

2024548er

1
2 An act relating to public records; amending s.
3 119.071, F.S.; defining terms; providing an exemption
4 from public records requirements for identification
5 and location information of certain current and former
6 military personnel and their spouses and dependents;
7 providing for retroactive application of the
8 exemption; providing for future legislative review and
9 repeal of the exemption; providing a statement of
10 public necessity; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (k) is added to subsection (5) of
15 section 119.071, Florida Statutes, to read:

16 119.071 General exemptions from inspection or copying of
17 public records.—

18 (5) OTHER PERSONAL INFORMATION.—

19 (k)1. For purposes of this paragraph, the term:

20 a. "Identification and location information" means the:

21 (I) Home addresses, telephone numbers, and dates of birth
22 of current and former military personnel, and the telephone
23 numbers associated with the personal communication devices of
24 current and former military personnel.

25 (II) Home addresses, telephone numbers, and dates of birth
26 of the spouses and dependents of current and former military
27 personnel, and the telephone numbers associated with the
28 personal communication devices of such spouses and dependents.

29 (III) Names and locations of schools attended by the

2024548er

30 spouses of current and former military personnel and schools or
31 day care facilities attended by dependents of current and former
32 military personnel.

33 b. "Military personnel" means persons employed by the
34 United States Department of Defense who are authorized to access
35 information that is deemed "secret" or "top secret" by the
36 Federal Government or who are servicemembers of a special
37 operations force.

38 c. "Special operations force" has the same meaning as
39 provided in s. 943.10(22).

40 2. Identification and location information held by an
41 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the
42 State Constitution if the current or former military personnel
43 member submits to an agency that has custody of the
44 identification and location information:

45 a. A written request to exempt the identification and
46 location information from public disclosure; and

47 b. A written statement that he or she has made reasonable
48 efforts to protect the identification and location information
49 from being accessible through other means available to the
50 public.

51 3. This exemption applies to identification and location
52 information held by an agency before, on, or after the effective
53 date of this exemption.

54 4. This paragraph is subject to the Open Government Sunset
55 Review Act in accordance with s. 119.15 and shall stand repealed
56 on October 2, 2029, unless reviewed and saved from repeal
57 through reenactment by the Legislature.

58 Section 2. The Legislature finds that it is a public

2024548er

59 necessity that identification and location information of
60 current and former military personnel, and of their spouses and
61 dependents, which is held by an agency be made exempt from s.
62 119.07(1), Florida Statutes, and s. 24(a), Article I of the
63 State Constitution. Military personnel perform among the most
64 critical, most effective, and most dangerous operations in
65 defense of our nation's freedom. Terrorist groups have
66 threatened military personnel and their families and have
67 encouraged terrorist sympathizers to harm military personnel and
68 their families within the United States. One terrorist group has
69 allegedly gathered the photographs and home addresses of
70 military personnel from public sources to create and publish a
71 list of military personnel in order to make such persons
72 vulnerable to an act of terrorism. The Legislature finds that
73 allowing continued public access to the identification and
74 location information of current and former military personnel
75 and their families jeopardizes the safety of these personnel,
76 their spouses, and their dependents. The Legislature finds that
77 protecting the safety and security of current and former
78 military personnel, and their spouses and dependents, outweighs
79 any public benefit that may be derived from the public
80 disclosure of the identification and location information.

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