



## 2015 LEGISLATIVE REPORT

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- Current action
  - CS** Committee Substitute
  - P** Passed both Chambers
  - W** Withdrawn from further consideration
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For Period Ending April 3

### COLLEGES AND UNIVERISTIES

**CS/HB 223 Exemption/Executive Searches – Universities and Colleges:** Creates a public record exemption for information identifying applicants for president or provost of a state university or college. Also creates an exemption for portions of meetings held for the purpose of identifying or vetting such applicants, as well as portions of meetings during which the identity of applicants is discussed. Requires that all such meetings must be reasonably noticed and that closed portions of the meetings be recorded. Creates a public record exemption for the recording of closed meetings. Stipulates that a list of finalists is subject to disclosure no later than 30 days prior to the date of the meeting at which the finalist will be selected. Creates s. 1004.097, F.S. Companion to SB 182. *Rep. Neil Combee (R-Auburndale)* ☹️

- H. Education Committee: Reported favorably by a vote of 12/6, with Reps. Antone, Fullwood, Geller, Rehwinkel Vasilinda, Torres, and Williams voting no. Now on H. Calendar.

### CONTRACTORS

**CS/SB 224 Public Records/Public Agency Contracts:** Requires the inclusion of a statement in all contracts for services instructing contractors with questions regarding application of the public records law to the contract and the contractor's responsibilities under the law to contact the agency's custodian of public records. Requires that all requests for records related to the contract be made to the contracting agency; if the agency does not possess the requested records, the agency must immediately notify the contractor of the request, who must then produce the requested records within a reasonable period of time. Stipulates that if a court determines there was a violation of the public records law, the court must award attorney fees and court costs against the agency or contractor *if* the requestor provided written notice to the agency's custodian of public records by certified mail of the request and failure to comply at least five business days before filing the action. Finally, stipulates that such notice may be provided to the contractor if the contractor is a named party in the lawsuit. Amends s. 119.0701, F.S. Companion to HB 163. *Sen. Wilton Simpson (R-New Port Richey)*

- S. Special Order Calendar: Two amendments are adopted on second reading; the bill, as amended, is rolled to third reading and passed unanimously. Now in H. Messages. As amended on the floor, CS/SB 224:

- Requires the inclusion of a statement in all contracts for services instructing contractors with questions regarding application of the public records law to contact the agency's custodian of public records.
- Requires that all requests for records related to the contract be made to the contracting agency, stipulating that the agency must respond to such requests promptly and in good faith.
- If the agency determines it does not possess the requested records, the agency must immediately notify the contractor of the request, who must then produce the requested records within a reasonable period of time.
- Stipulates that if a court determines there was a violation of the public records law, the court must award attorney fees and court costs against the contractor *if* the requestor provided written notice of the public record request and failure to comply at least eight business days before filing the civil action. Such notice must be sent by registered, Global Express Guaranteed, or certified mail.

Also creates s. 119.0702, F.S., requiring agencies to:

- Determine and provide appropriate information or training on the requirements of the public records law to all agency employees.
- Post the contact information for the agency's custodian of public record in any office to which the public has access and in which public records are routinely created, sent, received, maintained, and requested, as well as on the agency's website.

Amends s. 119.12, F.S., requiring courts to award reasonable attorney fees and costs for violations of the public records law if:

- The agency was provided written notice of the public record request to the agency's custodian of public records using contact information provided by the agency at least two business days before filing the lawsuit.
- If the agency fails to provide contact information for the custodian of public records, written notice of the public record request is not required.

## CRIMINAL JUSTICE

**CS/SB 248 Body Cameras/Recording of Law Enforcement Activities:** Creates a public record exemption for body camera recordings taken (1) within the interior of a private residence; (2) at a health care, mental health care, or social services facility; (3) at the scene of a medical emergency; and (4) in a place where a person recorded or depicted in the recording has a reasonable expectation of privacy. Allows disclosure of the recording in furtherance of the law enforcement agency's official duties and responsibilities; to other governmental entities in furtherance of official duties and responsibilities; and pursuant to a court order. Allows disclosure of certain portions of the recording to anyone recorded or to his/her personal representative. Finally, requires that body camera recordings be retained for a minimum of 90 days. *Sen. Chris Smith (D-Fort Lauderdale)* 😞

- S. Rules Committee: A strike-all amendment is adopted; reported favorably as a committee substitute by a unanimous vote. As amended, CS/CS/SB 248 creates a public record exemption for body camera recordings taken (1) within the interior of a private residence; (2) at a health care, mental health care, or social services facility; (3) at the scene of a medical emergency involving death or an injury requiring transport; and (4) in a place where a person recorded or depicted in the recording has a reasonable expectation of privacy. Allows disclosure of the recording in furtherance of the law enforcement agency's official duties and responsibilities; to other

governmental entities in furtherance of official duties and responsibilities; and pursuant to a court order under certain specified conditions. Allows disclosure of certain portions of the recording to anyone recorded or to his/her personal representative. Finally, requires that body camera recordings be retained for a minimum of 90 days. Now on S. Calendar. ☹️

**SB 1108 Exemption/Human Trafficking Victims:** Expands the public record exemption for criminal intelligence and criminal investigative information to include any information revealing the identity of human trafficking victims under the age of 18. Amends s. 119.071(2)(h), F.S. Companion to HB 467. *Sen. Anitere Flores (R-Miami)*

- S. Governmental Oversight and Accountability Committee: A minor technical amendment is adopted; reported favorably as a committee substitute. Now in S. Appropriations Committee.

**SB 1110 Exemption/Safe Houses – Sexual Exploitation Victims:** Creates a public record exemption about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation. Also creates an exemption for information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity. Creates s. 407.1678(6) and s. 787.06, F.S. Companion to HB 469. *Sen. Anitere Flores (R-Miami)*

- S. Governmental Oversight and Accountability Committee: A minor technical amendment is adopted; reported favorably as a committee substitute. Now in S. Appropriations Committee.

**SB 1316 Exemption/Criminal History Records – Minors:** Current law requires that a minor's criminal history record be retained until the minor turns 26. SB 1316 changes the requirement, providing that the criminal history record be retained until the minor is 21 and is no longer in the custody of the Department of Juvenile Justice. Stipulates that certain law enforcement and court records relating to a minor must be immediately expunged under specified circumstances. Amends s. 985.04, F.S., closing all juvenile proceedings and stipulating that all records of such proceedings are sealed and confidential. Allows disclosure of the name and photograph of juvenile offenders under certain circumstances. Amends various provisions of law. *Sen. Darren Soto (D-Kissimmee) ???*

- S. Criminal Justice Committee: A strike-all amendment is adopted; reported favorably as a committee substitute. As amended, CS/SB 1316 creates a public record exemption for a minor's criminal history record unless the minor has been charged with or convicted of a felony or has been transferred to adult court, and applies the exception to information received by the Criminal Justice Information Program from intrastate sources. Allows disclosure of a minor's exempt criminal history records under certain conditions. Now in S. Criminal and Civil Justice Appropriations Subcommittee.

**HB 7103 Exemption/Juvenile Criminal History Records:** Amends s. 985.04, F.S., providing for the confidentiality of certain information obtained under ch. 985 related to juvenile justice, to create a public record exemption for such information, and allowing disclosure under specified circumstances. Also creates a public record exemption for criminal history information relating to a juvenile compiled by the Criminal Justice Information Program from intrastate sources *unless* the juvenile has committed or has been charged with a felony or has been transferred to adult court. Again, allows disclosure under certain specified conditions. Amends various provisions of law relating to juvenile justice and criminal history records. *H. Criminal Justice Subcommittee*

- H. State Affairs Committee: Reported favorably by a vote of 16/2, with Reps. Gaetz and Raburn voting no. Now in H. Judiciary Committee.

**HB 7105 Expunging and Sealing Criminal History Records:** Creates s. 943.0584, F.S., allowing for the nonjudicial expunction of criminal history records at the age of 21 for those who are not serious or habitual offenders, and creating a nonjudicial expunction process within the Florida Department of Law Enforcement. Amends s. 943.0585, F.S., relating to court-ordered expunction of criminal history records and s. 943.059, F.S., relating to the nonjudicial sealing of criminal history records. Creates s. 943.0584 and amends ss. 943.0585, 943.059, and various other statutory provisions. *H. Criminal Justice Subcommittee*

- H. Justice Appropriations Committee: An amendment adding an appropriation to the bill is adopted; reported favorably as a committee substitute. Now in H. Judiciary Committee.

**HB 7107 Exemption/Criminal History Records:** Creates various public records exemptions for criminal history records of adults or minors that have been expunged or sealed, allowing disclosure under certain circumstances, including pursuant to a court order. Amends ss. 953.0584, 943.0585, and 943.059, F.S. Companion to SB 1612. *H. Criminal Justice Subcommittee*

- H. State Affairs Committee: Reported favorably by a vote of 17/1, with Rep. Gaetz voting no. Now in H. Judiciary Committee.

## ECONOMIC DEVELOPMENT

**SB 826 Exemption/Unsolicited Proposals:** In pertinent part, SB 824 creates the Division of Public-Private Partnerships with the Department of Economic Opportunity, requiring the Division to develop guidelines and best practices for the creation and management of public-private partnerships, and assist “responsible public” entities in the creation and management of such partnerships by a “responsible public entity.” SB 826 creates a public record exemption for unsolicited proposals held by “a responsible public entity,” stipulating that the proposals will be exempt from public disclosure until the public entity receives and ranks the proposals. If all proposals received for the project are rejected, the unsolicited proposal will remain exempt for 90 days after the date of rejection; if the responsible public entity doesn’t issue a competitive solicitation for a qualifying project, the unsolicited proposal is exempt for 180 days following receipt by public entity. Also creates an exemption for those portions of board meetings at which unsolicited proposals are discussed, requiring that all closed portions be recorded, and stipulating a date certain when such recordings are subject to disclosure. Creates s. 287.05712, F.S. *Sen. Greg Evers (R-Pensacola)*

- S. Governmental Oversight and Accountability Committee: A technical amendment is adopted; reported favorably as a committee substitute. Now in S. Fiscal Policy Committee.

## EDUCATION

**SB 7004 OGSR/Commission for Independent Education:** Reenacts, without modification, s. 1005.38(6)(b), F.S. providing a limited exemption for investigative records of the Commission for Independent Education, allowing the Commission to close meetings of the probable cause panel at which such investigations are discussed. The meetings must be recorded, and both the investigative record and the recordings of the closed meetings are subject to disclosure 10 days after a determination regarding probable cause. Reenacts s. 1005.38(6)(b), F.S. Companion to HB 7005. *S. Higher Education*

- Senate: Tabled; HB 7005 substituted. See HB 7005.

**HB 7005 OGSR/Commission for Independent Education:** Reenacts, without modification, s. 1005.38(6)(b), F.S. providing a limited exemption for investigative records of the Commission for Independent Education, allowing the Commission to close meetings of the probable cause panel at which such investigations are discussed. The meetings must be recorded, and both the investigative record and the recordings of the closed meetings are subject to disclosure 10 days after a determination regarding probable cause. Reenacts s. 1005.38(6)(b), F.S. Companion to SB 7004. *H. Government Operations Subcommittee*

- Senate: Substituted for SB 7004. Passed the Senate unanimously. **PASSED THE LEGISLATURE**

## EVIDENCE

**SB 542 Interception of Wire, Oral, or Electronic Communication:** Allows a child under the age of 18 to intercept and record an oral communication if the child is a party to the communication and has reasonable grounds to believe the communication will capture statements by another party that the other party intends to commit, is committing, or has committed an unlawful sexual act of physical force or violence against the child. Amends s. 934.03, F.S. Companion to HB 7001. *Sen. Lizbeth Benacquisto (R-Fort Myers)*

- S. Judiciary Committee: Reported favorably. Now in S. Rules Committee.

## EXAMINATIONS AND INVESTIGATIONS

**CS/SB 1446 Exemption/Investigations – Department of Agriculture and Consumer Services:** Creates a public record exemption for criminal or civil intelligence or investigative information, or any other information, held by the Department as part of a joint or multiagency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency. Allows the DOACS to obtain, use, and release the information under conditions imposed by the joint or multiagency agreement. Creates s. 570.077, F.S. Companion to HB 997. *Sen. Garrett Richter (R-Naples)*

- S. Rules Committee: An amendment is adopted; reported favorably as a committee substitute. As amended, CS/CS/SB 1446 creates a public record exemption for criminal or civil intelligence or investigative information, or any other information, held by the Department as part of a joint or multiagency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency that is otherwise exempt pursuant to state or federal law. Allows the DOACS to obtain, use, and release the information under conditions imposed by the joint or multiagency agreement. Now on S. Calendar.

**SB 1536 Exemption/Florida RICO Act Investigations:** Creates a public record exemption for information relating to a RICO Act violation until such time as all investigations relating to such information are completed. Amends s. 895.06, F.S. Companion to HB 7061. *Sen. Anitere Flores (R-Miami)*

- S. Criminal Justice Committee: A strike-all amendment making technical changes to the bill is adopted; reported favorably as a committee substitute. Now in S. Governmental Oversight and Accountability Committee.

**SB 7032 Exemption/Identifying Information – Deceased Children:** Creates a public record exemption for information identifying the surviving siblings of a child whose death occurred as a result of a verified report of abuse or neglect held by the State Child Abuse Death Review Committee. Also exempts information held by the Committee that reveals the identity of a deceased child whose death was reported

to the central abuse hotline but determined not to be the result of abuse or neglect. Amends s. 383.412, F.S. Companion to HB 7129. *S. Health Policy*

- S. Special Order Calendar: An amendment allowing a child abuse death review committee to share protected information under certain conditions is adopted. The bill, as amended, is rolled to third reading for passage by the Senate.

**HB 7129 OGSR/Child Abuse Death Review Committee:** Reenacts s. 383.412, F.S., providing an exemption for information held by a State Child Abuse Death Review Committee, expanding the exemption to include information identifying the surviving siblings of a child whose death occurred as a result of a verified report of abuse or neglect held by the State Child Abuse Death Review Committee. Also exempts information held by the Committee that reveals the identity of a deceased child whose death was reported to the central abuse hotline but determined not to be the result of abuse or neglect. Amends s. 383.412, F.S. Companion to SB 7032. *H. Government Operations Subcommittee*

- H. State Affairs Committee: Reported favorably. Now on H. Calendar.

## MOTOR VEHICLE RECORDS

**CS/SB 7040 Exemption/Email Addresses – Department of Highway Safety and Motor Vehicles:** Creates a public record exemption for email addresses collected by the Department of Highway Safety and Motor Vehicles. Amends s. 119.0712. Companion to HB 7041. *S. Transportation* ☹

- S. Rules Committee: A minor amendment to the required statement of public necessity is adopted. Reported favorably as a committee substitute by a vote of 10/1 (Sen. Joyner voting no), and placed on the S. Special Order Calendar for April 8.

## PERSONAL INFORMATION

**CS/HB 185 Exemption/Home Addresses – U.S. Military Personnel:** Creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former active duty service members of the U.S. Armed Forces, Reserve Forces, and National Guard. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Stipulates that the exemption applies only if the service member requests confidentiality in writing and states that he or she has made reasonable efforts to protect such information from being accessible through other means available to the public. Creates s. 119.071(5)(k), F.S. Companion to SB 674. *Rep. Matt Gaetz (R-Shalimar)* ☹

- H. Local and Federal Affairs Committee: A strike-all amendment is adopted; reported favorably as a committee substitute. As amended, CS/CS/HB 185 creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former service members of the U.S. Armed Forces, a reserve component of the Armed Forces, or the National Guard who served after September 11, 2001. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Requires such personnel to request confidentiality in writing and take reasonable steps to protect such information from being accessible through other means available to the public. Now on H. Calendar. ☹

**SB 538 Disclosure of Sexually Explicit Images:** Prohibits the intentional and knowing disclosure of sexually explicit images of an identifiable person to a social networking service or website with the intent to harass the subject of the photo. Creates s. 847.0136, F.S. Companion to HB 151. *Sen. David Simmons (R-Altamonte Springs)* WATCH

- S. Criminal Justice Committee: An amendment to the penalty provision is adopted; reported favorably as a committee substitute. Now in S. Rules Committee.

**CS/SB 552 Exemption/Individual Identifying Information – Homeless Management Information System:** Creates a public record exemption for individual identifying information contained in a Point-in-Time Count and Survey or the Homeless Management Information System collected pursuant to federal law. Defines “individual identifying information” as information that directly or indirectly identifies a specific person. Allows release of aggregated information if such information doesn’t identify anyone. Applies retroactively. Creates s. 420.6231, F.S. Companion to HB 535. *Sen. Alan Hays (R-Umatilla)*

- S. Special Order Calendar: Rolled to third reading for passage by the Senate.

**CS/SB 646 Exemption/Florida ABLE Program:** SB 642 creates the Florida Achieving a Better Life Experience (ABLE) Act, requiring the Florida Prepaid College Board to establish a direct support organization known as Florida ABLE, Inc., to assist the disabled in saving money without losing their eligibility for state and federal benefits. CS/SB 646 creates a public record exemption for personal financial and health information of participants in the program held by the Florida Prepaid College Board, Florida ABLE Inc., or the Florida ABLE program. Creates s. 1009.987, F.S. Companion to HB 939. *Sen. Lizbeth Benacquisto (R-Fort Myers)*

- S. Special Order Calendar: Rolled to third reading and passed unanimously by the Senate. Now in House Messages.

**CS/SB 674 Exemption/Home Addresses – Military Special Operations:** Creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former service members of the U.S. military special operations units. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Creates s. 119.071(5)(j), F.S. Companion to HB 185. *Sen. Greg Evers (R-Pensacola)*

- S. Governmental Oversight and Accountability Committee: A strike-all amendment is adopted; reported favorably as a committee substitute. As amended, CS/CS/SB 674 creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former service members of the U.S. Armed Forces, a reserve component of the Armed Forces, or the National Guard who served after September 11, 2001. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Requires such personnel to request confidentiality in writing and take reasonable steps to protect such information from being accessible through other means available to the public. Creates s. 119.071(5)(k), F.S. Now in S. Rules Committee. ☹️

**CS/HB 939 Exemption/Florida ABLE Program:** HB 935 creates the Florida Achieving a Better Life Experience (ABLE) Act, requiring the Florida Prepaid College Board to establish a direct support organization known as Florida ABLE, Inc., to assist the disabled in saving money without losing their eligibility for state and federal benefits. HB 939 creates a public record exemption for personal financial



and health information of participants in the program held by the Florida Prepaid College Board, Florida ABLE Inc., or the Florida or the Florida ABLE program. Creates s. 1009.987, F.S. Companion to SB 646. *Rep. Ray Wesley Rodrigues (R-Fort Myers)*

- H. Health and Human Services Committee: A minor amendment is adopted; reported favorably as a committee substitute. Now on H. Calendar.

**CS/SB 7000 OGSR/Personal Information – Public Transit Providers:** Reenacts s. 341.3026, F.S., providing a public record exemption for personal identifying information held by a public transit provider. Reenacts s. 341.0521, F.S. Companion to HB 7011. *S. Community Affairs*

- Senate: Tabled on third reading; HB 7011 is substituted. See HB 7011.

**HB 7011 OGSR/Personal Information – Public Transit Providers:** Reenacts the exemption in s. 341.3026, F.S., providing a public record exemption for personal identifying information held by a public transit provider, renumbering the exemption as s. 341.5021, F.S. Companion to SB 7000. *H. Government Operations Subcommittee*

- Senate: Substituted for CS/SB 7000 and passed unanimously by the Senate. **PASSED THE LEGISLATURE**

**SB 7016 OGSR/Identifying Information – Minors:** Reenacts without modification s. 390.0116(2), F.S., providing an exemption for information that would identify a minor petitioning a circuit court for a judicial waiver under the Parental Notice of Abortion Act. Reenacts s. 390.0116(2), F.S. Companion to HB 7049. *S. Judiciary*

- S. Special Order Calendar: Rolled to third reading for passage by the Senate.

**SB 7034 OGSR/Identifying Information – Stalking Victims:** Transfers, renumbers, and reenacts, without modification, a public record exemption for the names, addresses, and telephone numbers contained in the voter registration records of persons who are victims of stalking or aggravated stalking if the victim complies with procedures for registering with the Office of the Attorney General under ss. 741.401 – 741.409, F.S. Creates s. 741.4651, F.S. Companion to HB 7101. *S. Ethics and Elections*

- S. Special Order Calendar: Rolled to third reading and passed unanimously by the Senate. Now in H. Messages.

## PRIVACY

**CS/HB 649 Drone Surveillance:** Creates the Freedom from Unwarranted Surveillance Act, prohibiting the use of drones to record images of privately owned or occupied real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance of the individual or property in violation of a reasonable expectation of privacy without written consent. Provides exceptions. Amends s. 934.50, F.S. Companion to SB 766. *Rep. Larry Metz (R-Groveland) WATCH*

- H. Judiciary Committee: An amendment adding a definition of “surveillance” is adopted; reported favorably as a committee substitute. Now on H. Calendar.

## PROPRIETARY INFORMATION

**SB 564 Exemption/Financial Information:** Currently, s. 812.081, F.S., provides a public record exemption for trade secrets, defined as “any scientific, technical, or commercial information.” SB 564 expands that



definition to include financial information, meaning that all public record exemptions for trade secret information will also exempt financial information. A companion bill, SB 566, reenacts all trade secret exemptions under ch. 119, F.S. Amends s. 812.081, F.S. Companion to HB 91. *Sen. Garrett Richter (R-Naples) ???*

- S. Commerce and Tourism Committee: A minor technical amendment is adopted; reported favorably as a committee substitute. Now in S. Criminal Justice Committee.

**SB 566 Trade Secret Exemptions:** SB 564 expands the definition of “trade secret” as defined in s. 812.081, F.S., to include financial information. SB 566 incorporates by reference the expanded exemption in all statutory exemptions for trade secrets referencing s. 812.81, F.S. Amends various statutory provisions and places those provisions on a 5-year sunset review. Companion to HB 93. *Sen. Garrett Richter (R-Naples) ???*

- S. Commerce and Tourism Committee: Two amendments are adopted, including an amendment to the constitutionally required statement of public necessity. Reported favorably as a committee substitute. Now in S. Governmental Oversight and Accountability Committee.

**SB 1582 Exemption/Trade Secrets – High-Pressure Well Stimulation Chemical Disclosure Registry:** SB 1468, in pertinent part, amends ch. 377 to require that permits be obtained from the Department of Environmental Protection before performing high-pressure well stimulation, and that DEP conduct a study of such projects. The bill also stipulates that the national chemical registry, FracFocus, is to be used at the state’s registry for chemical disclosure for all wells on which high-pressure well stimulations are performed. SB 1582 creates a public record exemption for trade secrets relating to high-pressure well stimulations held by DEP in connection with the online high-pressure well stimulation chemical disclosure registry *if* the person submitting trade secret information to DEP (1) requests that the information be protected; (2) informs DEP of the basis for the claim of trade secret; and (3) clearly marks each page of a document containing such information as “trade secret.” If DEP receives a public record request for information so marked, the department must notify the person who submitted the information who then has 30 days to file an action in circuit court seeking a determination whether the information is trade secret and an order barring public disclosure of the information. Amends s. 377.45. Companion to HB 1209. *Sen. Garrett Richter (R-Naples) ???*

- S. Environmental Preservation and Conservation Committee: Reported favorably by a vote of 6/2, with Sens. Smith and Soto voting no. Now in S. Governmental Oversight and Accountability Committee.

## PUBLIC EMPLOYEES

**HB 141 Exemption/Home Addresses – Impaired Practitioner Consultants:** Creates a public record exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants and their employees whose duties result in a determination of a person’s skill and safety to practice a licensed profession. Also exempts the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by their children. Requires consultants and employees to make reasonable efforts to protect such information from being accessible through other means available to the public. Creates s. 119.071(4)(d)2.n., F.S. Companion to SB 144. *Rep. Doc Renuart (R-Ponte Vedra Beach)*

- H. Health and Human Services Committee: Reported favorably. Now on H. Calendar.

**SB 1324 Exemption/Agency Personnel Information:** Expands the current public record exemption for the home addresses of current law enforcement officers and civilian personnel, as well as certain employees of the Department of Children and Families, the Department of Health, and the Department of Revenue to also exempt (1) residential addresses other than home addresses, including former residences and residences in which such personnel frequently reside; (2) email addresses; (3) driver license numbers; (4) license plate numbers; (5) banking and financial information; and (6) information identifying former places of employment. Amends s. 119.071(4)(d)2.a., F.S. Companion to HB 1015. *Sen. Jack Latvala (R-Clearwater)* 😞

- S. Criminal Justice Committee: Two amendments, one deleting the exemptions for information identifying former employers and another expanding the proposed exemptions to include public defenders, are adopted. Reported favorably as a committee substitute. As amended, CS/SB 1324 expands the current public record exemption for the home addresses of current law enforcement officers and civilian personnel, as well as certain employees of the Department of Children and Families, the Department of Health, and the Department of Revenue, state attorneys and statewide prosecutors, public defenders, and criminal conflict and civil regional counsel, to also exempt (1) residential addresses other than home addresses, including former residences and residences in which such personnel frequently reside; (2) email addresses; (3) driver license numbers; (4) license plate numbers; and (5) banking and financial information. Also expands the exemption for spouses and children of state attorneys, statewide prosecutors, public defenders, and criminal conflict and civil regional counsel to include parents, siblings, and cohabitants. Now in S. Governmental Oversight and Accountability Committee. 😞

## PUBLIC PARTICIPATION

**CS/SB 1312 Strategic Lawsuits Against Public Participation (SLAPP):** Section 768.295, F.S., prohibits strategic lawsuits against public participation (SLAPP) suits by government agencies in order to protect the rights of Floridians to speak freely in connection with public issues. CS/SB 1312 amends s. 768.295, F.S., to prohibit lawsuits against public participation (SLAPP) suits by persons or government agencies against those who are exercising their constitutional rights of free speech in connection with public issues. CS/SB 1312 expands the definition of “free speech in connection with public issues” to include statements made before a governmental entity in connection with public business and statements made in connection with plays, movies, television programs, radio broadcasts, audiovisual works, books, magazine articles, musical works, and news reports. Amends s. 768.295, F.S. Companion to HB 1041. *Sen. David Simmons (R-Altamonte Springs)* 😊

- S. Special Order Calendar: Rolled to third reading for passage by the Senate.

## REGULATED INDUSTRIES

**CS/SB 716 Exemption/Veterinary Medical Practice:** Creates a public record exemption for medical records relating to (1) diagnosing the medical condition of any animal; (2) prescribing, dispensing, or administering drugs, medicine, and appliances; and (3) treatments for prevention, cure, or relief of a wound, fracture, bodily injury, or disease of any animal held by a state college of veterinary medicine. Creates s. 474.2167, F.S. Companion to HB 1287. *Sen. Alan Hays (R-Umatilla)*

- S. Governmental Oversight and Accountability Committee: An amendment making the application of the exemption retroactive is adopted. Reported favorably as a committee substitute. Now in S. Rules Committee.

**CS/HB 1287 Exemption/Veterinary Medical Practice:** Creates a public record exemption for medical records relating to (1) diagnosing the medical condition of any animal; (2) prescribing, dispensing, or administering drugs, medicine, and appliances; and (3) treatments for prevention, cure, or relief of a wound, fracture, bodily injury, or disease of any animal held by a state college of veterinary medicine. Creates s. 474.2167, F.S. Companion to SB 716. *Rep. Doc Renuart (R-Ponte Vedra Beach)*

- H. State Affairs Committee: An amendment making the application of the exemption retroactive is adopted. Reported favorably as a committee substitute by a vote of 17/1 (Rep. Gaetz voting no). Now on H. Calendar.

**SB 7012 OGSR/Credit History and Credit Scores – Office of Financial Regulation:** Reenacts without modification s. 494.00125(3), F.S., providing a public record exemption for credit history information and credit scores related to licensing of mortgage brokers and lenders held by the Office of Financial Regulation in compliance with the federal S.A.F.E. Mortgage Licensing Act of 2008. Reenacts s. 494.00125(3), F.S. Companion to HB 7089. *S. Banking and Insurance*

- S. Special Order Calendar: Rolled to third reading for passage by the Senate.

## SECURITY

**CS/SB 962 Exemption/CDD Surveillance Videos:** Creates a public record exemption for surveillance videos created to monitor activities occurring inside or outside of public buildings or on public property held by a community development district. Allows access by a resident of the CDD if the resident can prove that the CDD is his/her only residence. Creates s. 190.0121, F.S. Companion to HB 537. *Sen. John Legg (R-Lutz)* ☹️

- S. Governmental Oversight and Accountability Committee: An amendment allowing access to the exempt recordings pursuant to a court order or by a non-resident property owner is adopted; reported favorably as a committee substitute. Now in S. Rules Committee. ☹️

## TRANSPARENCY

**HB 985 Maintenance of Agency Final Orders:** Requires agencies subject to chapter 120, the Administrative Procedures Act, to provide the Division of Administrative Hearings (DOAH) with electronic copies of agency final orders for inclusion in a centralized electronic database maintained by DOAH and available through its website. Amends s. 120.53. Companion to SB 1284. *Rep. Eric Eisnaugle (R-Orlando)*



- H. State Affairs Committee: Reported favorably. Now on H. Calendar.

## VOTER INFORMATION

**CS/SB 228 Online Voter Registration:** Requires the Florida Department of State to develop an online voter registration system, setting standards for the system and stipulating that all information submitted online must be verified by the Department of Highway Safety and Motor Vehicles. Creates s. 97.0525, F.S. Companion to HB 227. *Sen. Jeff Clemens (D-Lake Worth)* WATCH

- S. Transportation, Tourism, and Economic Development Appropriations Subcommittee: Reported favorably. Now in S. Appropriations Committee.

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*If you'd like additional information about any of the bills included in this report or to know the Foundation's position on a specific bill, please call 800/337-3518. And check our website, <http://floridafaf.org>, for copies of bill letters to various sponsors.*