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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/11/2023	.	
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	.	
	.	

The Committee on Rules (Martin) recommended the following:

1 **Senate Substitute for Amendment (306640) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsection (10) is added to section 943.68,
7 Florida Statutes, and subsections (1), (5), and (6) of that
8 section are republished, to read:

9 943.68 Transportation and protective services.—

10 (1) The department shall provide and maintain the security
11 of the Governor, the Governor's immediate family, and the



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12 Governor's office and mansion and the grounds thereof.

13 (5) The department is authorized to provide security or
14 transportation to visiting governors and their families upon
15 request by the Governor.

16 (6) The department shall provide security or transportation
17 services to other persons when requested by the Governor, the
18 Lieutenant Governor, a member of the Cabinet, the Speaker of the
19 House of Representatives, the President of the Senate, or the
20 Chief Justice of the Supreme Court, subject to certification by
21 the requesting party that such services are in the best interest
22 of the state. The requesting party may delegate certification
23 authority to the executive director of the department. The
24 requesting party shall limit such services to persons:

25 (a) Who are visiting the state; for whom such services are
26 requested by the Governor, the Lieutenant Governor, a member of
27 the Cabinet, the Speaker of the House of Representatives, the
28 President of the Senate, or the Chief Justice of the Supreme
29 Court; and for whom the primary purpose of the visit is for a
30 significant public purpose; or

31 (b) For whom the failure to provide security or
32 transportation could result in a clear and present danger to the
33 personal safety of such persons or to the safety of other
34 persons or property within this state or could result in public
35 embarrassment to the state.

36 (10) (a) Records held by a law enforcement agency relating
37 to security or transportation services provided under subsection
38 (1), subsection (5), or subsection (6) are exempt from s.
39 119.07(1) and s. 24(a), Art. I of the State Constitution. This
40 exemption applies to records held by a law enforcement agency



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41 before, on, or after the effective date of this act.

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

46 Section 2. The Legislature finds that it is a public
47 necessity that records held by a law enforcement agency relating
48 to security or transportation services provided under s.
49 943.68(1), (5), or (6), Florida Statutes, be made exempt from s.
50 119.07(1), Florida Statutes, and s. 24(a), Article I of the
51 State Constitution. Information obtained by a law enforcement
52 agency authorized by law to provide security or transportation
53 services to persons, including the Governor, the Governor's
54 immediate family, visiting governors and their families, the
55 Lieutenant Governor, a member of the Cabinet, the Speaker of the
56 House of Representatives, the President of the Senate, or the
57 Chief Justice of the Supreme Court, or for persons for whom such
58 services are requested by the Governor, the Lieutenant Governor,
59 a member of the Cabinet, the Speaker of the House of
60 Representatives, the President of the Senate, or the Chief
61 Justice of the Supreme Court, the disclosure of which could
62 endanger the protected person, should not be disclosed to the
63 public. The disclosure of such records, including security,
64 operational, and logistical plans; mansion security, facility
65 operations, access, screenings, and clearances; personal
66 information unrelated to official duties of the protected
67 individuals; risk, vulnerability, and threat assessments; travel
68 information relating to the protected person and law enforcement
69 agents and personnel providing the security or transportation



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

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

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

92
93 ===== T I T L E A M E N D M E N T =====

94 And the title is amended as follows:

95 Delete everything before the enacting clause
96 and insert:

97 A bill to be entitled

98 An act relating to public records; amending s. 943.68,



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99 F.S.; providing an exemption from public records
100 requirements for records held by a law enforcement
101 agency relating to certain security or transportation
102 services; providing for retroactive application;
103 providing for legislative review and repeal of the
104 exemption; providing a statement of public necessity;
105 providing a directive to the Division of Law Revision;
106 providing an effective date.