

By Senator Bradley

5-00924-22

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1 A bill to be entitled
2 An act relating to public records; amending s. 823.15,
3 F.S.; providing an exemption from public records
4 requirements for records containing certain
5 information pertaining to persons who have adopted an
6 animal from an animal shelter or animal control agency
7 operated by a local government; providing for future
8 legislative review and repeal of the exemption;
9 providing a statement of public necessity; providing
10 an effective date.

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

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14 Section 1. Subsection (7) is added to section 823.15,
15 Florida Statutes, to read:

16 823.15 Public or private animal agencies; sterilization
17 required for dogs and cats released; recordkeeping requirements;
18 microchipping; public records exemption for adopter
19 information.—

20 (7) The name and e-mail addresses, as well as the home
21 addresses and telephone numbers, as those terms are defined in
22 s. 119.071(4) (d), of a person who has adopted an animal from an
23 animal shelter or animal control agency operated by a county,
24 municipality, or other incorporated political subdivision on any
25 record relating to the animal and held by the shelter or agency
26 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
27 Constitution. This subsection is subject to the Open Government
28 Sunset Review Act in accordance with s. 119.15 and shall stand
29 repealed on October 2, 2027, unless reviewed and saved from

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30 repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that, as reflected in s.
32 823.15(1), Florida Statutes, it is an important public policy of
33 the state to encourage the adoption of animals and to reduce
34 euthanasia rates for animals in animal shelters and animal
35 control agencies. Although shelters and agencies are motivated
36 to find new homes for animals in their custody, adopters of
37 these animals may become discouraged from adopting if the prior
38 owners who lost or surrendered custody of those animals, or who
39 did not reclaim the animals within the applicable time periods,
40 can obtain the identifying information of the adopters and
41 attempt to regain custody of the animal from the adopter. The
42 Legislature finds that the stalking, harassment, and
43 intimidation of animal adopters by prior animal owners, as well
44 as prior animal owners' theft of animals from animal adopters,
45 are threats to public safety and welfare and to the sanctity of
46 private property, the family, and the home. The Legislature
47 therefore finds that it is a public necessity that the names,
48 home addresses, e-mail addresses, and telephone numbers of
49 persons who have adopted an animal from an animal shelter or
50 animal control agency operated by a county, municipality, or
51 incorporated political subdivision on any record relating to
52 such animal and held by such shelter or agency be made exempt
53 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
54 the State Constitution. The Legislature further finds that the
55 need to protect the names, home addresses, e-mail addresses, and
56 telephone numbers of animal adopters is sufficiently compelling
57 to override the state's public policy of open government and
58 that the protection of such information cannot be accomplished

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59 without this exemption.

60 Section 3. This act shall take effect July 1, 2022.