

By Senator DiCeglie

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; defining the term "state attorney's
office or Office of Statewide Prosecution nonlegal
support staff"; providing an exemption from public
records requirements for the personal identifying and
location information of current state attorney's
office and Office of Statewide Prosecution nonlegal
support staff and the spouses and children of such
staff; providing for future legislative review and
repeal of the exemption; providing for retroactive
application; amending s. 744.21031, F.S.; conforming a
cross-reference; providing a statement of public
necessity; providing an effective date.

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

Section 1. Paragraph (d) of subsection (4) of section
119.071, Florida Statutes, is amended to read:

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

(4) AGENCY PERSONNEL INFORMATION.—

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

a. "Home addresses" means the dwelling location at which an
individual resides and includes the physical address, mailing
address, street address, parcel identification number, plot
identification number, legal property description, neighborhood
name and lot number, GPS coordinates, and any other descriptive
property information that may reveal the home address.

18-00777-26

20261084__

b. "Judicial assistant" means a court employee assigned to the following class codes: 8140, 8150, 8310, and 8320.

c. "State attorney's office or Office of Statewide Prosecution nonlegal support staff" means an employee of a state attorney's office or the Office of Statewide Prosecution assigned to the following class codes: 6031, 6032, 6033, 6034, 6035, 6141, 6142, 6151, 6152, 6153, 6154, 6155, 6161, 6162, 6163, 6171, 6172, 6173, 6174, 6180, 6211, 6212, 6213, 6214, 6215, 6326, 6327, 6331, 6332, 6333, 6341, 6342, 6343, 6344, 6345, 6349, 6350, 6391, 6392, 6393, 6395, 6407, 6408, 6409, 6417, 6418, 6441, 6442, 6443, 6444, 6491, 6492, 6493, 6495, 6531, 6532, 6533, 6534, 6541, 6542, 6543, 6544, 6545, 6549, 6561, 6562, 6563, 6564, 6566, 6571, 6572, 6573, 6615, 6616, 6801, 6909, 6910, or 6911.

d. "Telephone numbers" includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn law enforcement personnel or of active or former civilian personnel employed by a law enforcement agency, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and

18-00777-26

20261084__

59 enforcement or child support enforcement; the names, home
60 addresses, telephone numbers, photographs, dates of birth, and
61 places of employment of the spouses and children of such
62 personnel; and the names and locations of schools and day care
63 facilities attended by the children of such personnel are exempt
64 from s. 119.07(1) and s. 24(a), Art. I of the State
65 Constitution.

66 b. The home addresses, telephone numbers, dates of birth,
67 and photographs of current or former nonsworn investigative
68 personnel of the Department of Financial Services whose duties
69 include the investigation of fraud, theft, workers' compensation
70 coverage requirements and compliance, other related criminal
71 activities, or state regulatory requirement violations; the
72 names, home addresses, telephone numbers, dates of birth, and
73 places of employment of the spouses and children of such
74 personnel; and the names and locations of schools and day care
75 facilities attended by the children of such personnel are exempt
76 from s. 119.07(1) and s. 24(a), Art. I of the State
77 Constitution.

78 c. The home addresses, telephone numbers, dates of birth,
79 and photographs of current or former nonsworn investigative
80 personnel of the Office of Financial Regulation's Bureau of
81 Financial Investigations whose duties include the investigation
82 of fraud, theft, other related criminal activities, or state
83 regulatory requirement violations; the names, home addresses,
84 telephone numbers, dates of birth, and places of employment of
85 the spouses and children of such personnel; and the names and
86 locations of schools and day care facilities attended by the
87 children of such personnel are exempt from s. 119.07(1) and s.

18-00777-26

20261084__

24(a), Art. I of the State Constitution.

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges and current judicial assistants; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and current judicial assistants; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, ~~or~~ assistant statewide prosecutors, or current state attorney's office or Office of Statewide Prosecution nonlegal support staff; the names, home

18-00777-26

20261084__

addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, ~~or~~ assistant statewide prosecutors, or current state attorney's office or Office of Statewide Prosecution nonlegal support staff; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, ~~or~~ assistant statewide prosecutors, or current state attorney's office or Office of Statewide Prosecution nonlegal support staff are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative

18-00777-26

20261084__

Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

h. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.01; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended

18-00777-26

20261084__

by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of

18-00777-26

20261084__

current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone

18-00777-26

20261084__

233 numbers, dates of birth, and places of employment of the spouses
234 and children of such personnel; and the names and locations of
235 schools and day care facilities attended by the children of such
236 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
237 the State Constitution.

238 p. The home addresses, telephone numbers, dates of birth,
239 and photographs of current or former impaired practitioner
240 consultants who are retained by an agency or current or former
241 employees of an impaired practitioner consultant whose duties
242 result in a determination of a person's skill and safety to
243 practice a licensed profession; the names, home addresses,
244 telephone numbers, dates of birth, and places of employment of
245 the spouses and children of such consultants or their employees;
246 and the names and locations of schools and day care facilities
247 attended by the children of such consultants or employees are
248 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
249 Constitution.

250 q. The home addresses, telephone numbers, dates of birth,
251 and photographs of current or former emergency medical
252 technicians or paramedics certified under chapter 401; the
253 names, home addresses, telephone numbers, dates of birth, and
254 places of employment of the spouses and children of such
255 emergency medical technicians or paramedics; and the names and
256 locations of schools and day care facilities attended by the
257 children of such emergency medical technicians or paramedics are
258 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
259 Constitution.

260 r. The home addresses, telephone numbers, dates of birth,
261 and photographs of current or former personnel employed in an

18-00777-26

20261084__

agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

s. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, nurses, and clinical employees of an addiction treatment facility; the home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this sub-subparagraph, the term "addiction treatment facility" means a county government, or agency thereof, that is licensed pursuant to s. 397.401 and provides substance abuse prevention, intervention, or clinical treatment, including any licensed service component described in s. 397.311(27).

t. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, and clinical employees of a child advocacy center that meets the standards of s. 39.3035(2) and fulfills the screening requirement of s. 39.3035(3), and the members of a

18-00777-26

20261084__

Child Protection Team as described in s. 39.303 whose duties include supporting the investigation of child abuse or sexual abuse, child abandonment, child neglect, and child exploitation or to provide services as part of a multidisciplinary case review team; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel and members; and the names and locations of schools and day care facilities attended by the children of such personnel and members are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

u. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former staff and domestic violence advocates, as defined in s. 90.5036(1)(b), of domestic violence centers certified by the Department of Children and Families under chapter 39; the names, home addresses, telephone numbers, places of employment, dates of birth, and photographs of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

v. The home addresses, telephone numbers, dates of birth, and photographs of current or former inspectors or investigators of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators are exempt from s.

18-00777-26

20261084__

119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

w. The home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and the names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

x. The home addresses, telephone numbers, dates of birth, and photographs of current or former commissioners of the Florida Gaming Control Commission; the names, home addresses,

18-00777-26

20261084__

349 telephone numbers, dates of birth, photographs, and places of
350 employment of the spouses and children of such current or former
351 commissioners; and the names and locations of schools and day
352 care facilities attended by the children of such current or
353 former commissioners are exempt from s. 119.07(1) and s. 24(a),
354 Art. I of the State Constitution. This sub-subparagraph is
355 subject to the Open Government Sunset Review Act in accordance
356 with s. 119.15 and shall stand repealed on October 2, 2029,
357 unless reviewed and saved from repeal through reenactment by the
358 Legislature.

359 y. The home addresses, telephone numbers, dates of birth,
360 and photographs of current clerks of the circuit court, deputy
361 clerks of the circuit court, and clerk of the circuit court
362 personnel; the names, home addresses, telephone numbers, dates
363 of birth, and places of employment of the spouses and children
364 of current clerks of the circuit court, deputy clerks of the
365 circuit court, and clerk of the circuit court personnel; and the
366 names and locations of schools and day care facilities attended
367 by the children of current clerks of the circuit court, deputy
368 clerks of the circuit court, and clerk of the circuit court
369 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
370 the State Constitution. This sub-subparagraph is subject to the
371 Open Government Sunset Review Act in accordance with s. 119.15
372 and shall stand repealed on October 2, 2029, unless reviewed and
373 saved from repeal through reenactment by the Legislature.

374 z.(I) As used in this sub-subparagraph, the term:

375 (A) "Congressional member" means a person who is elected to
376 serve as a member of the United States House of Representatives
377 or is elected or appointed to serve as a member of the United

18-00777-26

20261084__

States Senate.

(B) "Partial home address" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the partial home address, except for the city and zip code.

(C) "Public officer" means a person who holds one of the following offices: Governor, Lieutenant Governor, Chief Financial Officer, Attorney General, Agriculture Commissioner, state representative, state senator, property appraiser, supervisor of elections, school superintendent, school board member, mayor, city commissioner, or county commissioner.

(II) The following information is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

(A) The partial home addresses of a current congressional member or public officer and his or her spouse or adult child.

(B) The telephone numbers of a current congressional member or public officer and his or her spouse or adult child.

(C) The name, home addresses, telephone numbers, and date of birth of a minor child of a current congressional member or public officer and the name and location of the school or day care facility attended by the minor child.

(III) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

3.a. An agency that is the custodian of the information

18-00777-26

20261084__

specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

b. An agency that is the custodian of information specified in sub-subparagraph 2.z. and that is not the employer of the congressional member, public officer, or other person specified in sub-subparagraph 2.z. must maintain the exempt status of that information only if an individual requests the maintenance of an exemption pursuant to sub-subparagraph 2.z. on the basis of eligibility as a current congressional member or public officer and his or her spouse or child submits, as part of the written and notarized request required by sub-subparagraph a., the date of the congressional member's or public officer's election or appointment to public office, the date on which that office is next subject to election, and, if applicable, the date on which the current congressional member's or public officer's minor child reaches the age of majority. The custodian must maintain an exemption granted pursuant to sub-subparagraph 2.z. until the qualifying conditions for the exemption no longer apply to the person subject to the exemption.

4.a. A county property appraiser, as defined in s. 192.001(3), or a county tax collector, as defined in s.

18-00777-26

20261084__

192.001(4), who receives a written and notarized request for maintenance of the exemption pursuant to subparagraph 3. must comply by removing the name of the individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exempt status from all publicly available records maintained by the property appraiser or tax collector. For written requests received on or before July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1, 2021. A county property appraiser or county tax collector may not remove the street address, legal description, or other information identifying real property within the agency's records so long as a name or personal information otherwise exempt from inspection and copying pursuant to this section is not associated with the property or otherwise displayed in the public records of the agency.

b. Any information restricted from public display, inspection, or copying under sub-subparagraph a. must be provided to the individual whose information was removed.

5. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

6. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the

18-00777-26

20261084__

465 exemption.

466 7. Information made exempt under this paragraph may be
467 disclosed pursuant to s. 28.2221 to a title insurer authorized
468 pursuant to s. 624.401 and its affiliates as defined in s.
469 624.10; a title insurance agent or title insurance agency as
470 defined in s. 626.841(1) or (2), respectively; or an attorney
471 duly admitted to practice law in this state and in good standing
472 with The Florida Bar.

473 8. The exempt status of a home address contained in the
474 Official Records is maintained only during the period when a
475 protected party resides at the dwelling location. Upon
476 conveyance of real property after October 1, 2021, and when such
477 real property no longer constitutes a protected party's home
478 address as defined in sub-subparagraph 1.a., the protected party
479 must submit a written request to release the removed information
480 to the county recorder. The written request to release the
481 removed information must be notarized, must confirm that a
482 protected party's request for release is pursuant to a
483 conveyance of his or her dwelling location, and must specify the
484 Official Records book and page, instrument number, or clerk's
485 file number for each document containing the information to be
486 released.

487 9. Upon the death of a protected party as verified by a
488 certified copy of a death certificate or court order, any party
489 can request the county recorder to release a protected
490 decedent's removed information unless there is a related request
491 on file with the county recorder for continued removal of the
492 decedent's information or unless such removal is otherwise
493 prohibited by statute or by court order. The written request to

18-00777-26

20261084__

release the removed information upon the death of a protected party must attach the certified copy of a death certificate or court order and must be notarized, must confirm the request for release is due to the death of a protected party, and must specify the Official Records book and page number, instrument number, or clerk's file number for each document containing the information to be released. A fee may not be charged for the release of any document pursuant to such request.

Section 2. Paragraph (c) of subsection (1) of section 744.21031, Florida Statutes, is amended to read:

744.21031 Public records exemption.—

(1) For purposes of this section, the term:

(c) "Telephone numbers" has the same meaning as provided in s. 119.071(4)(d)1.d ~~s. 119.071(4)(d)1.e~~.

Section 3. The Legislature finds that it is a public necessity that the home addresses, dates of birth, and telephone numbers of current state attorney's office and Office of Statewide Prosecution nonlegal support staff; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such nonlegal support staff; and the names and locations of schools and day care facilities attended by the children of such nonlegal support staff be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Such personal identifying and location information can be used as a tool to perpetrate fraud against an individual or to acquire sensitive personal, financial, medical, and familial information, the release of which could cause great financial harm to the individual. Current state attorney's office and Office of

18-00777-26

20261084__

Statewide Prosecution nonlegal support staff, in the course of
their employment, may assist in the review of criminal
prosecution cases; assist assistant state attorneys and
assistant statewide prosecutors; maintain contact with victims,
witnesses, criminal defense attorneys, judicial assistants, and
law enforcement; and possess and handle sensitive criminal
justice information and personal identifiable information, such
as biometric data, identity history data, biographic data,
property data, and case or incident history data, under strict
security protocols. Such nonlegal support staff may incur the
ill will of litigants, the accused, the convicted, and their
associates and families, thus making nonlegal support staff and
their spouses and children targets for acts of revenge. If such
identifying and location information is released, the safety of
current nonlegal support staff and their spouses and children
could be jeopardized. For these reasons, the Legislature finds
that it is a public necessity that such information be made
exempt from public records requirements.

Section 4. This act shall take effect October 1, 2026.