

1 A bill to be entitled
 2 An act relating to public records; amending s. 943.68,
 3 F.S.; providing an exemption from public records
 4 requirements for records held by a law enforcement
 5 agency relating to certain security or transportation
 6 services; providing for retroactive application;
 7 providing for legislative review and repeal of the
 8 exemption; providing a statement of public necessity;
 9 providing a directive to the Division of Law Revision;
 10 providing 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 (10) is added to section 943.68,
 15 Florida Statutes, and subsections (1), (5), and (6) of that
 16 section are republished, to read:

17 943.68 Transportation and protective services.—

18 (1) The department shall provide and maintain the security
 19 of the Governor, the Governor's immediate family, and the
 20 Governor's office and mansion and the grounds thereof.

21 (5) The department is authorized to provide security or
 22 transportation to visiting governors and their families upon
 23 request by the Governor.

24 (6) The department shall provide security or
 25 transportation services to other persons when requested by the

26 Governor, the Lieutenant Governor, a member of the Cabinet, the
27 Speaker of the House of Representatives, the President of the
28 Senate, or the Chief Justice of the Supreme Court, subject to
29 certification by the requesting party that such services are in
30 the best interest of the state. The requesting party may
31 delegate certification authority to the executive director of
32 the department. The requesting party shall limit such services
33 to persons:

34 (a) Who are visiting the state; for whom such services are
35 requested by the Governor, the Lieutenant Governor, a member of
36 the Cabinet, the Speaker of the House of Representatives, the
37 President of the Senate, or the Chief Justice of the Supreme
38 Court; and for whom the primary purpose of the visit is for a
39 significant public purpose; or

40 (b) For whom the failure to provide security or
41 transportation could result in a clear and present danger to the
42 personal safety of such persons or to the safety of other
43 persons or property within this state or could result in public
44 embarrassment to the state.

45 (10) (a) Records held by a law enforcement agency relating
46 to security or transportation services provided under subsection
47 (1), subsection (5), or subsection (6) are exempt from s.
48 119.07(1) and s. 24(a), Art. I of the State Constitution. This
49 exemption applies to records held by a law enforcement agency
50 before, on, or after the effective date of this act.

51 (b) This subsection is subject to the Open Government
52 Sunset Review Act in accordance with s. 119.15 and shall stand
53 repealed on October 2, 2028, unless reviewed and saved from
54 repeal through reenactment by the Legislature.

55 Section 2. The Legislature finds that it is a public
56 necessity that records held by a law enforcement agency relating
57 to security or transportation services provided under s.
58 943.68(1), (5), or (6), Florida Statutes, be made exempt from s.
59 119.07(1), Florida Statutes, and s. 24(a), Article I of the
60 State Constitution. Information obtained by a law enforcement
61 agency authorized by law to provide security or transportation
62 services to persons including the Governor, the Governor's
63 immediate family, visiting governors and their families, the
64 Lieutenant Governor, a member of the Cabinet, the Speaker of the
65 House of Representatives, the President of the Senate, or the
66 Chief Justice of the Supreme Court, or for persons for whom such
67 services are requested by the Governor, the Lieutenant Governor,
68 a member of the Cabinet, the Speaker of the House of
69 Representatives, the President of the Senate, or the Chief
70 Justice of the Supreme Court, the disclosure of which could
71 endanger the protected person, should not be disclosed to the
72 public. The disclosure of such records, including security,
73 operational, and logistical plans; risk, vulnerability, and
74 threat assessments; travel information relating to the protected
75 person and law enforcement agents and personnel providing the

76 security or transportation services; and identifying information
 77 of sworn and nonsworn personnel engaged in a security or
 78 transportation services operation or detail could reveal the
 79 means and methods of providing the required security or
 80 transportation services and could impair the ability of the law
 81 enforcement agency to ensure the safety and security of the
 82 protected person. The disclosure of such records could also
 83 endanger the law enforcement agents and personnel providing the
 84 security or transportation services. The Legislature finds that
 85 the safety and security of persons authorized protection under
 86 s. 943.68 (1), (5), or (6), Florida Statutes, as well as the
 87 safety and security of law enforcement agents and personnel
 88 providing the security or transportation services, outweigh any
 89 public benefit that may be derived from the disclosure of such
 90 records. Therefore, it is a public necessity that records held
 91 by a law enforcement agency relating to security or
 92 transportation services provided under s. 943.68(1), (5), or
 93 (6), Florida Statutes, be made exempt from public records
 94 requirements.

95 Section 3. The Division of Law Revision is directed to
 96 replace the phrase "the effective date of this act" wherever it
 97 occurs in this act with the date this act becomes a law.

98 Section 4. This act shall take effect upon becoming a law.