

By the Committees on Rules; and Education Pre-K -12; and Senator Calatayud

595-03601-24

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1 A bill to be entitled
2 An act relating to public records; amending s. 30.15,
3 F.S.; providing that certain information relating to
4 school guardians held by the Department of Law
5 Enforcement, a law enforcement agency, a school
6 district, or a charter school is exempt from public
7 records requirements; providing for future legislative
8 review and repeal of the exemption; providing a
9 statement of public necessity; providing a contingent
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) is added to section 30.15,
15 Florida Statutes, to read:

16 30.15 Powers, duties, and obligations.—

17 (6) Any information held by the Department of Law
18 Enforcement, a law enforcement agency, a school district, or a
19 charter school that would identify whether an individual has
20 been certified to serve as a school guardian is exempt from s.
21 119.07(1) and s. 24(a), Art. I of the State Constitution. This
22 subsection is subject to the Open Government Sunset Review Act
23 in accordance with s. 119.15 and shall stand repealed on October
24 2, 2029, unless reviewed and saved from repeal through
25 reenactment by the Legislature.

26 Section 2. The Legislature finds that it is a public
27 necessity that any information held by the Department of Law
28 Enforcement, a law enforcement agency, a school district, or a
29 charter school that would identify whether an individual has

595-03601-24

20247056c1

30 been certified to serve as a school guardian is exempt from s.
31 119.07(1), Florida Statutes, and s. 24(a), Article I of the
32 State Constitution. School security and student safety are
33 fundamental priorities in this state, as is the safety of people
34 serving or who have served as school guardians. School guardians
35 serve a critical role as safe-school officers and first
36 responders, and their presence on school grounds serves as a
37 deterrent against incidents threatening the lives of students
38 and school personnel. Disclosure of the identity of persons
39 certified as school guardians might undermine such deterrence
40 and may compromise their safety along with the safety of
41 students by allowing ill-intentioned persons to compare the
42 records of certified school guardians to information concerning
43 school employees to discern whether a person has been appointed
44 to serve as a school guardian. The public disclosure of such
45 information would also adversely affect their ability to
46 adequately respond to an active assailant incident, as an
47 assailant might be alerted in advance that a particular
48 individual is certified as a school guardian. Furthermore,
49 school guardians who have been appointed to that position might
50 leave their appointment for a period of time while maintaining
51 their certification, and, thereafter, be reappointed at a future
52 date. The safety of such persons would be compromised if their
53 status as school guardians became public record by virtue of
54 their continued certification. Accordingly, it is necessary to
55 protect the identity of persons certified as school guardians
56 from public records requirements in order to effectively and
57 efficiently implement the purpose and intent of school guardian
58 programs.

595-03601-24

20247056c1

59 Section 3. This act shall take effect on the same date that
60 SB 1356 or similar legislation takes effect, if such legislation
61 is adopted in the same legislative session or an extension
62 thereof and becomes a law.