



392722

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2021	.	
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The Committee on Rules (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 22 - 53

and insert:

(4) DEPARTMENT OF MILITARY AFFAIRS.—Information held by the Department of Military Affairs which is stored in a United States Department of Defense system of records, is transmitted using a United States Department of Defense network or communications device, or pertains to the United States Department of Defense pursuant to 10 U.S.C. s. 394 is exempt from s. 119.07(1) and s. 24(a), Art. I of the State



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12 Constitution. This exemption applies to information made exempt
13 by this subsection which is held by the department before, on,
14 or after the effective date of the exemption. This subsection is
15 subject to the Open Government Sunset Review Act in accordance
16 with s. 119.15 and shall stand repealed on October 2, 2026,
17 unless reviewed and saved from repeal through reenactment by the
18 Legislature.

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

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40 Delete lines 4 - 5



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41 and insert:
42 records requirements for certain information held by
43 the Department of Military Affairs