HB 773

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; providing for future
9	legislative review and repeal of the exemption;
10	providing a statement of public necessity; providing
11	an effective date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Paragraph (e) is added to subsection (4) of
16	section 119.071, Florida Statutes, to read:
17	119.071 General exemptions from inspection or copying of
18	public records
19	(4) AGENCY PERSONNEL INFORMATION
20	(e)1. As used in this paragraph, the term "law enforcement
21	geolocation information" means information collected using a
22	global positioning system or another mapping, locational, or
23	directional information system that allows tracking of the
24	location or movement of a law enforcement officer or a law
25	enforcement vehicle.

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26 2. Law enforcement geolocation information held by a law 27 enforcement agency is exempt from s. 119.07(1) and s. 24(a), 28 Art. I of the State Constitution. This exemption applies to such 29 information held by an agency before, on, or after the effective 30 date of the exemption. This exemption does not apply to uniform traffic citations, crash reports, homicide reports, arrest 31 32 reports, incident reports, or any other official reports issued 33 by an agency which contain law enforcement geolocation 34 information. 35 3. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed 36 on October 2, 2027, unless reviewed and saved from repeal 37 38 through reenactment by the Legislature. 39 The Legislature finds that it is a public Section 2. necessity that geolocation information of law enforcement 40 41 officers and law enforcement vehicles be made exempt from s. 42 119.07(1), Florida Statutes, and s. 24(a), Article I of the 43 State Constitution so that the safety of this state's law enforcement officers and the privacy of this state's residents 44 may be reasonably assured. The Legislature recognizes that the 45 46 regular and unregulated release of law enforcement geolocation 47 information can pose a danger to officers while on patrol, can 48 potentially result in the exposure of law enforcement officers' 49 residences, can release otherwise exempt surveillance and investigative techniques, and can inadvertently disclose 50

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51	information about private residents which would otherwise be				
52	exempt. Therefore, the Legislature finds that it is a public				
53	necessity that law enforcement geolocation information be made				
54	exempt from public record requirements and that such exemption				
55	be applied retroactively.				
56	Section 3. This act shall take effect July 1, 2022.				

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