

FOR CONSIDERATION By the Committee on Education Pre-K -12

581-01101A-23

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 943.082, F.S.; expanding exemptions from public
4 records requirements for the identity of a reporting
5 party and any information received through the mobile
6 suspicious activity reporting tool to include such
7 information held by the Department of Education;
8 providing for future legislative review and repeal;
9 providing statements of public necessity; providing an
10 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 (6) of section 943.082, Florida
15 Statutes, is amended to read:

16 943.082 School Safety Awareness Program.—

17 (6) The identity of the reporting party received through
18 the mobile suspicious activity reporting tool and held by the
19 department, the Department of Education, law enforcement
20 agencies, or school officials is confidential and exempt from s.
21 119.07(1) and s. 24(a), Art. I of the State Constitution. Any
22 other information received through the mobile suspicious
23 activity reporting tool and held by the department, the
24 Department of Education, law enforcement agencies, or school
25 officials is exempt from s. 119.07(1) and s. 24(a), Art. I of
26 the State Constitution. This subsection is subject to the Open
27 Government Sunset Review Act in accordance with s. 119.15 and
28 shall stand repealed on October 2, 2028 ~~2023~~, unless reviewed
29 and saved from repeal through reenactment by the Legislature.

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

49 (2) The Legislature finds that it is a public necessity
50 that any other information received through the mobile
51 suspicious activity reporting tool through the School Safety
52 Awareness Program and held by the Department of Education be
53 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
54 Article I of the State Constitution. The public records
55 exemption for any other information received through the mobile
56 suspicious activity reporting tool protects information of a
57 sensitive personal nature that, if disclosed, could be
58 embarrassing. Without the public records exemption, individuals

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59 reporting such activities might be less willing to report their
60 knowledge of these possible activities to the appropriate
61 authorities out of fear and concern for their safety. The public
62 records exemption will encourage reporting, which could lead to
63 law enforcement or other appropriate agencies intervening before
64 an incident of mass violence occurs. The public records
65 exemption is also needed to protect the privacy of other
66 individuals who are included in the report. After a report is
67 made, law enforcement may find the report to be unfounded. For
68 these reasons, the Legislature finds that it is a public
69 necessity to protect any other information reported through the
70 mobile suspicious activity reporting tool.

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