

By the Committee on Governmental Oversight and Accountability;  
and Senator Hooper

585-02656-22

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.071, F.S.; defining the term "law enforcement  
4       geolocation information"; providing an exemption from  
5       public records requirements for law enforcement  
6       geolocation information held by a law enforcement  
7       agency; providing for retroactive application;  
8       providing applicability; requiring law enforcement  
9       agencies to disclose law enforcement geolocation  
10      information to state and federal law enforcement  
11      agencies, upon request; providing for future  
12      legislative review and repeal of the exemption;  
13      providing a statement of public necessity; providing  
14      an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18       Section 1. Paragraph (e) is added to subsection (4) of  
19      section 119.071, Florida Statutes, to read:

20       119.071 General exemptions from inspection or copying of  
21      public records.—

22       (4) AGENCY PERSONNEL INFORMATION.—

23       (e)1. As used in this paragraph, the term "law enforcement  
24      geolocation information" means information collected using a  
25      global positioning system or another mapping, locational, or  
26      directional information system that allows tracking of the  
27      location or movement of a law enforcement officer or a law  
28      enforcement vehicle.

29       2. Law enforcement geolocation information held by a law

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30 enforcement agency is exempt from s. 119.07(1) and s. 24(a),  
31 Art. I of the State Constitution. This exemption applies to such  
32 information held by an agency before, on, or after the effective  
33 date of the exemption. This exemption does not apply to uniform  
34 traffic citations, crash reports, homicide reports, arrest  
35 reports, incident reports, or any other official reports issued  
36 by an agency which contain law enforcement geolocation  
37 information. A law enforcement agency shall disclose law  
38 enforcement geolocation information upon request from a state or  
39 federal law enforcement agency.

40 3. This paragraph is subject to the Open Government Sunset  
41 Review Act in accordance with s. 119.15 and shall stand repealed  
42 on October 2, 2027, unless reviewed and saved from repeal  
43 through reenactment by the Legislature.

44 Section 2. The Legislature finds that it is a public  
45 necessity that geolocation information of law enforcement  
46 officers and law enforcement vehicles be made exempt from s.  
47 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
48 State Constitution so that the safety of this state's law  
49 enforcement officers and the privacy of this state's residents  
50 may be reasonably assured. The Legislature recognizes that the  
51 regular and unregulated release of law enforcement geolocation  
52 information can pose a danger to officers while on patrol, can  
53 potentially result in the exposure of law enforcement officers'  
54 residences, can release otherwise exempt surveillance and  
55 investigative techniques, and can inadvertently disclose  
56 information about private residents which would otherwise be  
57 exempt. Therefore, the Legislature finds that it is a public  
58 necessity that law enforcement geolocation information be made

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59 exempt from public record requirements and that such exemption  
60 be applied retroactively.

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