

HB 597

2011

1 A bill to be entitled
2 An act relating to public records; amending s. 119.071,
3 F.S.; providing an exemption from public records
4 requirements for information furnished by a person to an
5 agency for the purpose of being provided with emergency
6 notification by the agency; providing for retroactive
7 effect of the exemption; providing for future legislative
8 review and repeal of the exemption; providing a statement
9 of public necessity; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (j) is added to subsection (5) of
14 section 119.071, Florida Statutes, to read:

15 119.071 General exemptions from inspection or copying of
16 public records.—

17 (5) OTHER PERSONAL INFORMATION.—

18 (j)1. Any information furnished by a person to an agency
19 for the purpose of being provided with emergency notification by
20 the agency, including the person's name, address, telephone
21 number, e-mail address, or other electronic communication
22 address, is exempt from s. 119.07(1) and s. 24(a), Art. I of the
23 State Constitution. This exemption applies to information held
24 by an agency, before, on, or after the effective date of this
25 exemption.

26 2. This paragraph is subject to the Open Government Sunset
27 Review Act in accordance with s. 119.15, and shall stand

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28 repealed on October 2, 2016, unless reviewed and saved from
29 repeal through reenactment by the Legislature.

30 Section 2. The Legislature finds that it is a public
31 necessity to exempt from public records requirements any
32 information furnished by a person to an agency for the purpose
33 of being provided with emergency notification by the agency.
34 Through the use of current technology, agencies may contact
35 members of the public by a variety of electronic means,
36 including cellular telephones and electronic mail, to alert them
37 of imminent natural and manmade disasters, medical emergencies,
38 criminal emergencies, and other dangerous conditions. Public
39 safety is significantly enhanced through the use of such
40 emergency notification programs, and expansion of such programs
41 further increases public safety. A public records exemption for
42 information furnished to an agency for this purpose will
43 encourage greater participation in emergency notification
44 programs by alleviating concerns about disclosure of information
45 that could be used for criminal purposes. For these reasons, the
46 public records exemption provided in this act is necessary for
47 the effective implementation of and broad participation in
48 emergency notification programs conducted by agencies.

49 Section 3. This act shall take effect July 1, 2011.