



March 19, 2021

Senate Commerce and Tourism Committee  
310 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Re: SB 7064 Public Records/Investigations by the Department of Legal Affairs

I write to express the First Amendment Foundation's objection to Senate Bill 7064, which will exempt and make confidential investigative information received by the Department of Legal Affairs pursuant to violations of the Florida Privacy Protection Act. FAF does not object to exempting investigative information received by the Department but notes that an exemption already exists for information received by the Department pursuant to an investigation. Fla. Stat. § 501.171(11)(a). The Florida Privacy Protection Act gives the Department additional authority to investigate, but the plain language of the statute already creates an exemption for this information. As a consequence, this bill will result in redundancy, overlap and confusion.

The public necessity statement also purports to prevent the release of personal information, such as social security numbers. A statute already exists to prevent the release of social security numbers.

During the review process of Fla. Stat. § 119.15(6), the legislature is required to consider whether a record is protected by another exemption. The information sought to be made confidential and exempt is already covered under other statutes; there is no need for an additional exemption.

If you have any questions, please do not hesitate to contact us.

With best regards,

FIRST AMENDMENT FOUNDATION

Pamela C. Marsh  
President

cc: The Honorable Wilton Simpson, President, Florida Senate  
Jim Baltzelle, Associated Press, Chair, First Amendment Foundation  
Samuel Morley, General Counsel, Florida Press Association  
Lisa Nellesen Savage, Chair, Florida Society of News Editors

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