providing

60 an effective date.