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1
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.

11
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 transportation
25 services to other persons when requested by the Governor, the
26 Lieutenant Governor, a member of the Cabinet, the Speaker of the
27 House of Representatives, the President of the Senate, or the
28 Chief Justice of the Supreme Court, subject to certification by
29 the requesting party that such services are in the best interest

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30 of the state. The requesting party may delegate certification
31 authority to the executive director of the department. The
32 requesting party shall limit such services to persons:

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

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

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

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52 repealed on October 2, 2028, unless reviewed and saved from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

54 Section 2. The Legislature finds that it is a public
55 necessity that records held by a law enforcement agency relating
56 to security or transportation services provided under s.
57 943.68(1), (5), or (6), Florida Statutes, be made exempt from s.
58 119.07(1), Florida Statutes, and s. 24(a), Article I of the

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59 State Constitution. Information obtained by a law enforcement
60 agency authorized by law to provide security or transportation
61 services to persons, including the Governor, the Governor's
62 immediate family, visiting governors and their families, the
63 Lieutenant Governor, a member of the Cabinet, the Speaker of the
64 House of Representatives, the President of the Senate, or the
65 Chief Justice of the Supreme Court, or for persons for whom such
66 services are requested by the Governor, the Lieutenant Governor,
67 a member of the Cabinet, the Speaker of the House of
68 Representatives, the President of the Senate, or the Chief
69 Justice of the Supreme Court, the disclosure of which could
70 endanger the protected person, should not be disclosed to the
71 public. The disclosure of such records, including security,
72 operational, and logistical plans; mansion security, facility
73 operations, access, screenings, and clearances; personal
74 information unrelated to official duties of the protected
75 individuals; risk, vulnerability, and threat assessments; travel
76 information relating to the protected person and law enforcement
77 agents and personnel providing the security or transportation
78 services; and identifying information of sworn and nonsworn
79 personnel engaged in a security or transportation services
80 operation or detail could reveal the means and methods of
81 providing the required security or transportation services and
82 could impair the ability of the law enforcement agency to ensure
83 the safety and security of the protected person. The disclosure
84 of such records could also endanger the law enforcement agents
85 and personnel providing the security or transportation services.
86 The Legislature finds that the safety and security of persons
87 authorized protection under s. 943.68(1), (5), or (6), Florida

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88 Statutes, as well as the safety and security of law enforcement
89 agents and personnel providing the security or transportation
90 services, outweigh any public benefit that may be derived from
91 the disclosure of such records. Therefore, it is a public
92 necessity that records held by a law enforcement agency relating
93 to security or transportation services provided under s.
94 943.68(1), (5), or (6), Florida Statutes, be made exempt from
95 public records requirements.

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

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