

ENROLLED

CS/CS/HB 327

2021 Legislature

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An act relating to public records; amending s. 252.385, F.S.; creating an exemption from public records requirements for the address and telephone number of persons provided public emergency shelter and held by the agency that provided the emergency shelter; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Subsection (5) is added to section 252.385, Florida Statutes, to read:

252.385 Public shelter space; public records exemption.—

(5) The address and telephone number of a person provided public emergency shelter during a storm or catastrophic event and held by the agency, as defined in s. 119.011, that provided the emergency shelter is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public

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26 | necessity that the address and telephone number of a person who
27 | was provided public emergency shelter during a storm or other
28 | catastrophic event be made exempt from s. 119.07(1), Florida
29 | Statutes, and s. 24(a), Article I of the State Constitution.
30 | Emergency shelters are made available to the public to provide a
31 | safe place of accommodation before, during, and immediately
32 | following storms or other catastrophic events. During these
33 | emergency events, those affected are in a vulnerable state, as
34 | they have voluntarily displaced themselves from their residences
35 | and possessions to seek refuge. The information submitted to an
36 | agency by such a person seeking emergency shelter during a storm
37 | or other catastrophic event could be used by persons seeking to
38 | take advantage of their vulnerability during or following the
39 | emergency. In addition, those seeking emergency shelter for
40 | their safety and the safety of their families should not be
41 | forced to forfeit their privacy for the sake of such safety.
42 | Therefore, the Legislature finds that the need to protect the
43 | address and telephone number of individuals seeking emergency
44 | shelter is sufficiently compelling to override this state's
45 | public policy of open government and that the protection of such
46 | information cannot be accomplished without this exemption.

47 | Section 3. This act shall take effect upon becoming a law.