

ENROLLED

CS/CS/HB 1509

2024 Legislature

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 2 An act relating to public records; amending s. 30.15,
 3 F.S.; providing that certain information relating to
 4 school guardians held by the Department of Law
 5 Enforcement, a law enforcement agency, a school
 6 district, or a charter school is exempt from public
 7 records requirements; providing for future legislative
 8 review and repeal of the exemption; providing a
 9 statement of public necessity; providing a contingent
 10 effective date.

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

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 14 Section 1. Subsection (6) is added to section 30.15,
 15 Florida Statutes, to read:

16 30.15 Powers, duties, and obligations.—

17 (6) Any information held by the Department of Law
 18 Enforcement, a law enforcement agency, a school district, or a
 19 charter school that would identify whether a person has been
 20 certified to serve as a school guardian is exempt from s.
 21 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 22 subsection is subject to the Open Government Sunset Review Act
 23 in accordance with s. 119.15 and shall stand repealed on October
 24 2, 2029, unless reviewed and saved from repeal through
 25 reenactment by the Legislature.

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26 Section 2. The Legislature finds that it is a public
27 necessity that any information held by the Department of Law
28 Enforcement, a law enforcement agency, a school district, or a
29 charter school that would identify whether a person has been
30 certified to serve as a school guardian is exempt from s.
31 119.07(1), Florida Statutes, and s. 24(a), Article I of the
32 State Constitution. School security and student safety are
33 fundamental priorities in this state as is the safety of people
34 -serving or who have served as school guardians. School guardians
35 serve a critical role as safe-school officers and first
36 responders, and their presence on school grounds serves as a
37 deterrent against incidents threatening the lives of students
38 and school personnel. Disclosure of the identity of persons
39 certified as school guardians might undermine such deterrence
40 and may compromise their safety along with the safety of
41 students by allowing ill-intentioned persons to compare the
42 records of certified school guardians to information concerning
43 school employees to discern whether a person has been appointed
44 to serve as a school guardian. The public disclosure of such
45 information would also adversely affect their ability to
46 adequately respond to an active assailant incident as an
47 assailant might be alerted in advance that a particular person
48 is certified as a school guardian. Furthermore, school guardians
49 who have been appointed to that position might leave their
50 appointment for a period of time while maintaining their

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51 certification, and, thereafter, be reappointed at a future date.
52 The safety of such persons would be compromised if their status
53 as school guardians became public record by virtue of their
54 continued certification. Accordingly, it is necessary to protect
55 the identity of persons certified as school guardians from
56 public records requirements in order to effectively and
57 efficiently implement the purpose and intent of school guardian
58 programs.

59 Section 3. This act shall take effect on the same date
60 that HB 1473 or similar legislation takes effect, if such
61 legislation is adopted in the same legislative session or an
62 extension thereof and becomes a law.