

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.071, F.S., which
 4 provides a public records exemption for the
 5 identification and location information of
 6 servicemembers and the spouses and dependents of
 7 servicemembers; expanding the exemption by removing
 8 the requirement that a servicemember submit a written
 9 statement that reasonable efforts have been made to
 10 protect the information in order to claim the
 11 exemption; providing for future legislative review and
 12 repeal of the exemption; providing a statement of
 13 public necessity; providing an effective date.

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

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 17 Section 1. Paragraph (k) of subsection (5) of section
 18 119.071, Florida Statutes, is amended to read:

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

21 (5) OTHER PERSONAL INFORMATION.—

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

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

24 (I) Home address, telephone number, and date of birth of a
 25 servicemember, and the telephone number associated with a

26 servicemember's personal communication device.

27 (II) Home address, telephone number, date of birth, and
 28 place of employment of the spouse or dependent of a
 29 servicemember, and the telephone number associated with such
 30 spouse's or dependent's personal communication device.

31 (III) Name and location of a school attended by the spouse
 32 of a servicemember or a school or day care facility attended by
 33 a dependent of a servicemember.

34 b. "Servicemember" means a current or former member of the
 35 Armed Forces of the United States, a reserve component of the
 36 Armed Forces of the United States, or the National Guard, who
 37 served after September 11, 2001.

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

42 ~~a. a written request to exempt the identification and~~
 43 ~~location information from public disclosure; and~~

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

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

51 4. This paragraph is subject to the Open Government Sunset
 52 Review Act in accordance with s. 119.15 and shall stand repealed
 53 on October 2, 2025 ~~2020~~, unless reviewed and saved from repeal
 54 through reenactment by the Legislature.

55 Section 2. The Legislature finds that it is a public
 56 necessity to make identification and location information of
 57 current or former members of the Armed Forces of the United
 58 States, a reserve component of the Armed Forces of the United
 59 States, or the National Guard, who served after September 11,
 60 2001, and their spouses and dependents, exempt from s.
 61 119.07(1), Florida Statutes, and s. 24(a), Article I of the
 62 State Constitution, regardless of whether such individuals made
 63 reasonable efforts to protect such information from being
 64 public. Servicemembers perform among the most critical, most
 65 effective, and most dangerous operations in defense of our
 66 nation's freedom. Terrorist groups continue to threaten
 67 servicemembers and their families and encourage terrorist
 68 sympathizers to harm servicemembers and their families within
 69 the United States. The Legislature finds that allowing public
 70 access to the identification and location information of current
 71 or former servicemembers and their families jeopardizes the
 72 safety of servicemembers, their spouses, and their dependents.
 73 The Legislature finds that protecting the safety and security of
 74 current or former members of the Armed Forces of the United
 75 States, a reserve component of the Armed Forces of the United

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76 | States, or the National Guard, who served after September 11,
77 | 2001, and their spouses and dependents, outweighs any public
78 | benefit that may be derived from the public disclosure of the
79 | identification and location information.

80 | Section 3. This act shall take effect October 1, 2020.