

By the Committees on Governmental Oversight and Accountability;
and Education Pre-K -12; and Senator Collins

585-03273-23

20237020c1

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 943.082, F.S.;
4 expanding exemptions from public records requirements
5 for the identity of a reporting party and any
6 information received through the mobile suspicious
7 activity reporting tool to include such information
8 held by the Department of Education; providing for
9 retroactivity of the exemption; providing for future
10 legislative review and repeal; providing statements of
11 public necessity; providing an effective date.

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

14
15 Section 1. Subsection (6) of section 943.082, Florida
16 Statutes, is amended to read:

17 943.082 School Safety Awareness Program.—

18 (6) The identity of the reporting party received through
19 the mobile suspicious activity reporting tool and held by the
20 department, the Department of Education, law enforcement
21 agencies, or school officials is confidential and exempt from s.
22 119.07(1) and s. 24(a), Art. I of the State Constitution. Any
23 other information received through the mobile suspicious
24 activity reporting tool and held by the department, the
25 Department of Education, law enforcement agencies, or school
26 officials is exempt from s. 119.07(1) and s. 24(a), Art. I of
27 the State Constitution. These exemptions apply to any such
28 records held by these agencies before, on, or after the
29 effective date of this act. This subsection is subject to the

585-03273-23

20237020c1

30 Open Government Sunset Review Act in accordance with s. 119.15
31 and shall stand repealed on October 2, 2028 ~~2023~~, unless
32 reviewed and saved from repeal through reenactment by the
33 Legislature.

34 Section 2. (1) The Legislature finds that it is a public
35 necessity that the identity of a person reporting unsafe,
36 potentially harmful, dangerous, violent, or criminal activities,
37 or the threat of these activities, received through the mobile
38 suspicious activity reporting tool and held by the Department of
39 Education be made confidential and exempt from s. 119.07(1),
40 Florida Statutes, and s. 24(a), Article I of the State
41 Constitution, if the reporting person provides his or her
42 identity. The public records exemption for the identity of those
43 individuals reporting potentially harmful or threatening
44 activities as part of the School Safety Awareness Program
45 encourages individuals to act and not be fearful that their
46 identity will be revealed. Without the public records exemption,
47 individuals reporting such activities might be less willing to
48 report their knowledge of these possible activities to the
49 appropriate authorities out of fear. Ensuring their identity is
50 protected will encourage reporting, which could lead to law
51 enforcement or other appropriate agencies intervening before an
52 incident of mass violence occurs.

53 (2) The Legislature also finds that it is a public
54 necessity that any other information received through the mobile
55 suspicious activity reporting tool through the School Safety
56 Awareness Program and held by the Department of Education be
57 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
58 Article I of the State Constitution. The public records

585-03273-23

20237020c1

59 exemption for any other information received through the mobile
60 suspicious activity reporting tool protects information of a
61 sensitive personal nature that, if disclosed, could be
62 embarrassing. Without the public records exemption, individuals
63 reporting such activities might be less willing to report their
64 knowledge of these possible activities to the appropriate
65 authorities out of fear and concern for their safety. The public
66 records exemption will encourage reporting, which could lead to
67 law enforcement or other appropriate agencies intervening before
68 an incident of mass violence occurs. The public records
69 exemption is also needed to protect the privacy of other
70 individuals who are included in the report. After a report is
71 made, law enforcement may find the report to be unfounded. For
72 these reasons, the Legislature finds that it is a public
73 necessity to protect any other information reported through the
74 mobile suspicious activity reporting tool.

75 Section 3. This act shall take effect upon becoming a law.