

By Senator Polsky

30-00109-26

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A bill to be entitled
An act relating to public records; amending s.
790.065, F.S.; providing an exemption from public
records requirements for records containing certain
information pertaining to a buyer or transferee who is
not found to be prohibited from receipt or transfer of
ammunition; providing for future legislative review
and repeal of the exemption; providing for the
reversion of specified statutory text unless certain
conditions are met; providing a statement of public
necessity; providing a contingent effective date.

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

Section 1. Paragraph (a) of subsection (4) of section
790.065, Florida Statutes, as amended by SB 88, 2026 Regular
Session, is amended to read:

790.065 Sale and delivery of firearms and ammunition.—

(4)(a) Any records containing any of the information set
forth in subsection (1) pertaining to a buyer or transferee who
is not found to be prohibited from receipt or transfer of a
firearm or ammunition by reason of Florida and federal law,
which records are created by the Department of Law Enforcement
to conduct the criminal history record check, are ~~shall be~~
confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
s. 24(a), Art. I of the State Constitution and may not be
disclosed by the Department of Law Enforcement or any officer or
employee thereof to any person or to another agency. The
Department of Law Enforcement shall destroy any such records

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30 forthwith after it communicates the approval and nonapproval
31 numbers to the licensee and, in any event, such records shall be
32 destroyed within 48 hours after the day of the response to the
33 licensee's request.

34 Section 2. The amendments to s. 790.065(4)(a), Florida
35 Statutes, made by this act are subject to the Open Government
36 Sunset Review Act in accordance with s. 119.15, Florida
37 Statutes, and to s. 24(a), Article I of the State Constitution
38 and shall stand repealed on October 2, 2031, and the text of s.
39 790.065(4)(a), Florida Statutes, shall revert to that in
40 existence on September 30, 2026, except that any amendments to
41 such text enacted other than by this act shall be preserved and
42 continue to operate to the extent that such amendments are not
43 dependent upon the portions of text which expire pursuant to
44 this section, unless reviewed and saved from repeal through
45 reenactment by the Legislature.

46 Section 3. The Legislature finds that it is a public
47 necessity that the information pertaining to an individual who
48 is a buyer or transferee who is not found to be prohibited from
49 receipt or transfer of ammunition under s. 790.065, Florida
50 Statutes, be made confidential and exempt from public records
51 requirements under s. 119.07(1), Florida Statutes, and s. 24(a),
52 Article I of the State Constitution. The knowledge that someone
53 has purchased ammunition can easily lead to the conclusion that
54 the applicant or licensee has, in fact, armed himself or
55 herself. The Legislature has found in prior legislative sessions
56 and has expressed in s. 790.335(1)(a)3., Florida Statutes, that
57 a list, record, or registry of legally owned firearms or law-
58 abiding firearm owners is "an instrument that can be used as a

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59 means to profile innocent citizens and to harass and abuse
60 American citizens based solely on their choice to own firearms
61 and exercise their Second Amendment right to keep and bear arms
62 as guaranteed under the United States Constitution.” Release of
63 personal identifying information of an individual who has
64 purchased ammunition could be used to harass an innocent person
65 based solely on that person’s exercised right to own a firearm.
66 Therefore, the Legislature finds that such information must be
67 held confidential and exempt from public records requirements.

68 Section 4. This act shall take effect on the same date that
69 SB 88 or similar legislation takes effect, if such legislation
70 is adopted in the same legislative session or an extension
71 thereof and becomes a law.