

20197034er

1  
2 An act relating to a review under the Open Government  
3 Sunset Review Act; amending s. 316.0777, F.S., which  
4 provides a public records exemption for certain images  
5 and data obtained through the use of an automated  
6 license plate recognition system and for personal  
7 identifying information of an individual in data  
8 generated from such images; removing the scheduled  
9 repeal of the exemption; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Section 316.0777, Florida Statutes, is amended  
14 to read:

15 316.0777 Automated license plate recognition systems;  
16 public records exemption.—

17 (1) As used in this section, the term:

18 (a) "Active," "criminal intelligence information," and  
19 "criminal investigative information" have the same meanings as  
20 provided in s. 119.011(3).

21 (b) "Agency" has the same meaning as provided in s.  
22 119.011.

23 (c) "Automated license plate recognition system" means a  
24 system of one or more mobile or fixed high-speed cameras  
25 combined with computer algorithms to convert images of license  
26 plates into computer-readable data.

27 (d) "Criminal justice agency" has the same meaning as  
28 provided in s. 119.011.

29 (2) The following information held by an agency is

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30 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
31 of the State Constitution:

32 (a) Images and data containing or providing personal  
33 identifying information obtained through the use of an automated  
34 license plate recognition system.

35 (b) Personal identifying information of an individual in  
36 data generated or resulting from images obtained through the use  
37 of an automated license plate recognition system.

38 (3) Such information may be disclosed as follows:

39 (a) Any such information may be disclosed by or to a  
40 criminal justice agency in the performance of the criminal  
41 justice agency's official duties.

42 (b) Any such information relating to a license plate  
43 registered to an individual may be disclosed to the individual,  
44 unless such information constitutes active criminal intelligence  
45 information or active criminal investigative information.

46 (4) This exemption applies to such information held by an  
47 agency before, on, or after the effective date of this  
48 exemption.

49 ~~(5) This section is subject to the Open Government Sunset~~  
50 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
51 ~~on October 2, 2019, unless reviewed and saved from repeal~~  
52 ~~through reenactment by the Legislature.~~

53 Section 2. This act shall take effect October 1, 2019.