

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Criminal and Civil Justice

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BILL: SB 506

INTRODUCER: Senator Burgess

SUBJECT: Public Records/Body Camera Recordings Recorded by a Code Inspector

DATE: January 20, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Tolmich</u>	<u>Fleming</u>	<u>CA</u>	<b>Favorable</b>
2.	<u>Kolich</u>	<u>Harkness</u>	<u>ACJ</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 506 creates a public records exemption to provide that a code inspectors' body camera recording, or a portion thereof, is confidential and exempt from public disclosure requirements if the recording:

- Is taken within the interior of a private residence;
- Is taken within the interior of a facility that offers health care, mental health care, or social services; or
- Is taken in a place that a reasonable person would expect to be private.

In addition, the bill:

- Provides for certain circumstances under which such recordings are required to be disclosed or may be disclosed;
- Requires local governments to retain a body camera recording for at least 90 days; and
- Specifies that the exemption applies retroactively.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. The bill creates a new public record exemption; therefore, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill does not have a fiscal impact on state revenues or expenditures. See Section V. Fiscal Impact Statement.

The bill takes effect on the same date that SB 504 or similar legislation takes effect (July 1, 2026).

## II. Present Situation:

### County and Municipal Code Enforcement

Code enforcement is a function of local government and affects people's daily lives. Its purpose is to enhance the quality of life and economy of local government by protecting the health, safety, and welfare of the community.<sup>1</sup> Local governments possess a constitutional right to self-government.<sup>2</sup> Local codes and ordinances allow local governments to enforce regulations on a variety of matters ranging from zoning, tree cutting, nuisances, and excessive noise.<sup>3</sup>

Chapters 125, 162, and 166 of the Florida Statutes<sup>4</sup> provide counties and municipalities with a mechanism to enforce its codes and ordinances. These statutes are offered as permissible code enforcement mechanisms, but are not binding to local governments, which may use any enforcement mechanism they choose, or combination thereof.<sup>5</sup>

In each statutory mechanism, a local government designates code inspectors<sup>6</sup> or code enforcement officers,<sup>7</sup> tasked with investigating potential code violations, providing notice of violations, and issuing citations for noncompliance. Beyond these specified duties, the statutory scheme makes clear that code inspectors lack the authority to perform the functions or duties of a law enforcement officer.<sup>8</sup>

The Local Government Code Enforcement Boards Act (Act), located in Part I of ch. 162, F.S., allows each county and municipality to create by ordinance one or more local government code enforcement boards. A code enforcement board is an administrative board made up of members appointed by the governing body of a county or municipality with the authority to hold hearings and impose administrative fines and other noncriminal penalties for violations of county or municipal codes or ordinances.

Part II of ch. 162, F.S., provides local governments with supplemental methods for enforcing codes and ordinances without establishing a code enforcement board. The statutes allow counties and municipalities to designate some of its employees or agents as code enforcement officers authorized to enforce county or municipal codes or ordinances. Employees or agents who may be designated as code enforcement officers may include, but are not limited to, code inspectors, law enforcement officers, animal control officers, or firesafety inspectors.<sup>9</sup>

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<sup>1</sup> Section 162.02, F.S.

<sup>2</sup> Art. VIII, FLA CONST.

<sup>3</sup> Violations of the Florida Building Code, however, are enforced pursuant to ss. 553.79 and 553.80, F.S., and not within the scope of this bill or the sections of law analyzed herein. *See* s. 125.69(4)(g), F.S.

<sup>4</sup> Chapter 125 Part II (county self-government), Chapter 162 Part 1 (Local Government Code Enforcement Boards Act), Chapter 162 Part II (supplemental procedures), and s. 166.0415, F.S. (municipal code enforcement).

<sup>5</sup> Sections 125.69(4)(k), 162.13, 162.21(8), and 166.0415(7), F.S.

<sup>6</sup> "Code inspector" means any authorized agent or employee of the county or municipality whose duty it is to assure code compliance. Section 162.04, F.S.

<sup>7</sup> Section 162.21(1), F.S., defines the term "code enforcement officer" to mean "any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality."

<sup>8</sup> Section 125.69(4)(h), F.S.

<sup>9</sup> Section 162.21(2), F.S.

A code enforcement officer may issue a citation to a person when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of a duly enacted code or ordinance and that the county court will hear the charge.<sup>10</sup> However, prior to issuing a citation, a code enforcement officer must provide notice to the person that the person has committed a violation of a code or ordinance and provide a reasonable time period, no more than 30 days, within which the person must correct the violation. If, upon personal investigation, a code enforcement officer finds that the person has not corrected the violation within the time period, the officer may issue a citation.<sup>11</sup>

Counties and municipalities that choose to enforce codes or ordinances under the provisions of Part II must enact an ordinance establishing the code enforcement procedures. The ordinance, among other requirements, must provide procedures for the issuance of a citation by a code enforcement officer. A violation of a code or an ordinance enforced under Part II is a civil infraction and carries a maximum civil penalty of \$500.<sup>12</sup>

Code enforcement involves potential risks and dangers due to the sensitive nature of the work, which may include requiring individuals to alter their property or give up their possessions.<sup>13</sup> In recent years, there have been several violent incidents involving code enforcement officers and the public. In March 2023, a man was arrested in Columbus, Ohio, for allegedly dragging a City of Columbus code enforcement officer while holding an ax.<sup>14</sup> In February 2025, a man was arrested after allegedly threatening to shoot a Biscayne Park, Florida code enforcement officer over a \$25 fine.<sup>15</sup>

### **Access to Public Records – Generally**

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>16</sup> The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>17</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, section 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in

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<sup>10</sup> Section 162.21(3)(a), F.S.

<sup>11</sup> Section 162.21(3)(c), F.S.

<sup>12</sup> Section 162.21(5), F.S.

<sup>13</sup> Building Safety Journal, Inspectors are learning code of cautiousness, September 28, 2020, available at: [Inspectors are learning code of cautiousness - ICC](#) (last visited January 15, 2026).

<sup>14</sup> WSYX, Man drags Columbus code enforcement officer while holding ax during home inspection, March 3, 2023, available at: <https://abc6onyourside.com/news/local/man-drags-columbus-code-enforcement-officer-while-holding-ax-during-home-inspection-south-ashburton-road-anthony-margiotti-spit-on-officer-court-franklin-county-correction-center> (last visited January 15, 2026).

<sup>15</sup> WLPB, Man accused of threatening to shoot Biscayne Park code enforcement officer after receiving \$25 fine, February 4, 2025, available at: <https://www.local10.com/news/local/2025/02/04/man-accused-of-threatening-to-shoot-biscayne-park-code-enforcement-officer-after-receiving-25-fine/> (last visited January 15, 2026).

<sup>16</sup> Article I, s. 24(a), FLA CONST.

<sup>17</sup> *Id.*

section 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.<sup>18</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>19</sup> Lastly, chapter 119, F.S., known as the Public Records Act, provides requirements for public records held by agencies.

### **Agency Records – The Public Records Act**

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>20</sup>

Section 119.011(12), F.S., defines “public records” to include:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”<sup>21</sup>

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.<sup>22</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>23</sup>

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>24</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>25</sup>

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<sup>18</sup> See Rule 1.48, *Rules and Manual of the Florida Senate*, (2024-2026) and Rules 14.1 and 14.2, *Rules of the Florida House of Representatives*, Edition 1, (2024-2026).

<sup>19</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>20</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

<sup>21</sup> *Shevin v. Byron, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

<sup>22</sup> Section 119.07(1)(a), F.S.

<sup>23</sup> Section 119.10, F.S. Public record laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>24</sup> Article I, s. 24(c), FLA CONST.

<sup>25</sup> *Id.*

General exemptions from public records requirements are contained in the Public Records Act.<sup>26</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>27</sup>

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.<sup>28</sup> Records designated as “confidential and exempt” are not subject to inspection by the public and may only be released under the circumstances defined by statute.<sup>29</sup> Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.<sup>30</sup>

### **Public Records Exemption for Body Camera Recordings Made by a Law Enforcement Officer**

Section 119.071(2)(l), F.S., provides that a law enforcement officer’s body camera<sup>31</sup> recording, or a portion thereof, is confidential and exempt from public disclosure requirements, if the recording:

- Is taken within the interior of a private residence;
- Is taken within the interior of a facility that offers health care, mental health care, or social services; or
- Is taken in a place that a reasonable person would expect to be private.

Current law addresses the circumstances under which a law enforcement officer’s body camera recording may be disclosed or is required to be disclosed. A body camera recording, or a portion thereof, *may* be disclosed by a law enforcement agency in the furtherance of its official duties and responsibilities or to another governmental agency in the furtherance of its official duties and responsibilities.<sup>32</sup> A body camera recording, or a portion thereof, *must* be disclosed by a law enforcement agency:

- To a person recorded by a body camera; however, a law enforcement agency may disclose only those portions that are relevant to the person’s presence in the recording;
- To the personal representative<sup>33</sup> of a person recorded by a body camera; however, a law enforcement agency may disclose only those portions that are relevant to the represented person’s presence in the recording;

<sup>26</sup> See section 119.071, F.S.

<sup>27</sup> See, e.g., section 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>28</sup> *WFTV, Inc. v. The Sch. Bd. Of Seminole County*, 874 So. 2d 48, 53 (Fla. 5<sup>th</sup> DCA 2004).

<sup>29</sup> *Id.*

<sup>30</sup> *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5<sup>th</sup> DCA 1991).

<sup>31</sup> “Body camera” means a portable electronic device that is worn on a law enforcement officer’s body and that records audio and video data in the course of the officer performing his or her official duties and responsibilities. Section 119.071(2)(l)1.a., F.S.

<sup>32</sup> Section 119.071(2)(l)3., F.S.

<sup>33</sup> “Personal representative” means a parent, court-appointed guardian, an attorney, or an agent of, or a person holding power of attorney for, a person recorded by a body camera. If a person depicted in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person’s surviving spouse, parent, or adult

- To a person not depicted in a body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, a law enforcement agency may disclose only those portions that record the interior of such a place; or
- Pursuant to a court order.<sup>34</sup>

The court must consider several factors in determining whether to order disclosure of a body camera recording.<sup>35</sup> In any proceeding regarding the disclosure of a body camera recording, the law enforcement agency that made the recording must be given reasonable notice of hearings and an opportunity to participate.<sup>36</sup>

Law enforcement agencies must retain a body camera recording for at least 90 days.<sup>37</sup>

### **Local Government Agency Exemptions from Inspection or Copying of Public Records**

Section 119.0713, F.S., provides for local government agency exemptions from inspection or copying of public records.

The following records are exempt or confidential and exempt from public records requirements:

- All complaints and other records in the custody of any unit of local government which relate to a complaint of discrimination relating to race, color, religion, sex, national origin, age, handicap, marital status, sale or rental of housing, the provision of brokerage services, or the finance of housing, until certain conditions are met;<sup>38</sup>
- Audit workpapers and notes related to the audit report of an internal auditor and an investigative report of the inspector general prepared for or on behalf of a unit of local government,<sup>39</sup> as well as information received, produced, or derived from an investigation, until certain conditions are met;<sup>40</sup>
- Any data, record, or document used directly or solely by a municipality owned utility to prepare and submit a bid relative to the sale, distribution, or use of any service, commodity, or tangible personal property to any customer or prospective customer, under certain circumstances;<sup>41</sup>

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child; the deceased person's attorney or agent; or the parent or guardian of a surviving minor child of the deceased. Section 119.071(2)(1)1.c., F.S.

<sup>34</sup> Section 119.071(2)(1)4., F.S.

<sup>35</sup> Section 119.071(2)(1)4.d.(I), F.S.

<sup>36</sup> Section 119.071(2)(1)4.d.(II), F.S.

<sup>37</sup> Section 119.071(2)(1)5., F.S.

<sup>38</sup> Section 119.0713(1), F.S.

<sup>39</sup> "Unit of local government" means a county, municipality, special district, local agency, authority, consolidated city-county government, or any other local governmental body or public body corporate or politic authorized or created by general or special law. Section 119.0713(2)(a), F.S.

<sup>40</sup> Section 119.0713(2)(b), F.S.

<sup>41</sup> Section 119.0713(3), F.S.

- Proprietary confidential business information<sup>42</sup> held by an electric utility that is subject to chapter 119, F.S., in conjunction with a due diligence review of an electric project<sup>43</sup> or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources;<sup>44</sup> and
- Specified information held by a utility owned or operated by a unit of local government.<sup>45</sup>

### **Open Government Sunset Review Act**

The provisions of section 119.15, F.S., known as the Open Government Sunset Review Act<sup>46</sup> (the Act), prescribe a legislative review process for newly created or substantially amended<sup>47</sup> public record or open meeting exemptions, with specified exceptions.<sup>48</sup> The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>49</sup>

The Act provides that a public record or open meeting exemption may be created and maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>50</sup> An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>51</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is kept exempt;<sup>52</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>53</sup>

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<sup>42</sup> "Proprietary confidential business information" means information, regardless of form or characteristics, which is held by an electric utility that is subject to chapter 119, F.S., is intended to be and is treated by the entity that provided the information to the electric utility as private in that the disclosure of the information would cause harm to the entity providing the information or its business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or a private agreement that provides the information will not be released to the public. Section 119.0713(4)(a), F.S.

<sup>43</sup> See section 163.01(3)(d), F.S., for the definition of "electric project."

<sup>44</sup> Section 119.0713(4)(b), F.S.

<sup>45</sup> Section 119.0713(5)(a), F.S.

<sup>46</sup> Section 119.15, F.S.

<sup>47</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

<sup>48</sup> Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

<sup>49</sup> Section 119.15(3), F.S.

<sup>50</sup> Section 119.15(6)(b), F.S.

<sup>51</sup> Section 119.15(6)(b)1., F.S.

<sup>52</sup> Section 119.15(6)(b)2., F.S.

<sup>53</sup> Section 119.15(6)(b)3., F.S.

The Act also requires specified questions to be considered during the review process.<sup>54</sup> In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.<sup>55</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.<sup>56</sup>

### III. Effect of Proposed Changes:

**Section 1** creates a public records exemption to provide that a code inspectors' body camera recording, or a portion thereof, is confidential and exempt from public record disclosure requirements if the recording:

- Is taken within the interior of a private residence;
- Is taken within the interior of a facility that offers health care, mental health care, or social services; or
- Is taken in a place that a reasonable person would expect to be private.

The bill defines several terms as follows:

- “Body camera” to mean a portable electronic recording device that is worn on a code inspector’s body and that records audio and video data in the course of the performance of his or her official duties and responsibilities.
- “Code inspector” to mean any authorized agent or employee of the county or municipality whose duty it is to assure code compliance.
- “Personal representative” to mean a parent, a court-appointed guardian, an attorney, or an agent of, or a person holding power of attorney for, a person recorded by a body camera. If a person depicted in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person’s surviving spouse, parent, or adult child; the deceased person’s attorney or agent; or the parent or guardian of a surviving minor child of the deceased. An agent must possess written authorization of the recorded person to act on his or her behalf.

The bill provides that such body camera recordings, or portions thereof, *may* be disclosed by a local government in the furtherance of its official duties and responsibilities or to another governmental agency in the furtherance of its official duties and responsibilities.

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<sup>54</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>55</sup> See generally section 119.15, F.S.

<sup>56</sup> Section 119.15(7), F.S.

The bill further provides that such body camera recordings, or portions thereof, *must* be disclosed by a local government:

- To a person recorded by the body camera; however, a local government may disclose only those portions relevant to the person's presence in the recording;
- To the personal representative of a person recorded by the body camera; however, a local government may disclose only those portions relevant to the represented person's presence in the recording;
- To a person not depicted in the body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, a local government may disclose only those portions that record the interior of such a place; or
- Pursuant to a court order.

The bill specifies that in addition to any other grounds the court may consider in determining whether to order that a body camera recording be disclosed, the court must consider whether:

- Disclosure is necessary to advance a compelling interest;
- The recording contains information that is otherwise exempt or confidential and exempt under the law;
- The person requesting disclosure is seeking to obtain evidence to determine legal issues in which the person is a party;
- Disclosure would reveal information regarding a person which is of a highly sensitive personal nature;
- Disclosure may harm the reputation or jeopardize the safety of a person depicted in the recording;
- Confidentiality is necessary to prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;
- The recording could be redacted to protect privacy interests; and
- There is good cause to disclose all or portions of the recording.

The bill also specifies that in any proceeding regarding the disclosure of a body camera recording, the local government that made the recording must be given reasonable notice of hearings and an opportunity to participate.

The bill requires local governments to retain a body camera recording for at least 90 days.

The exemption provided by the bill applies retroactively. The exemption does not supersede any other public record exemption that existed before or is created after the effective date of the exemption. Those portions of a recording which are protected from disclosure by another public record exemption continue to be exempt or confidential and exempt.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

**Section 2** provides the constitutionally required public necessity statement. The public necessity statement states, in part, that in certain instances, audio and video data recorded by body cameras

is significantly likely to capture highly sensitive personal information. It further provides that the exemption of body camera recordings from public record requirements allows code inspectors to administer their duties more effectively and efficiently, which would otherwise be significantly impaired. As a result, the Legislature finds that the concerns regarding the impact of public record requirements for body camera recordings necessitate the exemption of the recordings from such requirements and outweigh any public benefit that may be derived from their disclosure.

**Section 3** provides that by October 1, 2026, the Division of Library and Information Services of the Department of State must by rule incorporate into the appropriate general records schedule a 90-day retention requirement for body camera recordings recorded by code inspectors.

The bill takes effect on the same date that SB 504 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law. SB 504 takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

##### **B. Public Records/Open Meetings Issues:**

###### **Vote Requirement**

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. The bill enacts a new exemption for a body camera recording, or a portion thereof, recorded by a code inspector in the course of performing his or her official duties and responsibilities; thus, the bill requires a two-thirds vote to be enacted.

###### **Public Necessity Statement**

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public record disclosure requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption which provides that in certain instances, audio and video data recorded by body cameras is significantly likely to capture highly sensitive personal information. It further provides that the exemption of body camera recordings from public record requirements allows code inspectors to administer their duties more effectively and efficiently, which would otherwise be significantly impaired.

**Breadth of Exemption**

Article I, s. 24(c) of the State Constitution requires an exemption from public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The stated purpose of the bill is to protect highly sensitive personal information and to allow code inspectors to administer their duties more effectively and efficiently. The bill only exempts body camera recordings, or portions thereof, recorded by a code inspector in the course of performing his or her official duties and responsibilities. Such recordings are confidential and exempt only if the recording:

- Is taken within the interior of a private residence;
- Is taken within the interior of a facility that offers health care, mental health care, or social services; or
- Is taken in a place that a reasonable person would expect to be private.

Therefore, the exemption does not appear to be broader than necessary to accomplish the purpose of the law.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The private sector will be subject to the cost associated with a local government's review and redactions of exempt recordings in response to a public records request.

**C. Government Sector Impact:**

The bill may minimally increase training costs for local governments because staff responsible for complying with public records requests may require training related to the new public record exemption. Additionally, local governments may incur costs associated with redacting the exempt information prior to releasing a record. However, these costs most likely can be absorbed within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 119.0713 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.