

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; defining the terms "identification and
 4 location information" and "special operations forces";
 5 providing an exemption from public records
 6 requirements for identification and location
 7 information of current and former servicemembers of
 8 special operations forces and their spouses and
 9 dependents; providing applicability; providing for
 10 future legislative review and repeal of the exemption;
 11 providing a statement of public necessity; providing
 12 an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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

18 119.071 General exemptions from inspection or copying of
 19 public records.—

20 (5) OTHER PERSONAL INFORMATION.—

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

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

23 (I) Home address, telephone number, and date of birth of a
 24 current or former servicemember of a special operations force,
 25 and the telephone number associated with the personal

26 communication device of a current or former servicemember of a
 27 special operations force.

28 (II) Home address, telephone number, and date of birth of
 29 the spouse or dependent of a current or former servicemember of
 30 a special operations force, and the telephone number associated
 31 with such spouse's or dependent's personal communication device.

32 (III) Name and location of a school attended by the spouse
 33 of a current or former servicemember of a special operations
 34 force or a school or day care facility attended by a dependent
 35 of a current or former servicemember of a special operations
 36 force.

37 b. "Special operations forces" has the same meaning as
 38 provided in s. 943.10(22).

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

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

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

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

53 4. This paragraph is subject to the Open Government Sunset
54 Review Act in accordance with s. 119.15 and shall stand repealed
55 on October 2, 2028, unless reviewed and saved from repeal
56 through reenactment by the Legislature.

57 Section 2. The Legislature finds that it is a public
58 necessity that identification and location information of
59 current and former servicemembers of special operations forces,
60 and their spouses and dependents, that is held by an agency be
61 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
62 Article I of the State Constitution. These servicemembers
63 perform among the most critical, most effective, and most
64 dangerous operations in defense of our nation's freedom.
65 Terrorist groups have threatened servicemembers and their
66 families and have encouraged terrorist sympathizers to harm
67 servicemembers and their families within the United States. One
68 terrorist group has allegedly gathered the photographs and home
69 addresses of servicemembers from public sources to create and
70 publish a list of servicemembers in order to make such persons
71 vulnerable to an act of terrorism. The Legislature finds that
72 allowing continued public access to the identification and
73 location information of current and former servicemembers of
74 special operations forces and their families jeopardizes the

CS/HB 313

2023

75 safety of these servicemembers, their spouses, and their
76 dependents. The Legislature finds that protecting the safety and
77 security of current and former servicemembers of special
78 operations forces, 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.