

LEGISLATIVE REPORT

●	Current action
CS	Committee Substitute
P	Passed both Chambers

For Period Ending February 28

AGRICULTURE AND ANIMAL RECORDS

CS/HB 549 Exemption/Threatened or Endangered Species: Creates a public record exemption for site-specific information of animals listed on the federal threatened or endangered list held by an agency. Creates s. 379.1026. Companion to SB 812. *Rep. Toby Overdorf (R-Stuart)*

- H. State Affairs Committee: Reported favorably by unanimous vote. Now on the House Calendar.

HB 7075 OGSR/Animal Medical Records: Reenacts, without modification, the 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. Reenacts s. 474.2167. Companion to SB 7008. *H. Oversight, Transparency and Public Management Subcommittee*

- House Special Order: Rolled to third reading. Passed the House by a vote of 115/0. Now in Senate Messages.

CRIMINAL JUSTICE and LAW ENFORCEMENT

CS/HB 931 Exemption/Active Criminal Investigative and Intelligence Information: Creates a public record exemption for postconviction reinvestigation information, defined as information compiled by or at the request of a state attorney for the purpose of making an evidence-based determination as to whether someone is innocent of the crime he or she was convicted of committing. Amends s. 119.071(2), F.S. Companion to SB 1024. *Rep. Cord Byrd (R-Jacksonville Beach)*

- H. Judiciary Committee: Reported favorably by unanimous vote. Now on the House Calendar.

HB 7013 OGSR/Safe Houses – Sexual Exploitation Victims: Reenacts without modification the public record exemption for information about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation. Also exempts information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity. Stipulates that the exemption does not apply to facilities licensed by the Agency for Health Care Administration (AHCA). Reenacts ss. 409.1678(6) and 787.06, F.S. Companion to SB 7034. *H. Oversight, Transparency and Public Management Subcommittee*

- Senate Special Order: Substituted for SB 7034 and rolled to third reading for final consideration by the Senate.

HB 7015 OGSR/Body Camera Videos: Reenacts with minor modification the 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; or (3) 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. Reenacts s. 119.071(2)(l), F.S. Companion to 7032. *H. Oversight, Transparency and Public Management Subcommittee*

- House Special Order: Rolled to third reading; passed the House by a vote of 114/0. Now in Senate Messages.

SB 7034 OGSR/Safe Houses – Sexual Exploitation Victims: Reenacts without modification the public record exemption for information about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation. Also exempts information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity. Stipulates that the exemption does not apply to facilities licensed by the Agency for Health Care Administration (AHCA). Reenacts ss. 409.1678(6) and 787.06, F.S. Companion to HB 7013. *S. Criminal Justice Committee*

- Senate Special Order: Tabled; HB 7013 substituted. See HB 7013.

EDUCATION

SB 774 Exemption/University President Searches: Creates a public record exemption for information identifying applicants for president of a state university. Also creates an exemption for meetings held for the purpose of identifying or vetting such applicants, stipulating that the exemption does not apply to those meetings held for the purpose of establishing qualifications or determining compensation. Meetings held after a final group of applicants has been selected for the purpose of making a final selection will be open and the names of the final group of applicants will be subject to disclosure no later than 21 days before the meeting at which the finalist will be selected. Creates s. 1004.098, F.S. *Sen. Manny Diaz (R-Hialeah Gardens)*

★ To see our letter on SB 774, click here: <http://bit.ly/37LnfVR>

- S. Rules Committee: Reported favorably by a vote of 9/7. Now on the Senate Calendar. To see the Rules Committee vote on SB 774, click here: <http://bit.ly/2T4Y8Zw>

SB 830 OGSR/Florida ABLE Program: Reenacts, without modification, the 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, a DSO created to assist the disabled in saving money for college without losing their eligibility for state and federal benefits. Reenacts s. 1009.987, F.S. Companion to HB 887. *Sen. Lizbeth Benacquisto (R-Fort Myers)*

- Senate Special Order: Rolled to third reading for final consideration by the Senate.

EXAMINATIONS AND INVESTIGATIONS

HB 7023 OGSR/Child Abuse Death Review Committee: Identifying Information – Deceased Children: Reenacts, without modification, the 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. Portions of meetings during which the Committee discusses exempt information are exempt, as are

all records associated with the meeting. Reenacts s. 383.412, F.S. Companion to SB 7002. *H. Oversight, Transparency and Public Management Subcommittee*

- House Special Order: Rolled to third reading. Passed the House by a vote of 114/0. Now in Senate Messages.

HOME ADDRESSES

[Bills to Watch](#): There is an unusually large number of home address exemptions filed this year, adding to the four-dozen current home address exemptions. In our view, few of these exemptions are justified and we've seen little, if any, evidence of the need to protect home addresses and absolutely *no* evidence that those wishing to harm government employees or officers are making public record requests. Last year, the Legislature passed a law defining "home address" to include not only the physical address but also all property descriptors, including parcel identification numbers, GPS coordinates, etc. Given the large number of exemptions currently in law and those proposed this year, we've made the decision that enough is enough – unless there is evidence that a certain class of government employees is being threatened or harmed because of the work they do on our behalf, we are going to oppose all home address exemptions. Finally, it's important to note that nearly all of the information made exempt by the home address exemptions is readily available from other publicly available sources.

CS/SB 7010 OGSR/Home Addresses – U.S. Military Personnel: Reenacts and modifies the public record exemption for 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. CS/SB 7010 removes the requirement that those requesting the exemption take reasonable steps to protect such information from being accessible through other means available to the public and places the exemption on sunset review in 2025. Reenacts and amends s. 119.071(5)(k), F.S. Companion to HB 7027. *S. Military and Veteran Affairs and Space Committee*

- S. Rules Committee: An amendment that narrows the exemption and requires proof of service is adopted; reported favorably as a committee substitute by unanimous vote. As amended, CS/SB 7010 provides a public record exemption for 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 deployed overseas after September 11, 2001. Requires those seeking the protection of the exemption to (1) make a request in writing; (2) provide a copy of the servicemember's Form DD 214 or a statement from a commanding officer that the servicemember deployed overseas; and (3) provide a statement that the servicemember has made reasonable efforts to protect identifying and locating information from being accessible through other means available to the public. Now on the Senate Calendar.

PERSONAL INFORMATION

P HB 7001 OGSR/Department of Highway Safety and Motor Vehicles: Reenacts, with a minor technical change, the public record exemption for email addresses collected by the Department of Highway Safety and Motor Vehicles. Reenacts s. 119.0712(2)(c), F.S. Companion to SB 7022. *H. Oversight, Transparency and Public Management Subcommittee*

- Senate: Passed the Senate 40/0. **PASSED THE LEGISLATURE.**

PUBLIC MEETINGS

SB 1398 Regional Planning Council Meetings: Amends the Administrative Procedure Act to allow a voting member of a regional planning council that covers three or more counties who participates via telephone or videoconferencing to be counted towards the quorum requirement of the Act. Stipulates that at least one third of the voting members of such agencies or councils present at the meeting location and that notice of intent to participate remotely be provided at least 24 hours prior to the scheduled meeting. Amends s. 120.525, F.S. Companion to HB 1097. *Sen. Anitere Flores (R-Miami)*

- Senate Special Order: Rolled to third reading for final consideration by the Senate.

PUBLIC RECORDS

HB 1455 Records Management Liaison/Division of Library and Information Services: Revises statutes relating to the Division's authority to create rules relating to the retention and storage of public records. Importantly, requires the Division to designate a records management liaison officer to serve as the primary point of contact between an agency and the Division for records management purposes. Amends s. 257.35, F.S. Companion to SB 1570. *Rep. Ana Maria Rodriguez (R-Doral)* WATCH

- H. State Affairs Committee: Reported favorably by unanimous vote. Now on the House Calendar.

PUBLIC SAFETY AND SECURITY

CS/SB 966 Exemption/Disaster Recovery Assistance: Creates a public record exemption for property photographs and financial documentation provided to a government agency by or on behalf of an applicant for disaster recovery assistance for a presidentially declared disaster. Provides definitions. Amends s. 119.071(5), F.S. Companion to HB 1035. *Sen. George Gainer (R-Panama City)*

- S. Rules Committee: Reported favorably by unanimous vote. Now on the Senate Calendar.

CS/HB 1035 Exemption/Disaster Recovery Assistance: Creates a public record exemption for property photographs and financial documentation provided to a government agency by or on behalf of an applicant for disaster recovery assistance for a presidentially declared disaster. Provides definitions. Amends s. 119.071(5)(f), F.S. Companion to SB 966. *Rep. Holly Raschein (R-Key Largo)*

- H. State Affairs Committee: A strike all amendment making minor changes to CS/HB 1035 is adopted. Reported favorably as a committee substitute. Now on the House Calendar.

SB 7056 Exemption/Active Threat Assessment and Management Records: Creates a public record exemption for active threat assessment and active threat management records as long as such records related to a good faith belief by law enforcement that the records or plans will lead to detection, reasonable anticipating, prevention, or monitoring of possible targeted violence. Stipulates that exempt active criminal intelligence and investigative information retains its exempt status when shared with another agency under a multi-disciplinary information-sharing agreement or another criminal justice agency in the furtherance of its official duties. Provides definitions. Amends s. 119.071(2), F.S. Similar to SB 7030. *S. Governmental Oversight and Accountability Committee*

- S. Rules Committee: Reported favorably by unanimous vote. Now on the Senate Calendar.

TRANSPARENCY

HJR 7061 Information About Counties and Municipalities: Proposes an amendment to the state constitution requiring the Chief Financial Officer to annually provide information about counties and municipalities to residents in such a way as to allow comparison of economic and noneconomic factors of each local government. Amends Art. IV, s. 4, Fla. Con. Companion to SJR 1502. *H. State Affairs* WATCH

- H. Appropriations Committee: Reported favorably by a vote of 18/10. Now on the House Calendar. Click here to see the committee vote on HJR 7061: <http://bit.ly/3c6zgrU>

HB 7069 Local Government Reporting: Requires all counties and cities to annually report specific financial and economic information to the Department of Financial Services (DFS). Requires DFS to create a website for publication of the reported information and to distribute an annual report on local government financial information to residents. Amends ss. 129.03; 166.241; and creates 218.323, F.S. Companion to SB 1512. *H. State Affairs* WATCH

- H. Appropriations Committee: An amendment relating to the annual report to residents is adopted. CS/HB 7069 is reported favorably by a vote of 18/10. To see the committee vote on CS/HB 7069, click here: <http://bit.ly/3ccs7pR>. As amended, CS/HB 7069 requires all counties and cities to annually report specific financial and economic information to DFS. Requires the creation of an interactive repository for county and municipalities and the distribution of an annual report card allowing for a comparison of community conditions and government performance metrics by January 2021. The report card must include grades on government spending; government debt; the cost of government; public safety; and education. Now on the House Calendar.

» «

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. Check our website, www.floridafaf.org, for current legislative report.