

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative Trumbull offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 570.077, Florida Statutes, is created
8 to read:

9 570.077 Confidentiality of intelligence or investigative
10 information.-

11 (1) Criminal or civil intelligence or investigative
12 information, or any other information, held by the department as
13 part of a joint or multiagency examination or investigation with
14 another state or federal regulatory, administrative, or criminal
15 justice agency is confidential and exempt from s. 119.07(1) and
16 s. 24(a), Art. I of the State Constitution. The department may

Amendment No.

17 obtain, use, and release the information in accordance with the
18 conditions imposed by the joint or multiagency agreement.

19 (2) The department may release information that is made
20 confidential and exempt under subsection (1):

21 (a) In the furtherance of its official duties and
22 responsibilities.

23 (b) To another governmental agency in the furtherance of
24 its official duties and responsibilities.

25 (3) The public record exemption provided in subsection (1)
26 does not apply to information held by the department as part of
27 an independent examination or investigation conducted by the
28 department.

29 (4) This section is subject to the Open Government Sunset
30 Review Act in accordance with s. 119.15 and shall stand repealed
31 on October 2, 2020, unless reviewed and saved from repeal
32 through reenactment by the Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity that criminal or civil intelligence or investigative
35 information, or any other information, held by the Department of
36 Agriculture and Consumer Services as part of a joint or
37 multiagency examination or investigation with another state or
38 federal regulatory, administrative, or criminal justice agency
39 be made confidential and exempt from s. 119.07(1), Florida
40 Statutes, and s. 24(a), Art. I of the State Constitution.

41 Without the exemption, the department will be unable to obtain
42 information that could assist it in pursuing violations of law

Amendment No.

43 under its jurisdiction. With this exemption, the department
44 should increase efficiency of investigations by saving time on
45 developing investigative leads, witness data, and victim data.
46 Furthermore, the exemption is necessary to enable the department
47 to participate in joint or multiagency investigations and
48 examinations. Without the exemption, the department would
49 continue to be excluded from information due to the inability to
50 maintain investigative confidentiality. Without the sharing and
51 coordination of information, governmental agencies may be
52 required to conduct duplicative independent investigations or
53 examinations in order to meet their regulatory responsibilities.
54 With this exemption, the department will strengthen
55 relationships with other local, state, and federal agencies,
56 allowing them to become more efficient by sharing critical
57 investigative data.

58 Section 3. This act shall take effect upon becoming a law
59 if HB 995 or similar legislation is adopted in the same
60 legislative session or an extension thereof and becomes law.

61
62 -----
63 **T I T L E A M E N D M E N T**

64 Remove everything before the enacting clause and insert:
65 An act relating to public records; creating s. 570.077, F.S.;
66 providing an exemption from public records requirements for
67 criminal or civil intelligence or investigative information, or
68 any other information, held by the Department of Agriculture and

Amendment No.

69 Consumer Services as part of an investigation with another state
70 or federal regulatory, administrative, or criminal justice
71 agency; providing exceptions to the public records exemption;
72 providing applicability; providing for future legislative review
73 and repeal of the exemption under the Open Government Sunset
74 Review Act; providing a statement of public necessity; providing
75 a contingent effective date.