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1                   A bill to be entitled  
2           An act relating to public records and public meetings;  
3           amending s. 943.082, F.S.; providing exemptions from  
4           public records requirements for the identity of a  
5           reporting party and any information received through  
6           the mobile suspicious activity reporting tool which is  
7           held by the Department of Law Enforcement, law  
8           enforcement agencies, or school officials; amending s.  
9           943.687, F.S.; providing an exemption from public  
10          meetings requirements for portions of meetings of the  
11          Marjory Stoneman Douglas High School Public Safety  
12          Commission at which exempt or confidential and exempt  
13          information is discussed; amending s. 1006.12, F.S.;  
14          providing an exemption from public records  
15          requirements for information that would identify  
16          whether a particular individual has been appointed as  
17          a safe-school officer; providing for future  
18          legislative review and repeal of the exemptions;  
19          providing statements of public necessity; providing a  
20          contingent effective date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

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24           Section 1. Subsection (6) is added to section 943.082,  
25   Florida Statutes, as created by SB 7026, 2018 Regular Session,  
26   to read:

27           943.082 School Safety Awareness Program.—

28           (6) The identity of the reporting party received through  
29   the mobile suspicious activity reporting tool and held by the

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30 department, law enforcement agencies, or school officials is  
31 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
32 of the State Constitution. Any other information received  
33 through the mobile suspicious activity reporting tool and held  
34 by the department, law enforcement agencies, or school officials  
35 is exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
36 Constitution. This subsection is subject to the Open Government  
37 Sunset Review Act in accordance with s. 119.15 and shall stand  
38 repealed on October 2, 2023, unless reviewed and saved from  
39 repeal through reenactment by the Legislature.

40 Section 2. Present subsection (8) of section 943.687,  
41 Florida Statutes, as created by SB 7026, 2018 Regular Session,  
42 is renumbered as subsection (9), and a new subsection (8) is  
43 added to that section, to read:

44 943.687 Marjory Stoneman Douglas High School Public Safety  
45 Commission.—

46 (8) Any portion of a meeting of the Marjory Stoneman  
47 Douglas High School Public Safety Commission at which exempt or  
48 confidential and exempt information is discussed is exempt from  
49 s. 286.011 and s. 24(b), Art. I of the State Constitution. This  
50 subsection is subject to the Open Government Sunset Review Act  
51 in accordance with s. 119.15 and shall stand repealed on October  
52 2, 2023, unless reviewed and saved from repeal through  
53 reenactment by the Legislature.

54 Section 3. Subsection (4) is added to section 1006.12,  
55 Florida Statutes, as amended by SB 7026, 2018 Regular Session,  
56 to read:

57 1006.12 Safe-school officers at each public school.—

58 (4) Any information that would identify whether a

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59 particular individual has been appointed as a safe-school  
60 officer pursuant to this section held by a law enforcement  
61 agency, school district, or charter school is exempt from s.  
62 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
63 subsection is subject to the Open Government Sunset Review Act  
64 in accordance with s. 119.15 and shall stand repealed on October  
65 2, 2023, unless reviewed and saved from repeal through  
66 reenactment by the Legislature.

67       Section 4. (1) The Legislature finds that it is a public  
68 necessity that the identity of a person reporting unsafe,  
69 potentially harmful, dangerous, violent, or criminal activities,  
70 or the threat of these activities, received through the mobile  
71 suspicious activity reporting tool and held by the Department of  
72 Law Enforcement, a law enforcement agency, or school officials,  
73 be made confidential and exempt from s. 119.07(1), Florida  
74 Statutes, and s. 24(a), Article I of the State Constitution, if  
75 the reporting person provides his or her identity. The public  
76 records exemption for the identity of those individuals  
77 reporting potentially harmful or threatening activities as part  
78 of the School Safety Awareness Program encourages individuals to  
79 act and not be fearful that their identity will be revealed.  
80 Without the public records exemption, individuals reporting such  
81 activities might be less willing to report their knowledge of  
82 these possible activities to the appropriate authorities out of  
83 fear. Ensuring their identity is protected will encourage  
84 reporting, which could lead to law enforcement or other  
85 appropriate agencies intervening before an incident of mass  
86 violence occurs.

87       (2) The Legislature also finds that it is a public

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88 necessity that any other information received through the mobile  
89 suspicious activity reporting tool through the School Safety  
90 Awareness Program and held by the Department of Law Enforcement,  
91 law enforcement agencies, or school officials be made exempt  
92 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of  
93 the State Constitution. The public records exemption for any  
94 other information received through the mobile suspicious  
95 activity reporting tool protects information of a sensitive  
96 personal nature that, if disclosed, could be embarrassing.  
97 Without the public records exemption, individuals reporting such  
98 activities might be less willing to report their knowledge of  
99 these possible activities to the appropriate authorities out of  
100 fear and concern for their safety. The public records exemption  
101 will encourage reporting, which could lead to law enforcement or  
102 other appropriate agencies intervening before an incident of  
103 mass violence occurs. The public records exemption is also  
104 needed to protect the privacy of other individuals who are  
105 included in the report. After a report is made, law enforcement  
106 may find the report to be unfounded. For these reasons, the  
107 Legislature finds that it is a public necessity to protect any  
108 other information reported through the mobile suspicious  
109 activity reporting tool.

110 (3) The Legislature also finds that it is a public  
111 necessity that any portion of a meeting of the Marjory Stoneman  
112 Douglas High School Public Safety Commission at which exempt or  
113 confidential and exempt information is discussed be made exempt  
114 from s. 286.011, Florida Statutes, and s. 24(b), Article I of  
115 the State Constitution. The purpose of the commission is to  
116 investigate failures in the Marjory Stoneman Douglas High School

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117 shooting and prior mass violence incidents in Florida and  
118 develop recommendations for system improvements. In order to  
119 fulfill its directive, the commission must be able to discuss  
120 exempt or confidential and exempt information that it receives  
121 as part of its investigation. The public meetings exemption will  
122 allow the commission to review and discuss exempt or  
123 confidential and exempt information that will be useful in  
124 forming meaningful recommendations for system improvements for  
125 prevention and response to mass violence incidents. As such, it  
126 is a necessity that those portions of meetings wherein exempt or  
127 confidential and exempt information is discussed be made exempt  
128 from public meetings requirements. If such portions of meeting  
129 are not closed, then the public records exemptions would be  
130 negated. Thus, the Legislature finds that the public meeting  
131 exemption is a public necessity in order to ensure the effective  
132 and efficient administration of the Marjory Stoneman Douglas  
133 High School Public Safety Commission.

134 (4) The Legislature further finds that it is a public  
135 necessity that any information that would identify whether a  
136 particular individual has been appointed as a safe-school  
137 officer held by a law enforcement agency, school district, or  
138 charter school be made exempt from s. 119.07(1), Florida  
139 Statutes, and s. 24(a), Article I of the State Constitution.  
140 School security and student safety are fundamental priorities in  
141 this state. In light of the tragic events at Marjory Stoneman  
142 Douglas High School, in which 14 students and 3 adults were shot  
143 and killed on February 14, 2018, school districts in this state  
144 must be allowed to provide a supplemental security presence. To  
145 maximize the effectiveness of safe-school officers as a

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146 deterrent and responsive factor to situations threatening the  
147 lives of students and school staff, safe-school officers may  
148 perform their school-related duties while carrying a concealed  
149 weapon. Disclosure of the identity of a safe-school officer can  
150 affect his or her ability to adequately respond to an active  
151 assailant situation. Accordingly, it is necessary to protect the  
152 identity of safe-school officers from public records  
153 requirements in order to effectively and efficiently implement  
154 the purpose and intent of the program.

155 Section 5. This act shall take effect on the same date that  
156 SB 7026 or similar legislation takes effect, if such legislation  
157 is adopted in the same legislative session or an extension  
158 thereof and becomes a law.