

<b>Tab 1</b>	<b>SB 346 by Ingoglia (CO-INTRODUCERS) Yarborough;</b> (Identical to H 00357) Special Observances				
165528	D	S	RCS	MS, Ingoglia	Delete everything after 01/09 03:36 PM
<b>Tab 2</b>	<b>SM 540 by Avila;</b> (Similar to H 00351) Chinese and Cuban Governments				
<b>Tab 3</b>	<b>SB 548 by Collins;</b> (Identical to H 00319) Public Records/Military Personnel and their Spouses and Dependents				

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**MILITARY AND VETERANS AFFAIRS, SPACE, AND  
DOMESTIC SECURITY**

**Senator Wright, Chair**  
**Senator Torres, Vice Chair**

**MEETING DATE:** Tuesday, January 9, 2024

**TIME:** 2:30—4:00 p.m.

**PLACE:** 301 Senate Building

**MEMBERS:** Senator Wright, Chair; Senator Torres, Vice Chair; Senators Baxley, Collins, and Pizzo

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 346</b> Ingoglia (Identical H 357)	Special Observances; Designating each November as "Veteran Appreciation Month"; authorizing the Governor to issue a proclamation with specified information, etc.  MS 01/09/2024 Fav/CS CA RC	Fav/CS Yeas 4 Nays 0
2	<b>SM 540</b> Avila (Similar HM 351, SM 318)	Chinese and Cuban Governments; Urging the United States Secretary of State to condemn the emerging partnership between the Chinese Communist Party and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba, etc.  MS 01/09/2024 Favorable RC	Favorable Yeas 4 Nays 0
3	<b>SB 548</b> Collins (Identical H 319, Compare S 308)	Public Records/Military Personnel and their Spouses and Dependents; Providing an exemption from public records requirements for identification and location information of certain current and former military personnel and their spouses and dependents; providing for retroactive application of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.  MS 01/09/2024 Favorable GO RC	Favorable Yeas 4 Nays 0
4	Presentation on Domestic Security by the Florida Sheriffs Association		Presented

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: CS/SB 346

INTRODUCER: Committee on Military and Veterans Affairs, Space, and Domestic Security and Senators Ingoglia and Yarborough

SUBJECT: Special Observances

DATE: January 10, 2024

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Proctor</u>	<u>MS</u>	<u>Fav/CS</u>
2.	<u>                    </u>	<u>                    </u>	<u>CA</u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>RC</u>	<u>                    </u>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 346 designates the month of November each year as Veterans Appreciation Month, as a replacement in law to Veterans Week. The Governor may annually issue a proclamation designating Veterans Appreciation Month and encourage counties, municipalities, public schools, and state residents to observe the occasion through providing special programs and events to honor veterans.

The bill takes effect July 1, 2024.

**II. Present Situation:**

**Legal Holidays and Observances**

Examples of legal holidays are New Year's Day (January 1), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).<sup>1</sup>

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<sup>1</sup> Section 683.01, F.S.

In addition to legal holidays, special observances are recognized and observed by the state. Special observance days include Law Enforcement Memorial Day<sup>2</sup>, Arbor Day<sup>3</sup>, and Law Day and Law Week<sup>4</sup>.

### **Veterans Recognition Days**

The legal holiday of Veterans' Day is annually celebrated November 11.<sup>5</sup> In addition to the one-day holiday, the 2023 Legislature enacted as a special observance a Veterans Week.<sup>6</sup> Veterans Week begins with the Sunday preceding November 11 of each year. If November 11 is on a Sunday, Veterans Week begins that day. If the Governor proclaims a Veterans Week, public officials, schools, private organizations, and state residents are called upon to mark the observance by honoring veterans who answered the call in war and peace.<sup>7</sup>

### **Veterans in Florida**

#### ***Population***

Ranked lower than only California and Texas for number of veteran residents, Florida has the third largest population of veterans in the nation.<sup>8</sup> In excess of 1.4 million veterans reside in Florida. The number of veterans in Florida represents 12 percent of the state's population of persons who are at least 18 years old.<sup>9</sup>

#### ***Medal of Honor Recipients***

The highest military decoration awarded by the U.S. government, the Medal of Honor is bestowed by the President on behalf of Congress.<sup>10</sup> The Medal of Honor is conferred only upon members of the U.S. Armed Forces who distinguish themselves through "conspicuous gallantry and intrepidity at the risk of his or her life above and beyond the call of duty."<sup>11</sup>

According to the Congressional Medal of Honor Society, 24 Medal of Honor recipients have been accredited to Florida.<sup>12</sup>

### **III. Effect of Proposed Changes:**

CS/SB 346 amends s. 683.1475, F.S., to replace Veterans Week with a Veterans Appreciation Month. Veterans Appreciation Month will run the full month of November. In support of this

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<sup>2</sup> Section 683.115, F.S.

<sup>3</sup> Section 683.04, F.S.

<sup>4</sup> Section 683.22, F.S.

<sup>5</sup> Section 683.01(1)(q), F.S.

<sup>6</sup> Section 683.1474, F.S.; s 4, ch. 2023-162, Laws of Fla.

<sup>7</sup> Section 683.1475(2), F.S.

<sup>8</sup> Florida Dep't of Veterans Affairs, *FDVA - Our Veterans*, available at <https://www.floridavets.org/our-veterans/> (last visited Dec. 13, 2023).

<sup>9</sup> *Id.*

<sup>10</sup> U.S. Dep't of Defense, *Honors for Valor*, available at <https://www.defense.gov/Multimedia/Experience/honors-for-valor/> (last visited Dec. 13, 2023).

<sup>11</sup> *Id.*

<sup>12</sup> Congressional Medal of Honor Society, *The Recipients*, available at <https://www.cmoHS.org/recipients/overview> (last visited Dec. 13, 2023).



month, the Governor may annually issue a proclamation designating Veterans Appreciation Month and encourage counties, municipalities, public schools, and state residents to observe the occasion through providing special programs and events to honor veterans.

The bill takes effect July 1, 2024.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

As local entities are encouraged but not required to celebrate Veteran Appreciation Month with activities and events, a fiscal impact is not expected.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 683.1475 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Military and Veterans Affairs, Space, and Domestic Security on January 9, 2024:**

- Provides in law for a Veterans Appreciation Month as a replacement for Veterans Week; and
- Authorizes the Governor to annually proclaim a Veterans Appreciation Month and encourage local entities and state residents to observe the occasion through special programming and events.

**B. Amendments:**

None.



165528

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/09/2024	.	
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	.	
	.	

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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Ingoglia) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 683.1475, Florida Statutes, is amended  
to read:

683.1475 Veterans Appreciation Month ~~Week~~.—

(1) The month of November of each year is designated as  
"Veterans Appreciation Month." ~~week beginning with the Sunday~~  
~~preceding November 11 of each year is designated as "Veterans~~



165528

~~Week." If November 11 falls on a Sunday, "Veterans Week" begins on that day.~~

(2) The Governor may ~~annually~~ issue a proclamation annually designating the month ~~week~~ of November ~~11~~ as Veterans Appreciation Month ~~Week~~ and encouraging counties, municipalities, public schools, and residents of this state to observe the occasion by creating special programs and events to show appreciation for the veterans who have served ~~calling upon public officials, schools, private organizations, and all residents of the state to commemorate Veterans Week and honor the men and women who answered the call during times of war and peace to protect and preserve the treasured freedom of all citizens of the United States.~~

Section 2. This act shall take effect July 1, 2024.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to special observances; amending s.  
683.1475, F.S.; designating each November as "Veterans  
Appreciation Month"; authorizing the Governor to issue  
a proclamation with specified information; providing  
an effective date.

By Senator Ingoglia

11-00273A-24

2024346\_\_

A bill to be entitled

An act relating to special observances; creating s.  
683.336, F.S.; designating each November as "Veteran  
Appreciation Month"; authorizing the Governor to issue  
a proclamation with specified information; providing  
an effective date.

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

Section 1. Section 683.336, Florida Statutes, is created to  
read:

683.336 Veteran Appreciation Month.—

(1) The month of November of each year is designated as  
"Veteran Appreciation Month."

(2) The Governor may issue a proclamation annually  
designating the month of November as "Veteran Appreciation  
Month" and encouraging counties, municipalities, public schools,  
and residents of this state to observe the occasion by creating  
special programs and events to show appreciation for the  
veterans who have served the United States.

Section 2. This act shall take effect July 1, 2024.



# THE FLORIDA SENATE

Tallahassee, Florida. 32399-1100

## COMMITTEES:

Finance and Tax, *Chair*  
Appropriations  
Banking and Insurance  
Criminal Justice  
Ethics and Elections

## SELECT COMMITTEE:

Select Committee on Resiliency

## JOINT COMMITTEE:

Joint Administrative Procedures  
Committee, *Alternating Chair*

Senator Blaise Ingoglia  
11<sup>th</sup> District

December 7, 2023

The Honorable Tom Wright, Chair  
Military and Veterans Affairs, Space, and Domestic Security Committee  
412 Senate Office Building  
402 South Monroe Street  
Tallahassee, FL 32399

## Re: SB 346 Special Observances

Chair Wright,

SB 346 has been referred to the Military and Veterans Affairs Committee as its first committee of reference. I respectfully request that it be placed on the agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingoglia", with a stylized flourish extending to the right.

Blaise Ingoglia  
State Senator, District 11

Cc: Tim Proctor, Staff Director, Lois Graham, Committee Administrative Assistant

The Florida Senate

# APPEARANCE RECORD

1/9/2024 2:30  
Meeting Date

MILITARY/VET AFFAIRS  
Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB346

Bill Number or Topic

Amendment Barcode (if applicable)

Name KENNETH REINHARDT

Phone 954-856-4571

Address 5130 NW 82<sup>nd</sup> TERRACE  
Street

Email kgf5130@bellsouth.net

CORAL SPRING FL 33067  
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

AACP member

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1/9/24

Meeting Date

SB 346

Bill Number or Topic

MILITARY AND VETERANS AFFAIRS

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name RYAN JOHNSON

Phone

Address 13315 WRENWOOD CIRCLE

Street

Email

HUDSON

City

FL

State

34669

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:

APRA



I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



1/9/24

Meeting Date

Military & Veterans Affairs

Committee

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

346

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Karen Murillo (AARP)**

Phone **850-567-0414**

Address **215 S. Monroe Street**

Email **kmurillo@aarp.org**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**AARP Florida**

☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: SM 540

INTRODUCER: Senator Avila

SUBJECT: Chinese and Cuban Governments

DATE: January 9, 2024

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Ingram	Proctor	MS	<b>Favorable</b>
2. _____	_____	RC	_____

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**I. Summary:**

SM 540 is a memorial to the United States Department of State, urging the United States Secretary of State to condemn the emerging partnership between the Chinese Communist Party (CCP) and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba.

The memorial also urges the United States Secretary of State to condemn the CCP for taking steps to collect sensitive information regarding the United States Government and its citizens and for establishing a potential base for the CCP's military and intelligence services 90 miles from the United States, an aggressive action threatening national security.

The memorial directs the Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the state delegation to the United States Congress.

A memorial is an official legislative document addressed to the United States Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

**II. Present Situation:**

**Cuban Communist Regime**

The Cuban Communist Party was founded in the 1920s and registered as a political party in 1939, going through several name and organizational changes until it became the Communist

Party of Cuba in 1965 under Fidel Castro.<sup>1, 2</sup> In February 2019, a newly ratified constitution codified that Cuba continues to be a one-party system in which the Communist Party is the only legal political party.<sup>3</sup>

On January 3, 1961, the United States cut off diplomatic relations with Cuba due to unjustified action by the Cuban government which placed detrimental limitations on the ability of the United States Mission to carry out its customary ambassadorial functions.<sup>4</sup> In an exchange of letters in June 2015, President Barack Obama and Cuban President Raúl Castro agreed to the recommencement of formal diplomatic relations between the two countries on July 20, 2015, when both countries elevated their respective Interests Sections<sup>5</sup> to Embassy status.<sup>6</sup>

### **Chinese Communist Party**

Founded in 1921 in Shanghai, the CCP began as a study group working within the confines of the First United Front with the Chinese Nationalist Party.<sup>7</sup> Chinese communists joined with the Nationalist Army in 1926 to rid China of the warlords that prevented the formation of a strong central government. This collaboration lasted until 1927, when the Nationalists violently turned on the communists, ousting them from the Nationalist Party.<sup>8</sup>

On October 1, 1949, the CCP leader Mao Zedong declared the creation of the People's Republic of China (PRC). The announcement ended the costly full-scale civil war between the CCP and the Nationalist Party, which broke out immediately following World War II and had been preceded by conflict between the two sides since the 1920s. The creation of the PRC also completed the long process of governmental upheaval in China begun by the Chinese Revolution of 1911. The “fall” of mainland China to communism in 1949 led the United States to suspend diplomatic ties with the PRC for decades.<sup>9</sup>

In 1973, as part of an effort toward normalization, the United States and the PRC each opened a liaison office in Beijing and Washington, D.C., respectively, to conduct all matters pertaining to the United States-PRC relationship with the exception of formal diplomatic aspects. On January

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<sup>1</sup> U.S. Dep't of State, Office of the Historian, *Foreign Relations Of The United States, 1958–1960, Cuba, Volume VI, Document 278, Growth of Communism in Cuba*, available at <https://history.state.gov/historicaldocuments/frus1958-60v06/d278> (last visited Jan. 2, 2024).

<sup>2</sup> Britannica, *History & Society, Communist Party of Cuba* (Dec. 6. 2023) available at <https://www.britannica.com/topic/Communist-Party-of-Cuba> (last visited Jan. 2, 2023).

<sup>3</sup> U.S. Dep't of State, Bureau of Democracy, Human Rights, and Labor, *2020 Country Reports on Human Rights Practices: Cuba*, available at <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/cuba/> (last visited Jan. 2, 2024).

<sup>4</sup> U.S. Dep't of State, Office of the Historian, *A Guide to the United States' History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776: Cuba*, available at <https://history.state.gov/countries/cuba> (last visited Jan. 2, 2024).

<sup>5</sup> The National Museum of American Diplomacy defines an “Interests Section” as an office responsible for protecting the interests of the United States, housed in a third country embassy, in a country with which the United States has no formal diplomatic relations, available at <https://diplomacy.state.gov/encyclopedia/interest-section/> (last visited Jan. 2, 2024).

<sup>6</sup> U.S. Dep't of State, *supra* note 4.

<sup>7</sup> U.S. Dep't of State, Office of the Historian, *Milestones: 1945-1952, The Chinese Revolution of 1949*, available at <https://history.state.gov/milestones/1945-1952/chinese-rev> (last visited Jan. 2, 2024).

<sup>8</sup> Britannica, *History & Society, Chinese Political Party* (Jan. 1, 2024) available at <https://www.britannica.com/topic/Chinese-Communist-Party> (last visited Jan. 2, 2024).

<sup>9</sup> U.S. Dep't of State, *supra* note 7.

1, 1979, the United States recognized the PRC and established diplomatic relations with it as the sole legitimate government of China. Subsequently, the United States opened an Embassy in Beijing on March 1, 1979, which was the previously established United States Liaison Office.<sup>10</sup>

## Office of the Secretary of Defense

### *Annual Report to Congress: Military and Security Developments Involving the People's Republic of China*

According to the 2023 Secretary of Defense's report to Congress, the PRC's national strategy is "a determined pursuit of political, social, and military modernity to expand the PRC's national power, perfect its governance, and revise the international order in support of the PRC's system of governance and national interests."<sup>11</sup> The report expounds on China's national, economic, and military strategies, along with China's intent to develop technologically and to expand in different areas including, but not limited to, the PRC's military modernization and operational goals and "its overseas logistics and basing infrastructure to allow the [People's Liberation Army] (PLA) to project and sustain military power at greater distances. If realized, a global PLA military logistics network could disrupt United States military operations as the PRC's global military objectives evolve."<sup>12</sup>

## Spy Balloon

Balloons, in certain instances and compositions, have a long history of technological use. Balloons have been utilized by government organizations to collect information in numerous ways including, but not limited to, weather monitoring, scientific investigations relating to space exploration, the detection and monitoring of drug-smuggling operations, and information collection on pollution and the ozone.<sup>13</sup>

Weather balloons used by the National Weather Service measure about 6 feet wide when launched, and as the weather balloon rises it expands in diameter to about 20 feet.<sup>14</sup> Weather balloons remain in the air for a couple of hours and usually only travel about 100 miles from where they were launched.<sup>15</sup>

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<sup>10</sup> U.S. Dep't of State, Office of the Historian, *A Guide to the United States' History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776: China*, available at <https://history.state.gov/countries/china> (last visited Jan. 2, 2024).

<sup>11</sup> U.S. Dep't of Defense, *Annual Report-Military and Security Developments Involving the People's Republic of China 2023, Executive Summary, Understanding China's Strategy, p. II*, available at <https://media.defense.gov/2023/Oct/19/2003323409/-1/-1/1/2023-MILITARY-AND-SECURITY-DEVELOPMENTS-INVOLVING-THE-PEOPLES-REPUBLIC-OF-CHINA.PDF> (last visited Jan. 2, 2024).

<sup>12</sup> *Id.* at XI.

<sup>13</sup> Government Technology, *10 Uses for Balloons That (Probably) Won't Cause an International Incident* (Feb. 15, 2023) available at <https://www.govtech.com/products/10-uses-for-balloons-that-probably-wont-cause-an-international-incident> (last visited Jan. 2, 2024).

<sup>14</sup> Jan Wesner Childs, Tim Harris and Jonathan Belles, *Chinese Balloon Shot Down Differs From Weather Balloons*, The Weather Channel (Feb. 5, 2023) available at <https://weather.com/news/news/2023-02-04-chinese-balloon-spy-weather> (last visited Jan. 2, 2024).

<sup>15</sup> *Id.*

Balloons may also be used for adversary surveillance, and in contrast to a weather balloon, spy balloons are typically much larger and may continue to be airborne for multiple days as opposed to just hours, as was witnessed when the PRC's high-altitude surveillance balloon purposefully crossed over the United States and Canada in February 2023.<sup>16</sup> Unlike a typical weather balloon the PRC's surveillance balloon was 200 feet tall, and the payload<sup>17</sup> was 90 feet across.<sup>18</sup> China falsely claimed that the balloon was a weather balloon that was blown off-course. Its route over the United States, near many potential sensitive sites, contradicted the PRC government's explanation that it was a weather balloon.<sup>19</sup> The spy balloon was brought down into the ocean off the coast of South Carolina when a fighter aircraft from Langley Air Force Base fired a missile into the balloon.<sup>20</sup> It was determined that the high-altitude balloon's equipment was clearly for intelligence surveillance<sup>21</sup> and according the United States Secretary of State, "once over the United States, the balloon, attempted to surveil very critical, important military installations."<sup>22</sup>

### Media Reports

On June 8, 2023, it was reported that China and Cuba reached an undisclosed agreement for China to establish an electronic eavesdropping facility in Cuba<sup>23</sup> and on June 11, it was then reported that China had been operating a spy base in Cuba since at least 2019 as part of a global effort by Beijing to upgrade its intelligence-gathering capabilities.<sup>24</sup>

According to a report in the Miami Herald, a research professor at the United States Army War College<sup>25</sup> opined that if China sets up a military training facility in Cuba, such facility placement "accelerates the level of tactical and operational coordination between China and Cuba that can be used in times of war."<sup>26</sup>

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<sup>16</sup> U.S. Dep't of Defense, *Transcript-Senior Defense Official and Senior Military Official Hold an Off-Camera, On-Background Press Briefing Update on the High-Altitude Surveillance Balloon* (Feb. 4, 2023) available at [www.defense.gov/News/Transcripts/Transcript/Article/3288618/senior-defense-official-and-senior-military-official-hold-an-off-camera-on-back/](https://www.defense.gov/News/Transcripts/Transcript/Article/3288618/senior-defense-official-and-senior-military-official-hold-an-off-camera-on-back/) (last visited Jan. 2, 2024).

<sup>17</sup> Merriam-Webster Dictionary defines "payload" as the load carried by an aircraft or spacecraft consisting of people or things (such as passengers or instruments) necessary to the purpose of the flight, available at <https://www.merriam-webster.com/dictionary/payload> (last visited Jan. 2, 2024).

<sup>18</sup> U.S. Dep't of State, *U.S.-China Relations FPC Briefing* (Feb. 22, 2023) available at <https://www.state.gov/briefings-foreign-press-centers/us-china-relations> (last visited Jan. 2, 2024).

<sup>19</sup> U.S. Dep't of Defense, *supra* note 16.

<sup>20</sup> *Id.*

<sup>21</sup> U.S. Dep't of State, *supra* note 17.

<sup>22</sup> Press Release, U.S. Dep't of State, *Secretary Antony J. Blinken With Martha Raddatz of ABC This Week*, Feb. 19, 2023, available at <https://www.state.gov/secretary-antony-j-blinken-with-martha-raddatz-of-abc-this-week-2/> (last visited Jan. 2, 2024).

<sup>23</sup> Warren P. Strobel and Gordon Lubold, *Cuba to Host Secret Chinese Spy Base Focusing on U.S., Beijing agrees to pay Havana several billion dollars or eavesdropping facility*, The Wall Street Journal (June 8, 2023) available at [https://www.wsj.com/articles/cuba-to-host-secret-chinese-spy-base-focusing-on-u-s-b2fed0e0?reflink=desktopwebshare\\_permalink](https://www.wsj.com/articles/cuba-to-host-secret-chinese-spy-base-focusing-on-u-s-b2fed0e0?reflink=desktopwebshare_permalink) (last visited Jan. 2, 2024).

<sup>24</sup> Aamer Madhaniap, Washington News - *US confirms China has had a spy base in Cuba since at least 2019*, AP (June 11, 2023) available at <https://apnews.com/article/china-cuba-spy-base-us-intelligence-0f655b577ae4141bdbeabc35d628b18f> (last visited Jan. 2, 2024).

<sup>25</sup> CSIS-Center for Strategic & International Studies, *Evan Ellis*, available at <https://www.csis.org/people/evan-ellis> (last visited Jan. 2, 2024).

<sup>26</sup> Nora Gámez Torres, *China has had a spy base in Cuba for decades, a former intelligence officer says*, Miami Herald, July 5, 2023 (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic).

In a letter to the United States Secretary of State and the Director of the Central Intelligence Agency regarding PRC intelligence and military activities in Cuba, the Chairs of the United States Senate Foreign Relations Committee and United States House Foreign Affairs Committee both expressed their concerns regarding the reported collusion of the Cuban regime and the PRC and how the countries' working partnership undermines United States national security.<sup>27</sup>

### **Memorial**

A memorial is an official legislative document addressed to Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

### **III. Effect of Proposed Changes:**

SM 540 urges the United States Secretary of State to condemn the emerging partnership between the CCP and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba.

The memorial also urges the United States Secretary of State to condemn the CCP for taking steps to collect sensitive information regarding the United States Government and its citizens and for establishing a potential base for CCP's military and intelligence services 90 miles from the United States, an aggressive action threatening national security.

The memorial directs the Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the state delegation to the United States Congress.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

---

<sup>27</sup> Press Release, Congress of the United States, *Chairmen McCall, Menendez Call on Blinken, Burns to Receive Classified Briefing on China-Cuba Spy Facility*, Jun. 22, 2023, available at <https://foreignaffairs.house.gov/press-release/chairmen-mccaul-menendez-call-on-blinken-burns-to-receive-classified-briefing-on-china-cuba-spy-facility/> (last visited Jan. 2, 2024).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



By Senator Avila

39-00825-24

2024540\_\_

Senate Memorial

A memorial to the United States Secretary of State urging the secretary to condemn the emerging partnership between the Chinese Communist Party and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba.

WHEREAS, on February 4, 2023, the United States military shot down a Chinese spy balloon off the Carolina coast, and

WHEREAS, the United States military affirmed that the balloon was used to intercept electronic signals and to monitor sensitive military sites, and

WHEREAS, on June 8, 2023, *The Wall Street Journal* reported that China and Cuba have reached an agreement, in principle, to build an electronic eavesdropping station in Cuba, which would result in Cuba's receipt of billions of dollars from China, and

WHEREAS, several days later, an unnamed administration official confirmed that, since 2019, China has been operating a spy base in Cuba as part of a global effort to upgrade its intelligence-gathering capabilities, and

WHEREAS, the communist regime in Cuba has a history of opening its doors to nations adversarial to the United States in order to undermine our country's national security interests, and

WHEREAS, China's willingness to embrace and partner with the Cuban dictatorship, which has historically engaged in espionage against the United States, should be a cause for concern, and

WHEREAS, as global tensions have increased, the Chinese

Page 1 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

39-00825-24

2024540\_\_

Government has sought to build up its military and develop more sophisticated technological capabilities to collect and analyze signals intelligence, and

WHEREAS, Dr. Evan Ellis, a Latin American Studies research professor at the United States Army War College, opines that the establishment of a spy base "accelerates the level of tactical and operational coordination between China and Cuba that can be used in times of war," and

WHEREAS, efforts to foster a partnership between China and Cuba should be condemned in light of Cuba's history of antagonistic behavior toward the United States and Communist China's willingness to embrace partners that oppose democracy, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the United States Secretary of State is urged to condemn the emerging partnership between the Chinese Communist Party and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba.

BE IT FURTHER RESOLVED that the United States Secretary of State is urged to condemn the Chinese Communist Party for taking steps to collect sensitive information regarding the United States Government and its citizens.

BE IT FURTHER RESOLVED that the United States Secretary of State is urged to condemn the Chinese Communist Party for establishing a potential base for the Chinese Communist Party's military and intelligence services a mere 90 miles from the United States, an aggressive action that threatens our national

Page 2 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



39-00825-24

2024540\_\_

59 security.

60 BE IT FURTHER RESOLVED that the Secretary of State dispatch  
61 copies of this memorial to the President of the United States,  
62 the President of the United States Senate, the Speaker of the  
63 United States House of Representatives, the United States  
64 Secretary of State, and each member of the Florida delegation to  
65 the United States Congress.



**SENATOR Bryan Avila**  
39th District

## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**

Government Oversight and Accountability, Chair  
Appropriations  
Appropriations Committee on Education  
Appropriations Committee of Health and Human  
Services  
Education Pre-K 12  
Ethics and Elections  
Health Policy  
Select Committee on Resiliency  
Joint Select Committee on Collective Bargaining

December 13, 2023

Honorable Senator Tom A. Wright  
Committee on Military and Veterans Affairs,  
Space, and Domestic Security

Honorable Chair Wright:

I respectfully request SM 540 Chinese and Cuban Government be placed on the next committee agenda.

SM 494 Chinese and Cuban Governments; Urging the United States Secretary of State to condemn the emerging partnership between the Chinese Communist Party and the communist regime in Cuba and the establishment of Chinese espionage and military capabilities in Cuba.

Thank you for your consideration.

A handwritten signature in blue ink that reads "Bryan Avila".

---

Senator Bryan Avila  
Florida Senate, District 39

CC: Tim Proctor, Staff Director  
Lois Graham, Committee Administrative Assistant

REPLY TO:

- ☐ 10001 Northwest 87th Avenue, Hialeah Gardens, Florida 33016 (305) 364-3073
- ☐ 326 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5039

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**Kathleen Passidomo**  
President of the Senate

**Dennis Baxley**  
President Pro Tempore



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# Miami Herald

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CUBA

## China has had a spy base in Cuba for decades, former intelligence officer says

BY NORA GÁMEZ TORRES

UPDATED JULY 05, 2023 5:31 PM





A screenshot of Google Maps showing the reported site of the espionage base in Bejucal jointly run by China and Cuba near Havana.



**Only have a minute? Listen instead**

-09:23

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China's espionage efforts in Cuba targeting the United States are not recent and date back at least three decades, a retired army counterintelligence agent has told the Miami Herald.

It took U.S. intelligence agencies nine years to figure out who was behind the repair and enhancements spotted during the 1990s at a "signals intelligence facility" — a reference to the interception of electronic communications — in the town of Bejucal, a 45-minute drive from Havana.

"We saw the enhancements over a decade, a steady evolution; clearly something was going on, but we didn't know what," said Chris Simmons, a former chief of a counterintelligence research branch on the Western Hemisphere at the U.S. Defense Intelligence Agency, which had Cuba as its number one target. "And then, in 2001, we discovered that the Chinese had been there already for nine years. We were told at that time that when the Chinese arrived in 1992, they were embedded in a single building within Bejucal, and they were 50 officers in this facility."

## TOP VIDEOS



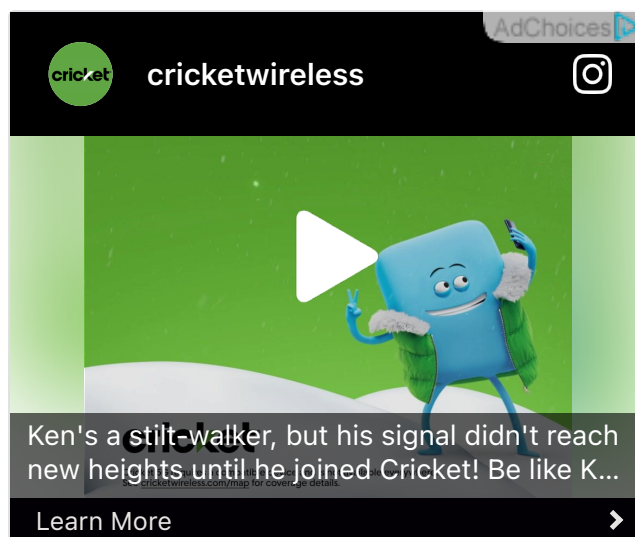


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The revelations of the long-term foothold of Chinese spy agencies in Cuba come after new intelligence reported by the Wall Street Journal suggested Cuban and Chinese officials were discussing [building a spy base](#) and [a military training](#) facility on the island and paying billions of dollars to Cuba in exchange. White House and Pentagon officials first said the initial report had “inaccuracies” without further elaboration. But later, Biden administration officials confirmed that China had intelligence-collection facilities in Cuba [since at least 2019](#), when they were upgraded.

The revelations come amid efforts by the Biden administration to improve communications with Beijing. Treasury Secretary Janet Yellen will visit China on Tuesday following a trip by the Secretary of State Antony Blinken last month, in which he said he raised the issue of the Chinese base in Cuba with senior Chinese officials.

Following the first media reports about a spy base, members of Congress expressed concern for what seemed like a recent effort by China to establish intelligence facilities in Cuba.



“It comes as no surprise to us that the Cuban regime — which has historically opened its doors to foreign adversaries of the United States — and the [People’s Republic of China] are working together to undermine U.S. national security. However, the establishment of intelligence facilities and expansion of military ties this close to U.S. territory is a significant, escalatory step,” Sen. Bob Menendez (D-NJ) and U.S. Rep. Michael McCaul (R-Texas), the chairmen of the Senate and the House committees handling foreign affairs, wrote last week in a letter requesting an intelligence briefing on the matter.



But as it turns out, Chinese spies have been in Cuba longer than previously disclosed.

After the collapse of the Soviet Union, China quickly moved to secure a position in Cuba, just 90 miles off the Florida Keys, though, at the time, the Asian country was not perceived as a U.S. adversary, but just as a regional power, Simmons said.

“Washington knew the Chinese were engaged,” Simmons said. “But the conventional wisdom was that China just seized the political opportunity because of the collapse of the Soviet Union. That was the simplified D.C. logic. We could see the ships going in and the weapons coming off. But for the most part, Washington didn’t want to ask the hard questions.”



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China and Cuba have vigorously denied reports of Chinese espionage on the Caribbean island, which they said are part of a disinformation effort by the United States.

National Security Council’s deputy spokesperson, Kate Waters, said she could not confirm that Chinese personnel were present in Bejucal as far

as 1992 but added that “there also seems to be a mix-up here because the Administration’s position has not been that this is a recent development, though there has been some misreporting that has suggested that.”

She referred questions to the Office of the Director of National Intelligence (DNI). DNI’s spokesperson Lauren Brackmann said she could not provide “additional guidance.”

Previously, scholars and analysts using open-source information thought the Chinese presence could date back to 1999 or 2001, but that was not verified, said Evan Ellis, a Latin American Studies research professor at the U.S. Army War College that has been tracking Chinese presence in the region.



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But much has changed that would make Chinese long-term espionage activities in Cuba more dangerous now, including China’s military build-up, more sophisticated technical capabilities to collect and analyze signals intelligence and its increased aggressiveness, Ellis said.

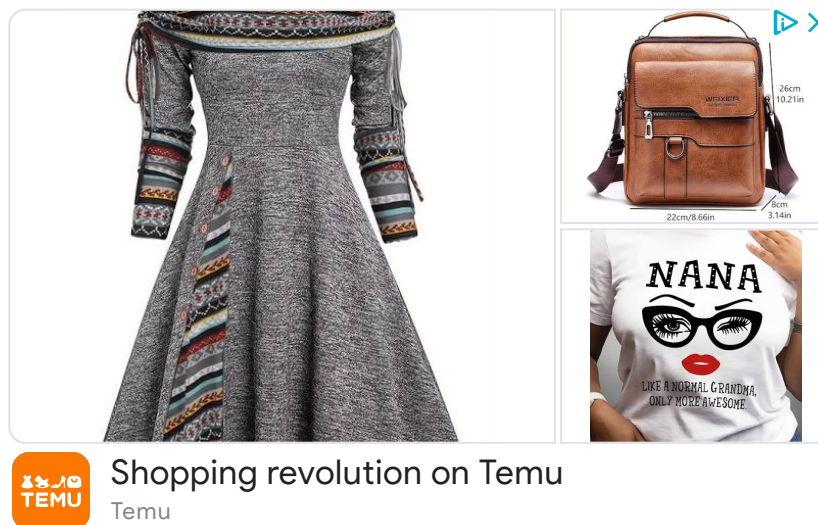
“That creates a risk of a type of global war in which [China] could



project forces into the Western Hemisphere,” he added. “That wasn’t there 20 or 30 years ago, so where the Chinese are at also increases the risk in addition to where modern weapons systems are at.”

“To me, Latin America, and especially the Caribbean, would inevitably become one of those regions the PRC would focus in times of war over Taiwan,” he added.

Chinese spies in Cuba could monitor several U.S. military facilities in the southeastern region – including the U.S. Southern Command based in Doral, the Naval Air Station in Key West and the Special Operations Command South located at Homestead Air Reserve Base – as well as aircraft and Navy ship traffic, all valuable information that could be used to disrupt U.S. operations amid a military conflict, Ellis said.



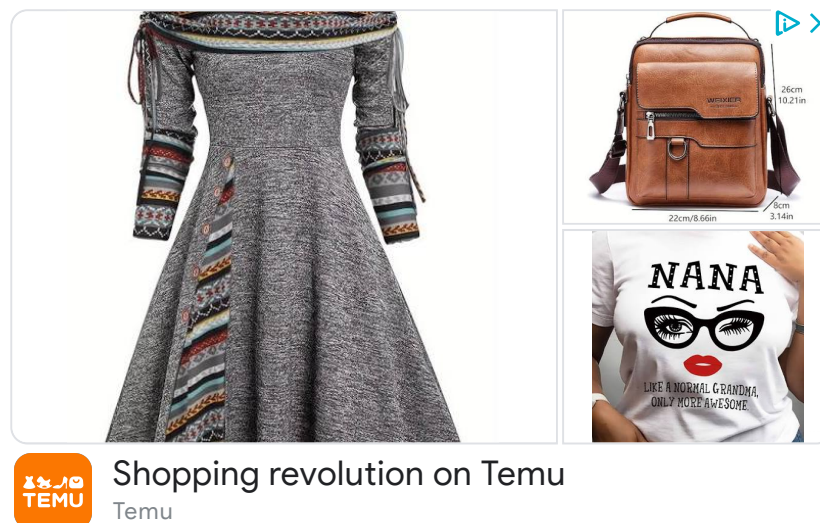
If China also sets up a military training facility in Cuba, that would provide additional capabilities for intelligence gathering or disruption operations and “accelerates the level of tactical and operational coordination between China and Cuba that can be used in times of war,”

Ellis said.

Because Cuba is so close to the United States, signals from U.S. satellites communicating with ground stations can be intercepted by the facility in Bejucal, Simmons, the former counterintelligence official, said, giving Chinese and Cuban spies large amounts of valuable data.

For example, even if the content of a phone call is encrypted, intelligence officers at Bejucal could track phone numbers from several U.S. government agencies and differentiate between a routine volume of calls and something more significant.

“The Cubans have been amazingly proficient at what we call pattern analysis,” Simmons said. “They triage who the important numbers are, and they can tell you that Chris Simmons, on average, makes three phone calls to this number for the CIA. So they don’t know what I’m saying, but just the pattern tells them who I’m operating with and what’s normal for me.”




Chinese technological advances could mean there is a risk they could

eventually decrypt intercepted data too, Ellis said.

In addition to Bejucal, China reportedly maintains a presence [in at least two other Soviet-era monitoring facilities](#), in Lourdes, near Havana, and Santiago de Cuba. The reported presence of Chinese spies in Cuba was cited by a U.S. government commission that recommended last year denying permission to a U.S. company wanting to [extend a submarine internet cable connection](#) between South Florida and Cuba.

Chinese companies also seem to have played a key role in building internet and telecommunications infrastructure in Cuba, providing the government with tools to censor content and spy on its citizens.

According to a 2019 report by the [Cuba Internet Task Force](#) convened by the State Department under the Trump administration, “China played a major role in financing and constructing Cuba’s ALBA-1 undersea cable and Huawei Technologies, a Chinese telecommunications company, was involved in developing Cuba’s backbone network as well as installing Wi-Fi hotspots across the island.” The report says two other Chinese companies, ZTE and TP Link, provided modem technology.



The advertisement features three items: a grey, long-sleeved, off-the-shoulder dress with colorful patterned trim on the sleeves and hem; a brown leather-style messenger bag with dimensions 26cm x 10.21in x 8cm (10.21in x 3.14in x 3.14in); and a white t-shirt with a graphic of a woman's face wearing glasses and the text 'NANA LIKE A NORMAL GRANDMA, ONLY MORE AWESOME'. The Temu logo is in the bottom left corner of the ad area.

**Shopping revolution on Temu**  
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In a 2017 report, the Open Observatory of Network Interference says [it found Chinese code](#) associated with Huawei's equipment when its team tried to access blocked websites in Cuba. The report also says the login portal for ETECSA, Cuba's state-owned sole internet provider, appears to have been written by Chinese developers because its source code contains comments written in Chinese.

The country's video surveillance network also uses Chinese technology, a former intelligence officer said. He asked not to be named because he was not authorized to discuss the matter publicly.

As China has grown to become a superpower, it is possible its spy agencies figure they need to expand their presence on the island, as recent intelligence suggests, Simmons said. But the "smart move" would not be to build a whole new base and replace the Cuban staff with its own. Instead, it makes more sense, he says, if they beef up personnel, get new equipment and keep paying Cuban officers for what they do.

"China's not going to kick Cuba to the curb," he said. "They are too valuable of an intelligence partner."



This story was originally published July 05, 2023 4:00 PM.

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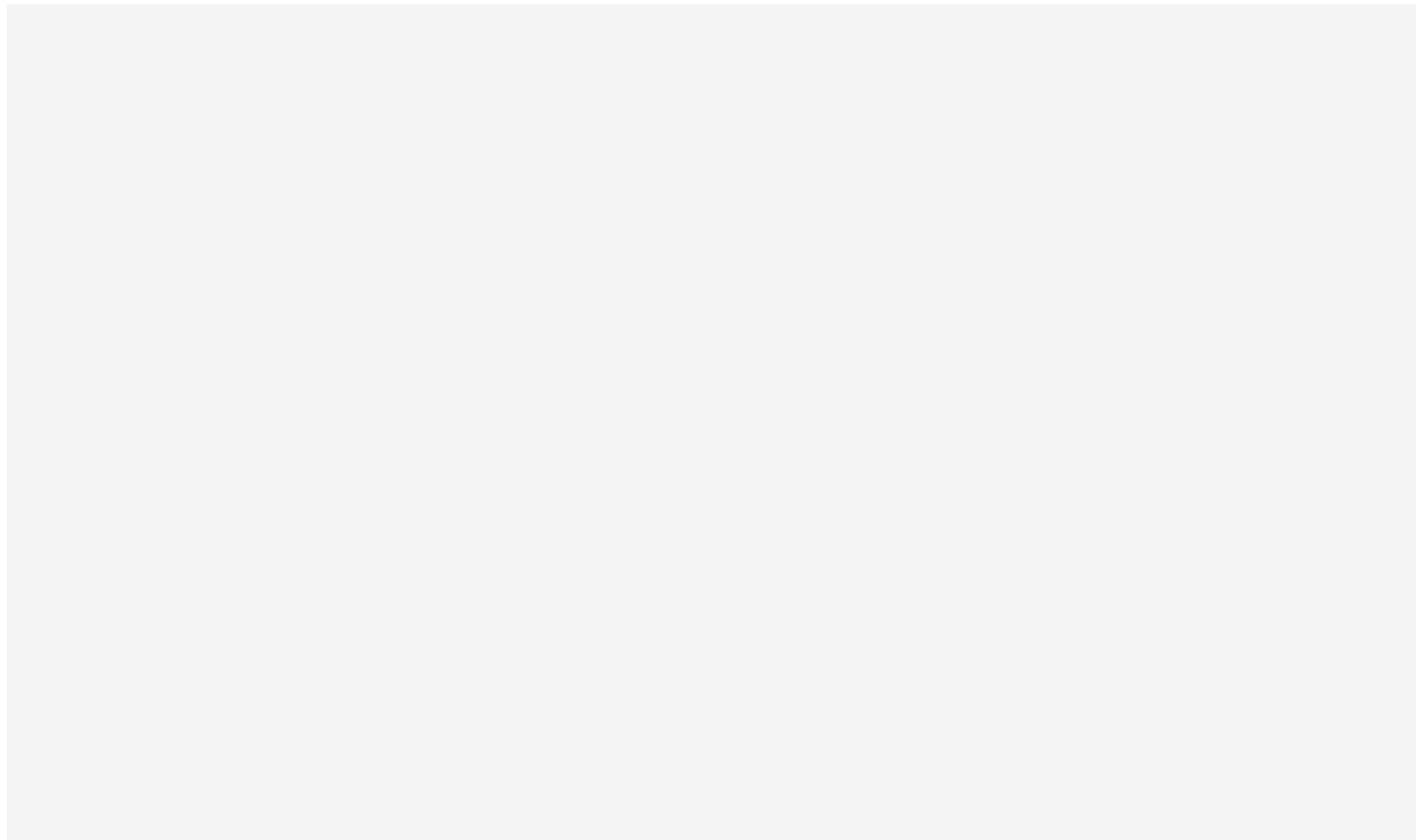
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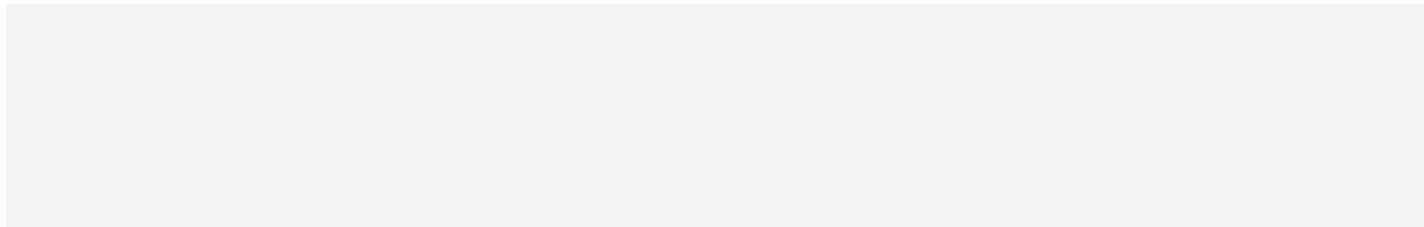
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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

---

BILL: SB 548

INTRODUCER: Senator Collins

SUBJECT: Public Records/Military Personnel and their Spouses and Dependents

DATE: January 8, 2023

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brown	Proctor	MS	<b>Favorable</b>
2.			GO	
3.			RC	

---

**I. Summary:**

SB 548 creates a public records exemption for personal identifying contact and location information held by an agency about current and former military personnel and their families.

Military personnel are current or former:

- Persons employed by the United States Department of Defense (DoD) for whom the federal government grants access to “secret” or “top secret” information; or
- Servicemembers of a special operations force.

Identification and location information included in the exemption are the:

- Home address, telephone numbers, and date of birth of a person who is military personnel;
- Home address, telephone numbers, date of birth, and name and location of a school of a spouse or dependent of the servicemember; and
- Name and location of a day care facility attended by the dependents of the servicemember.

To receive the exemption, a person must submit to the agency a written request and include a statement that the applicant has made reasonable efforts to protect the information from being otherwise publicly accessible.

The bill provides as justification for the exemption that disclosure of the information could otherwise compromise personal safety and security.

The exemption is subject to an Open Government Sunset Review and stands repealed on October 2, 2029, unless the Legislature reenacts and saves the exemption from repeal by that date.

The bill takes effect upon becoming law, and the exemption applies both prospectively and retroactively.

## II. Present Situation:

### Public Records Exemptions

#### *Access to Public Records - Generally*

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in ss. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

#### *Executive Agency Records – The Public Records Act*

The Public Records Act provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>5</sup>

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connections with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”<sup>6</sup>

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<sup>1</sup> FLA. CONST. art. I, s. 24(a).

<sup>2</sup> *Id.* See also, *Sarasota Citizens for Responsible Gov’t v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

<sup>3</sup> See Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, Edition 2, (2022-2024).

<sup>4</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>5</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

<sup>6</sup> *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person's right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.<sup>7</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>8</sup>

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>9</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>10</sup>

General exemptions from the public records requirements are contained in the Public Records Act.<sup>11</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>12</sup>

When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.<sup>13</sup> Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute.<sup>14</sup> Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances.<sup>15</sup>

### ***Open Government Sunset Review Act***

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act<sup>16</sup> (the Act), prescribe a legislative review process for newly created or substantially amended<sup>17</sup> public records or open meetings exemptions, with specified exceptions.<sup>18</sup> The Act requires the repeal of

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<sup>7</sup> Section 119.07(1)(a), F.S.

<sup>8</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>9</sup> FLA. CONST. art. I, s. 24(c).

<sup>10</sup> *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

<sup>11</sup> *See, e.g., s. 119.071(1)(a), F.S.* (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

<sup>12</sup> *See, e.g., s. 213.053(2)(a), F.S.* (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>13</sup> *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5<sup>th</sup> DCA 2004).

<sup>14</sup> *Id.*

<sup>15</sup> *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5<sup>th</sup> DCA 1991).

<sup>16</sup> Section 119.15, F.S.

<sup>17</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

<sup>18</sup> Sections 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>19</sup>

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>20</sup> An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>21</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;<sup>22</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>23</sup>

The Act also requires specified questions to be considered during the review process.<sup>24</sup> In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.<sup>25</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.<sup>26</sup>

## Special Operations Forces

Special Operations Forces (SOF) are those active and reserve component forces of the armed services designated by the Secretary of Defense and specifically organized, trained, and equipped to conduct and support special operations. The U.S. Special Operations Command (USSOCOM),

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<sup>19</sup> Section 119.15(3), F.S.

<sup>20</sup> Section 119.15(6)(b), F.S.

<sup>21</sup> Section 119.15(6)(b)1., F.S.

<sup>22</sup> Section 119.15(6)(b)2., F.S.

<sup>23</sup> Section 119.15(6)(b)3., F.S.

<sup>24</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>25</sup> See generally s. 119.15, F.S.

<sup>26</sup> Section 119.15(7), F.S.

headquartered at MacDill Air Force Base in Tampa, Florida, is a functional combatant command responsible for training, doctrine, and equipping for SOF units.<sup>27</sup>

Specifically, SOF includes:

- Servicemembers of both the U.S. Army Special Forces and the Army 75th Ranger Regiment;
- U.S. Navy SEALs and Special Warfare Combatant-Craft Crewmen;
- U.S. Air Force Combat Control, Pararescue, and Tactical Air Control Party specialists;
- U.S. Marine Corps Critical Skills Operators; and
- Any other component of the U.S. Special Operations Command approved by the Criminal Justice Standards and Training Commission.<sup>28</sup>

As of 2020, USSOCOM out of MacDill Air Force Base consisted of over 70,000 active duty, reserve, National Guard, and civilian personnel assigned to its headquarters (about 2,500 personnel), its four components, and sub-unified commands.<sup>29</sup>

### **History of Public Records Exemption on Identifying and Location Information of a Servicemember**

#### ***Federal Bureau of Investigation Joint Intelligence Bulletin***

On November 30, 2014, the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) issued a Joint Intelligence Bulletin, *Islamic State of Iraq and the Levant and Its Supporters Encouraging Attacks Against Military Personnel* (Joint Bulletin).<sup>30</sup> In it, the FBI and DHS warn of potential attacks on current and former servicemembers by supporters of the Islamic State of Iraq and the Levant (ISIL) who are in Western countries.<sup>31</sup> In support, the Joint Bulletin references a document posted on September 16, 2014, by an ISIL supporter to an ISIL-dominated online forum. The document contained a list by name of potential targets for violence, including military officials.<sup>32</sup>

Based on this, the Joint Bulletin urged servicemembers to be mindful of their content and presence on online social media accounts.<sup>33</sup>

#### ***Public Records Exemption on Identifying and Location Information of Servicemember***

The 2015 Legislature enacted a public records exemption for contact and location information of a servicemember and his or her family.<sup>34</sup> The public record exemption protected from disclosure

<sup>27</sup> Congressional Research Service, *U.S. Special Operations Forces (SOF): Background and Issues for Congress* (May 11, 2022), available at <https://crsreports.congress.gov/product/pdf/RS/RS21048/71> (last visited December 15, 2023).

<sup>28</sup> Section 943.10(5) and (22).

<sup>29</sup> United States Special Operations Command, *Fact Book 2022*, p. 6 (2022), available at <https://www.socom.mil/FactBook/2022%20Fact%20Book.pdf> (last visited December 15, 2023).

<sup>30</sup> Federal Bureau of Investigation (FBI) and Department of Homeland Security (DHS), *Joint Intelligence Bulletin, Islamic State of Iraq and the Levant and Its Supporters Encouraging Attacks Against Military Personnel* (Nov. 30, 2014) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> Chapter 2015-86, Laws of Fla.

identification and location information of current or former active duty servicemembers who served after September 11, 2001 in:

- The United States Armed Forces;
- A reserve component of the Armed Forces; or
- The National Guard.

Information protected by the exemption was the:

- Home address, telephone number (including the telephone number of a personal communications device), and date of birth of a servicemember;
- Home address, telephone number (including the telephone number of a personal communications device), date of birth, and place of employment of the spouse or dependent of a servicemember; and
- Name and location of a school attended by the spouse of a servicemember or a school or day care facility attended by a dependent of a servicemember.

The bill required the servicemember to request the exemption in writing and include a statement that the servicemember made reasonable efforts to protect the information from public access.

The original public necessity statement articulated as justification for the exemption that without the exemption the safety of servicemembers, spouses, and dependents was jeopardized. The public necessity statement made specific reference to a terrorist group allegedly gathering and publishing from public sources photographs and home addresses of servicemembers to target them for terrorist acts.<sup>35</sup>

The bill creating the exemption included a repeal date of October 2, 2020, unless the Legislature saved the exemption from repeal by that date.

### ***Open Government Sunset Review***

The Legislature conducted an Open Government Sunset Review of the public records exemption in 2020.<sup>36</sup> The bill did not pass. Therefore, the exemption was repealed.

### **Subsequent Threats to Servicemembers**

The FBI provided a letter<sup>37</sup> to the Florida Senate updating threats to servicemembers since its issuance of the Joint Bulletin of 2014. In the letter, the FBI submitted that Ardit Ferizi culled the personal identifying information of servicemembers and other government personnel, which totaled about 1,300 individuals, and provided it to an ISIL member, who on August 11, 2015, posted by tweet a list that contained the personal identifying information of the individuals. Further, the FBI submitted that on September 23, 2016, Ardit Ferizi was sentenced to 20 years imprisonment for providing material support to ISIL, and accessing databases containing personal identifying information of tens of thousands of people, including military servicemembers and other governmental personnel.

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<sup>35</sup> *Id.*

<sup>36</sup> CS/CS/SB 7010 (2020).

<sup>37</sup> FBI, *Re: Update on Department of Justice Press Release 16-1085 regarding Ardit Ferizi* (Oct. 11, 2019) (on file with the Senate Committee on Military and Veterans Affairs and Space).

In 2023, the FBI provided a subsequent update to the Joint Intelligence Bulletin of 2014. In response to a query on present continuing threats to servicemembers, the FBI responded, “We have no known additional information that we can provide at this time pertaining to threats of service members and/or their families.”<sup>38</sup>

### III. Effect of Proposed Changes:

SB 548 creates a public records exemption for personal identifying contact and location information held by an agency about current and former military personnel and their families.

Military personnel are current or former:

- Persons employed by the DoD for whom the federal government grants access to “secret” or “top secret” information; or
- Servicemembers of a special operations force.

Identification and location information included in the exemption are the:

- Home address, telephone numbers, and date of birth of a person who is military personnel;
- Home address, telephone numbers, date of birth, and name and location of a school of a spouse or dependent of the servicemember; and
- Name and location of a day care facility attended by the dependents of the servicemember.

As the public records exemption makes the information exempt from disclosure, rather than confidential and exempt, records may be publicly released at the discretion of the records custodian.

To receive the exemption, a person must submit to the agency a written request to exempt from disclosure the identification and location information, including a statement that the applicant has made reasonable efforts to protect the information from being publicly accessible through other available means.

The bill includes in its public necessity statement as justification for the exemption that disclosure of the information could otherwise compromise personal safety and security. In particular, the public necessity statement notes that terrorist groups have threatened military personnel and their families, including one terrorist group that allegedly published a list of photographs and home addresses of military personnel gathered from public sources.

The exemption is subject to an Open Government Sunset Review and stands repealed on October 2, 2029, unless the Legislature reenacts and saves the exemption from repeal by that date.

The exemption applies both prospectively and retroactively.

The bill takes effect upon becoming law.

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<sup>38</sup> Email from Coult Markovsky, Federal Bureau of Investigation (Feb. 21, 2023) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:****Vote Requirement**

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for personal identification and contact information of current or former military personnel, their spouse, and dependents; thus, the bill requires a two-thirds vote to be enacted.

**Public Necessity Statement**

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity and provides specific justification for the exemption.

**Breadth of Exemption**

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect the personal identifying and contact information of only those current or former military personnel with high security clearance and servicemembers of a special operations force, and their families, contained in a record held by government agencies from use by terrorist groups. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.



**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The public records exemption applies prospectively and retroactively. An agency that maintains the information that is the subject of the public records exemption will incur costs to redact the information. Fiscal impact is unknown.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The bill does not specify what legal documentation is required to prove eligible security clearance or membership in a special operations force.<sup>39</sup>

**VIII. Statutes Affected:**

This bill substantially amends section 119.071 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>39</sup> Dep't of Veteran's Affairs, *2024 Agency Legislative Bill Analysis, SB 548*, pg. 5 (Dec. 18, 2023) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

By Senator Collins

14-00658-24

2024548\_\_

1 A bill to be entitled  
 2 An act relating to public records; amending s.  
 3 119.071, F.S.; defining terms; providing an exemption  
 4 from public records requirements for identification  
 5 and location information of certain current and former  
 6 military personnel and their spouses and dependents;  
 7 providing for retroactive application of the  
 8 exemption; providing for future legislative review and  
 9 repeal of the exemption; providing a statement of  
 10 public necessity; providing an effective date.  
 11  
 12 Be It Enacted by the Legislature of the State of Florida:  
 13  
 14 Section 1. Paragraph (k) is added to subsection (5) of  
 15 section 119.071, Florida Statutes, to read:  
 16 119.071 General exemptions from inspection or copying of  
 17 public records.—  
 18 (5) OTHER PERSONAL INFORMATION.—  
 19 (k)1. For purposes of this paragraph, the term:  
 20 a. "Identification and location information" means the:  
 21 (I) Home addresses, telephone numbers, and dates of birth  
 22 of current and former military personnel, and the telephone  
 23 numbers associated with the personal communication devices of  
 24 current and former military personnel.  
 25 (II) Home addresses, telephone numbers, and dates of birth  
 26 of the spouses and dependents of current and former military  
 27 personnel, and the telephone numbers associated with the  
 28 personal communication devices of such spouses and dependents.  
 29 (III) Names and locations of schools attended by the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 spouses of current and former military personnel and schools or  
 31 day care facilities attended by dependents of current and former  
 32 military personnel.  
 33 b. "Military personnel" means persons employed by the  
 34 United States Department of Defense who are authorized to access  
 35 information that is deemed "secret" or "top secret" by the  
 36 Federal Government or who are servicemembers of a special  
 37 operations force.  
 38 c. "Special operations force" has the same meaning as  
 39 provided in s. 943.10(22).  
 40 2. Identification and location information held by an  
 41 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the  
 42 State Constitution if the current or former military personnel  
 43 member submits to an agency that has custody of the  
 44 identification and location information:  
 45 a. A written request to exempt the identification and  
 46 location information from public disclosure; and  
 47 b. A written statement that he or she has made reasonable  
 48 efforts to protect the identification and location information  
 49 from being accessible through other means available to the  
 50 public.  
 51 3. This exemption applies to identification and location  
 52 information held by an agency before, on, or after the effective  
 53 date of this exemption.  
 54 4. This paragraph is subject to the Open Government Sunset  
 55 Review Act in accordance with s. 119.15 and shall stand repealed  
 56 on October 2, 2029, unless reviewed and saved from repeal  
 57 through reenactment by the Legislature.  
 58 Section 2. The Legislature finds that it is a public

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

14-00658-24

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59 necessity that identification and location information of  
60 current and former military personnel, and of their spouses and  
61 dependents, which is held by an agency be made exempt from s.  
62 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
63 State Constitution. Military personnel perform among the most  
64 critical, most effective, and most dangerous operations in  
65 defense of our nation's freedom. Terrorist groups have  
66 threatened military personnel and their families and have  
67 encouraged terrorist sympathizers to harm military personnel and  
68 their families within the United States. One terrorist group has  
69 allegedly gathered the photographs and home addresses of  
70 military personnel from public sources to create and publish a  
71 list of military personnel in order to make such persons  
72 vulnerable to an act of terrorism. The Legislature finds that  
73 allowing continued public access to the identification and  
74 location information of current and former military personnel  
75 and their families jeopardizes the safety of these personnel,  
76 their spouses, and their dependents. The Legislature finds that  
77 protecting the safety and security of current and former  
78 military personnel, and their spouses and dependents, outweighs  
79 any public benefit that may be derived from the public  
80 disclosure of the identification and location information.

81       Section 3. This act shall take effect upon becoming a law.



*The Florida Senate*

## Committee Agenda Request

**To:** Senator Tom Wright, Chair  
Committee on Military and Veterans Affairs, Space, and Domestic Security

**Subject:** Committee Agenda Request

**Date:** December 19, 2023

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I respectfully request that **Senate Bill #548**, relating to Public Records/Military Personnel and their Spouses and Dependents, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Jay Collins", written over a horizontal line.

Senator Jay Collins  
Florida Senate, District 14



## JOINT INTELLIGENCE BULLETIN



30 November 2014

**(U//FOUO) Islamic State of Iraq and the Levant and Its Supporters  
Encouraging Attacks Against Military Personnel****(U) Scope**

(U//FOUO) This Joint Intelligence Bulletin (JIB) is intended to provide information on the potential for Islamic State of Iraq and the Levant (ISIL) and its supporters to carry out attacks on military personnel. The FBI and DHS recommend that current and former members of the military review their online social media accounts for any information that might serve to attract the attention of ISIL and its supporters. This JIB is intended to support the activities of FBI and DHS to assist federal, state, and local government counterterrorism and law enforcement officials, first responders, and private sector security partners in effectively deterring, preventing, preempting, or responding to terrorist attacks against the United States.

(U) Coordinated with DCTC, NCTC.

(U) Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may share this document with authorized critical infrastructure and key resource personnel and private sector security officials without further approval from DHS.

**(U) Overview**

(U//FOUO) The FBI and DHS are issuing this *Bulletin* to advise of public calls by ISIL and its supporters for attacks against military personnel, and to advise that current and former members of the military review their online social media accounts for any information that might serve to attract the attention of violent extremists, and routinely exercise operational security in their interactions online. Attacks and plots over the past three months—involving alleged ISIL supporters acting in several Western countries after calls for attacks by group members—suggest that ISIL's September 2014 endorsement of attacks against members of the military, law enforcement, and government personnel could embolden some violent extremists.\*

**(U//FOUO) ISIL and Online Supporters Call for Attacks Against Military Personnel**

(U//FOUO) ISIL and self-described ISIL supporters on violent extremist web forums and social media are calling for retaliation in the Homeland for ongoing US airstrikes in Iraq and Syria. Leaders of ISIL have made repeated calls for supporters in the United States to pledge an oath of obedience to ISIL and to attack military, law enforcement, security, and intelligence personnel in the Homeland. The FBI and DHS assess that these calls could motivate some homegrown violent extremists (HVEs)† to attempt Homeland attacks, particularly against current and former military personnel.

- » (U//FOUO) The FBI recently received reporting indicating individuals located overseas are spotting and assessing like-minded individuals in the United States who are willing and capable of conducting attacks against current and former US-based members of the United States military.
- » (U//FOUO) On 21 September 2014, a forum participant posted a message containing links to download an English-language translation of an audio message attributed to Abu-Muhammad al-Adnani, the ISIL spokesman, titled "Indeed Your Lord Is Ever Watchful [Koranic verse, al-Fajr, 89:14]." Al-Adnani in the message advocated for lone offenders‡ in the West to attack "soldiers, patrons, and troops...their police, security, and intelligence members." He suggested lone offenders should kill such government personnel "in any manner" and that potential attackers should "not ask for anyone's advice" prior to striking because such attacks are legitimate.

\* (U//FOUO) For more information related to ISIL calls for attacks on military, law enforcement, and other government personnel see FBI, DHS *Joint Intelligence Bulletin* "(U//FOUO) Islamic State of Iraq and the Levant and Its Supporters Encouraging Attacks Against Law Enforcement and Government Personnel," 11 October 2014, IA-0017-15.

† (U//FOUO) The FBI and DHS define an HVE as a person of any citizenship who has lived and/or operated primarily in the United States or its territories who advocates, is engaged in, or is preparing to engage in ideologically motivated terrorist activities (including providing support to terrorism) in furtherance of political or social objectives promoted by a foreign terrorist organization, but is acting independently of direction by a foreign terrorist organization. HVEs are distinct from traditional domestic terrorists who engage in unlawful acts of violence or to intimidate civilian populations or attempt to influence domestic policy without direction from or influence from a foreign actor.

‡ (U//FOUO) The FBI and DHS define a lone offender as an individual motivated by one or more violent extremist ideologies who, operating alone, supports or engages in acts of violence in furtherance of that ideology or ideologies that may involve influence from a larger terrorist organization or a foreign actor.

- » (U//FOUO) On 16 September 2014, an ISIL supporter posted to an ISIL-dominated forum an Arabic-language document—also readily available via an English translation—titled “A Message to 2.6 Million Muslims in the United States: This Is How To Respond to Obama's War on Islam.” In the 11-page document, the author advocates “open source jihad, or lone wolf operations,” and offers a list of potential targets, including military, law enforcement, and government officials.

### **(U//FOUO) October Attacks Used Small Arms and Vehicles to Harm Canadian Military Personnel**

(U//FOUO) Two separate attacks in Canada in October 2014 resulted in two deaths and three injuries of Canadian military and law enforcement personnel.

- » (U//FOUO) On 22 October 2014, Canadian national Michael Zahaf-Bibeau shot and killed a Canadian soldier on guard at the National War Memorial in Ottawa, according to the Royal Canadian Mounted Police (RCMP). The subject then proceeded to the Canadian Parliament building where he entered the foyer and fired numerous rounds of ammunition, injuring two guards before law enforcement fatally shot him, according to media reports. Bibeau likely acted alone, but the investigation into the attack, which could identify possible accomplices, is ongoing.
- » (U//FOUO) On 20 October 2014, Canadian national Martin Rouleau-Couture struck three soldiers with an automobile outside a Canadian military facility located at a strip mall in Saint-Jean-sur-Richelieu, Quebec, killing one, wounding one, and grazing a third. Following the incident, police pursued the subject by car until the subject lost control of his vehicle and crashed into a ditch. He then exited the car and was shot and killed by Canadian police after threatening officers with a knife.

### **(U) Outlook**

(U//FOUO) It is difficult to assess triggers that will contribute to HVEs attempting acts of violence. Moreover, HVE lone offenders present law enforcement with limited opportunities to detect and disrupt plots, which frequently involve simple plotting against targets of opportunity. We urge vigilance in matters of personal safety and reporting to authorities of indicators of preoperational activity.

### **(U) Past Behaviors Associated with Radicalization and Mobilization to Violence**

(U//FOUO) A body of court documents and press reporting reveals several observable behaviors that may indicate radicalization and mobilization to violence by HVEs. Some of these activities may be constitutionally protected, and any determination of possible illicit intent should be supported by additional facts that justify reasonable suspicion. These activities are general in nature and any one may be insignificant on its own, but when observed in combination with other suspicious behaviors—particularly advocacy of violence—they may constitute a basis for reporting.

- » (U//FOUO) Sharing of media glorifying violent extremist acts in attempting to mobilize others to violence;
- » (U//FOUO) New or increased advocacy of violence;

- » (U//FOUO) Encouraging visits to violent extremist websites highlighting perceived Western atrocities against Muslims to encourage others to engage in violence;
- » (U//FOUO) Active participation in violent extremist web forums to recruit or support terrorism;
- » (U//FOUO) Communicating with known or suspected homegrown or foreign-based violent extremists using e-mail or social media platforms;
- » (U//FOUO) A subject's advocacy that their religious, cultural, or national group requires violent defense from an external threat;
- » (U//FOUO) Participation in paramilitary exercises and reconnaissance and surveillance activities in a manner that is reasonably indicative of pre-operational planning related to terrorism, particularly in conjunction with advocacy of violence;
- » (U//FOUO) Suspicious training behavior that would arouse suspicion in a reasonable person, such as the targeting of effigies, mimicking specific operational conditions at gun ranges or gun shows, or practicing assault tactics at paintball facilities;
- » (U//FOUO) Use of cover terms to mask the true meaning of events or nefarious activities combined with active advocacy of violence;
- » (U//FOUO) Acquisition of suspicious quantities of weapons and ammunition, or materials that could be used to produce explosives such as hydrogen peroxide, acetone, gasoline, propane, or fertilizer; and
- » (U//FOUO) Suspicious weapons purchases, such as attempted purchases by individuals providing inconsistent or suspect identification, refusal to fill out the appropriate documentation, or issuance of vague or cryptic warnings that are violent in nature during purchase.

**(U) Report Suspicious Activity**

**(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement.** Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

**(U) Administrative Note: Law Enforcement Response**

(U//FOUO) Information contained in this intelligence bulletin is for official use only. No portion of this *Bulletin* should be released to the media, the general public, or over nonsecure Internet servers. Release of this material could adversely affect or jeopardize investigative activities.

(U) For comments or questions related to the content or dissemination of this document, please contact the Syria-Iraq Task Force by e-mail at [FBI\\_CTAS@ic.fbi.gov](mailto:FBI_CTAS@ic.fbi.gov) or the I&A Production Branch by e-mail at [IA.PM@hq.dhs.gov](mailto:IA.PM@hq.dhs.gov).

**(U) Tracked by: HSEC-8.1, HSEC-8.2, HSEC-8.5, HSEC-8.8.3**





**U.S. Department of Justice  
Federal Bureau of Investigation**

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In Reply, Please Refer to  
File No.

6061 Gate Parkway  
Jacksonville, Florida 32256  
(904) 248-7000  
October 11, 2019

Florida Senate  
Senate Committee on Military and Veterans Affairs and Space  
404 S. Monroe Street,  
Tallahassee, Florida 32301  
Attention: Senior Attorney Cindy Brown

Re: Update on Department of Justice Press Release 16-1085 regarding Ardit Ferizi

Dear Sir or Madam:

On September 23, 2016, the Department of Justice provided information in Press Release 16-1085 which included the following information:

- Ardit Ferizi, aka Th3Dir3ctorY, 20, a citizen of Kosovo, was sentenced today to 20 years in prison for providing material support to the Islamic State of Iraq and the Levant (ISIL), a designated foreign terrorist organization, and accessing a protected computer without authorization and obtaining information in order to provide material support to ISIL.
- Ferizi pleaded guilty on June 15. According to court documents, Ferizi admitted that on or about June 13, 2015, he gained system administrator-level access to a server that hosted the website of a U.S. victim company. The website contained databases with personally identifiable information (PII) belonging to tens of thousands of the victim company's customers, including members of the military and other government personnel. Ferizi subsequently culled the PII belonging to U.S. military members and other government personnel, which totaled approximately 1,300 individuals. That same day, on June 13, Ferizi provided the PII belonging to the 1,300 U.S. military members and government personnel to Junaid Hussain, a now-deceased ISIL recruiter and attack

facilitator. Ferizi and Hussain discussed publishing the PII of those 1,300 victims in a hit list.

- According to court documents, on Aug. 11, 2015, in the name of the Islamic State Hacking Division (ISHD), Hussain posted a tweet that contained a document with the PII of the approximately 1,300 U.S. military and other government personnel that Ferizi had taken from the victim company and provided to Hussain. The document stated, in part, that “we are in your emails and computer systems, watching and recording your every move, we have your names and addresses, we are in your emails and social media accounts, we are extracting confidential data and passing on your personal information to the soldiers of the khilafah, who soon with the permission of Allah will strike at your necks in your own lands!” Ferizi admitted that he provided the PII to ISIL with the understanding that ISIL would use the PII to “hit them hard.”

In February of 2019, the FBI Jacksonville Field Office identified 12 new web pages that were hosting the ISIL hit list with all or some of the PII of the approximately 1,300 victims. The FBI requested the removal of the web pages that were displaying the ISIL hit lists and verified that they were taken down. The FBI also sent victim notifications in regards to identifying the 12 new web pages hosting the ISIL hit lists in 2019. Attached to this communication are three examples of the ISIL hit lists targeting U.S. military members and other government personnel that were identified and removed in February of 2019. The three enclosed examples were redacted by the FBI.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rachel R.", with a stylized flourish at the end.

Rachel L. Rojas  
Special Agent in Charge

US ARMY HACKED BY #UCC  
UNITED CYBER CALIPHATE  
#KILL\_DOGS

=====

الجيش الامريكي ( )  
تم الاختراق بواسطة اتحاد قراصنة الخلافة  
#اقتلوا الصليبيين  
#الثأر للمسلمين



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قال تعالى

"واقتلوهم حيث ثقفتموهم"



US Air Force	Stockton
US Air Force	AE
US Air Force	USAF Academy
US Air Force	APD
US Air Force	Peoria
US Air Force	las vegas
US Air Force	Tucson
US Air Force	APD
US Air Force	La Puente
US Air Force	TYNDALL APB.
US Air Force	destin
US Air Force	Patrick AFB
US Air Force	APD
US Air Force	AE
US Air Force	Moore
US Air Force	AE
US Air Force	APD
US Air Force	APD
US Air Force	APD
US Air Force	APD
US Air Force	Jackson
US Air Force	North Hillenca
US Air Force	APD
US Air Force	AE



..بسم الله الرحمن الرحيم..

## Cyber Kahilafah

**[+] الآن الآن جاء القتال**

**هذه قائمة مخصصة للذئاب المنفرده لا تدعوهم ينامون الليل حولو  
[+] ليهم نهارا و دماثهم انهارا**

**[+] Target: United States Government And Military - The  
Head of The Crusader Coalition**

**[+] Hack: U.S Military And Government Emails,  
Passwords, Names, Phone Numbers and Location  
Information Leaked**

Peace Be Upon The One Who Follows True Guidance

O Crusaders, as you continue your aggression towards the Islamic State and your bombing campaign against the Muslims, know that we are in your emails and computer systems, watching and recording your every move, we have your names and addresses, we are in your emails and social media accounts, we are extracting confidential data and passing on your personal information to the soldiers of the Khilafah, who soon with the permission of Allah will strike at your necks in your own lands! "So wait, we too are waiting"

- Islamic State Hacking Division

Full Name / First Name	Last name	Department / Division	E-Mail	Password	City / State	Zip Code	Phone /
		110th Military Police Company - US Army 1-63 cab - US Army 200th MMC - US Army 209TH ASB S-4 - US Army 252 SOC 99 CES/CECMAR 4th Infantry Division - US Army 5th Signal Bnd - US Army 613 AOC/COB 65th Medical Group/SGSL 731 AMS abc group BDV Adalet Turkey AFOSI Region 5 African Development Foundation African Development Foundation African Development Foundation AfrCom Afrcom Afrcom Alabama American Consulate General Shanghai American Consulate General Shanghai					

## Proctor, Tim

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**From:** Coult Markovsky <cwmarkovsky@fbi.gov>  
**Sent:** Tuesday, February 21, 2023 2:28 PM  
**To:** Proctor, Tim  
**Subject:** Information Request

Good afternoon Tim,

I apologize for the delay. Please see the statement below and let me know if we can assist in the future,

We have no known additional information that we can provide at this time pertaining to threats of service members and/or their families.

Thank you,

Coult Markovsky  
Assistant Special Agent in Charge  
National Security/Intelligence/Tactical Operations  
FBI Jacksonville Division  
Desk: 904-248-7003  
Cell: 410-271-1285

PLEASE BE ADVISED that information contained in this email is the property of the United States government (FBI) and is being loaned to you on the condition that it remains confidential. Accordingly, this information may not be distributed outside your agency without the prior written approval of the FBI, in conformance with the provisions of federal laws and regulations, including the Freedom of Information Act, 5 U.S.C. Sec. 552, and the Privacy Act of 1974, 5 U.S.C. Sec. 552a, as well as applicable civil and criminal discovery privileges. Pursuant to Fla. Stat. §§ 119.071(2)(b) & 119.071(3)(a), this information is confidential and may be exempt from public disclosure under Fla. Stat. § 119.07(1) and Section 24(a), Art. I of the Florida Constitution (the "Sunshine" law). The email and any/all attachments are Unclassified and Law Enforcement Sensitive. Precautions should be ensured the information shared is protected. This information may not be posted on a website, twitter, or any unclassified network.



## 2024 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Florida Department of Veterans' Affairs

### BILL INFORMATION

BILL NUMBER:	SB 548
BILL TITLE:	Public Records/Military Personnel and their Spouses and Dependents
BILL SPONSOR:	Senator Collins
EFFECTIVE DATE:	Upon becoming law

### COMMITTEES OF REFERENCE

1) Military and Veterans Affairs, Space, and Domestic Security
2) Governmental Oversight and Accountability
3) Rules
4) Click or tap here to enter text.
5) Click or tap here to enter text.

### CURRENT COMMITTEE

Military and Veterans Affairs, Space, and Domestic Security
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### SIMILAR BILLS

BILL NUMBER:	SB 308
SPONSOR:	Senator Jay Trumbull

### PREVIOUS LEGISLATION

BILL NUMBER:	Click or tap here to enter text.
SPONSOR:	Click or tap here to enter text.
YEAR:	Click or tap here to enter text.
LAST ACTION:	Click or tap here to enter text.

### IDENTICAL BILLS

BILL NUMBER:	HB 319
SPONSOR:	Representatives Holcomb and Rudman

### Is this bill part of an agency package?

No

### BILL ANALYSIS INFORMATION

DATE OF ANALYSIS:	12/18/2023
LEAD AGENCY ANALYST:	Brandon Edmonston
ADDITIONAL ANALYST(S):	Click or tap here to enter text.
LEGAL ANALYST:	Christopher G. Krampert

**FISCAL ANALYST:**

Click or tap here to enter text.

**POLICY ANALYSIS****1. EXECUTIVE SUMMARY**

SB 548 expands Florida's public records laws and opts to redact information such as identity, date of birth, location, home address, telephone numbers, schools, place of employment, telephones numbers associated with spouses or dependents, as well as schools noted spouses or dependents are attending. The bill is an effort to protect current and former military personnel and their families from possible threats due to gathered information regarding threats or plans to cause harm to current and former military personnel and their spouses and dependents. This language applies to all men and women who have served and or continue to serve in the U.S. Armed Forces. The benefit of this exemption is stated to outweigh any benefit from the latter. Requests for exemptions are to be made through written request. This bill includes a retroactive application regarding the exemption. Open for repeal on Oct. 2 2029 unless acted upon by the Legislature.

**2. SUBSTANTIVE BILL ANALYSIS****1. PRESENT SITUATION:**

There is currently no law in the State of Florida exempting current and former military personnel and their spouses and dependents from public records disclosure.

**2. EFFECT OF THE BILL:**

This language creates paragraph (k) in Subsection 5 of Section 119.071 of Chapter 119 of Florida Statute. Provides the previously mentioned exemptions for current and former military personnel and their spouses and dependents.

**3. DOES THE BILL DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES? Y ☒ N ☐**

If yes, explain:	Rules are subject to change upon this bill becoming law to follow new statute to abide by the new rule for exemptions regarding current and former military personnel, their spouses, and their dependents.
Is the change consistent with the agency's core mission?	Y <input type="checkbox"/> N <input type="checkbox"/>
Rule(s) impacted (provide references to F.A.C., etc.):	Click or tap here to enter text.

**4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?**

Proponents and summary of position:	Click or tap here to enter text.
Opponents and summary of position:	Click or tap here to enter text.



**5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL?**Y ☐ N ☒

If yes, provide a description:	Click or tap here to enter text.
Date Due:	Click or tap here to enter text.
Bill Section Number(s):	Click or tap here to enter text.

**6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL?**Y ☐ N ☒

Board:	Click or tap here to enter text.
Board Purpose:	Click or tap here to enter text.
Who Appoints:	Click or tap here to enter text.
Changes:	Click or tap here to enter text.
Bill Section Number(s):	Click or tap here to enter text.

## FISCAL ANALYSIS

**1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT?**Y ☐ N ☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Does the legislation increase local taxes or fees? If yes, explain.	Click or tap here to enter text.
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

**2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT?**Y ☐ N ☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Does the legislation contain a State Government appropriation?	Click or tap here to enter text.

If yes, was this appropriated last year?	
--	--

**3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?**Y ☐ N ☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Other:	Click or tap here to enter text.

**4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?**Y ☐ N ☒

If yes, explain impact.	Click or tap here to enter text.
Bill Section Number:	Click or tap here to enter text.

**TECHNOLOGY IMPACT**

1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)? Y ☐ N ☒

If yes, describe the anticipated impact to the agency including any fiscal impact.

Click or tap here to enter text.

**FEDERAL IMPACT**

1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y ☐ N ☒

If yes, describe the anticipated impact including any fiscal impact.

Click or tap here to enter text.

**ADDITIONAL COMMENTS**

Click or tap here to enter text.

**LEGAL - GENERAL COUNSEL'S OFFICE REVIEW**

Issues/concerns/comments:

There are no substantive legal concerns with this bill. Servicemembers were previously entitled to Public Records exemptions when the Legislature enacted Chapter 2015-86, L.O.F. This exemption was subject to Open Government Sunset Review during the 2020 Legislative Session, however the bill continuing the exemption Died in Messages when the Legislature adjourned Sine Die.

This bill differs with SB 308 by to limiting the protection to persons and family of persons employed by the United States Department of Defense who are authorized to access information that is deemed "secret" or "top secret" by the Federal Government or who are members of a special operations force.

It is uncertain what legal documentation provided to State entities would be determinative of security clearance status or membership in special operations forces.



**FLORIDA SHERIFFS**  
**ASSOCIATION**

PROTECTING, LEADING  
& UNITING SINCE 1893

**Senate Military and Veterans Affairs, Space, and  
Domestic Security Committee  
Presentation by Sheriff Rob Hardwick  
January 9, 2024**

# FSA'S MISSION

- Since 1893, the Florida Sheriffs Association has been the voice of Florida's sheriffs, united in the service of protecting Florida's citizens and visitors. We are committed to fostering the effectiveness of the Office of Sheriff through leadership, innovative practices, legislative initiatives, education and training.



# FSA LEGISLATIVE PROCESS

FSA  
President

- Sheriff Bill Leeper,  
Nassau County



Legislative  
Chair

- Sheriff Bob Gualtieri,  
Pinellas County



Legislative  
Committee

- Sheriffs  
Appointed  
by the  
President



# 2024 FSA LEGISLATIVE COMMITTEE

## Sheriff Bob Gualtieri, Chair (Pinellas)

Sheriff Rick Wells (Manatee)

Sheriff Grady Judd (Polk)

Sheriff Mike Adkinson (Walton)

Sheriff Dennis Lemma (Seminole)

Sheriff Michelle Cook (Clay)

Sheriff John Mina (Orange)

Sheriff Rob Hardwick (St. Johns)

Sheriff Bill Prummell (Charlotte)

Sheriff Mike Harrison (Gulf)

Sheriff Bobby Schultz (Gilchrist)

Sheriff Mark Hunter (Columbia)

Sheriff Will Snyder (Martin)

Sheriff Bobby McCallum (Levy)

Sheriff Billy Woods (Marion)

Sheriff Emery Gainey (Alachua)





# FSA 2024 LEGISLATIVE PRIORITIES





# LEGISLATIVE PRIORITIES

- **Officer & Deputy Wellness – Budget Proviso**
  - Will ensure a portion of the Opioid Settlement Trust Funds (under the Department of Children and Families) are allocated for the mental health, wellness, and support services for first responders who experience trauma associated with opioid-related emergency events.
- **Reemployment Post Retirement (SB 400 by Sen. Burgess)**
  - The bill allows all FRS Pension Plan members, including sworn law enforcement and correctional officers to return to Florida Retirement System (FRS) employment within six calendar months of becoming a Pension Plan retiree without restrictions or interruption of Pension Plan benefits.



# Domestic Security Initiatives



# DOMESTIC SECURITY

- **Sheriffs continue to work with FDLE and state fusion center on information dissemination**
  - Fusion Center model works and allows for actionable intelligence to flow from all level of government.
- **Florida Model Jail Standards and New Initiatives**
  - Member of the FMJS and working to ensure all jails are safely inspected.
  - Sheriffs are working to gather and collect intel to share among federal, state and local law enforcement agencies.





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Military and Veterans Affairs, Space, and Domestic Security, *Vice Chair*  
Appropriations Committee on Criminal and Civil Justice  
Banking and Insurance  
Commerce and Tourism  
Fiscal Policy  
Rules  
Transportation

### JOINT COMMITTEES:

Joint Select Committee on Collective Bargaining

**SENATOR VICTOR M. TORRES, JR.**

25th District

January 9, 2024

Tom Wright, Chair  
Military and Veterans Affairs, Space and Domestic Security Committee.  
404 S Monroe Street  
Tallahassee

Please accept this letter of excusal from myself for the January 9<sup>th</sup> Military and Veterans Affairs, Space and Domestic Security Committee due to an illness. Please accept this letter as a formal request for excusal of this absence. Please let me know if you have any questions or need any additional information.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Victor M. Torres, Jr.", is written over a light blue horizontal line.

Victor M. Torres, Jr.  
Florida State Senator  
District 25

### REPLY TO:

- ☐ 101 Church Street, Suite 305, Kissimmee, Florida 34741 (407) 846-5187 FAX: (850) 410-4817
- ☐ 214 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5025

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore

# CourtSmart Tag Report

**Room:** SB 301

**Case No.:**

**Type:**

**Caption:** Senate Military and Veterans Affairs, Space and Domestic Security Committee

**Judge:**

**Started:** 1/9/2024 2:32:00 PM

**Ends:** 1/9/2024 2:59:05 PM **Length:** 00:27:06

2:32:02 PM Meeting called to order  
2:32:09 PM Roll Call  
2:32:18 PM Pledge of Allegiance  
2:32:51 PM Chair Wright remarks  
2:33:10 PM Tab 1 SB 346 Special Observances  
2:33:20 PM Senator Ingoglia  
2:33:36 PM Questions  
2:34:41 PM Amendment Barcode 165528  
2:34:49 PM Senator Ingolia  
2:35:13 PM Questions  
2:35:24 PM Senator Ingoglia  
2:35:31 PM Amendment adopted  
2:35:36 PM Back on Bill as amended  
2:35:40 PM Questions  
2:35:43 PM Appearance Forms  
2:35:45 PM Kenneth Reinhardt speaks  
2:36:42 PM Russ Johnson speaks  
2:37:50 PM Karen Murillo waives  
2:38:24 PM Senator Ingoglia  
2:38:35 PM Roll call, quorum announced  
2:38:46 PM CS/SB 346 is reported favorably  
2:39:03 PM Tab 2 SM 540 Chinese and Cuban Governments  
2:39:11 PM Senator Avila  
2:40:45 PM Questions  
2:41:03 PM Senator Avila  
2:41:09 PM Roll call  
2:41:12 PM SM 540 is reported favorably  
2:41:21 PM Tab 3 SB 548 Public Records/Military Personnel and thier Spouses and Dependents  
2:41:30 PM Senator Collins  
2:42:28 PM Questions  
2:42:34 PM Senator Pizzo  
2:43:09 PM Chair Wright  
2:44:29 PM Senator Collins  
2:44:45 PM Roll call  
2:44:53 PM SB 548 is reported favorably  
2:45:07 PM Tab 4 Presentation on Domestic Security-Florida Sheriffs Association  
2:45:52 PM Sheriff Rob Hardwick presents  
2:51:41 PM Questions  
2:51:47 PM Senator Pizzo  
2:51:50 PM Sheriff Hardwick  
2:52:15 PM Chair Wright

**2:53:14 PM** Sheriff Hardwick  
**2:54:22 PM** Chair Wright  
**2:54:28 PM** Sheriff Hardwick  
**2:55:42 PM** Chair Wright  
**2:55:43 PM** Sheriff Hardwick  
**2:56:01 PM** Chair Wright  
**2:56:48 PM** Sheriff Hardwick  
**2:57:22 PM** Chair Wright  
**2:58:23 PM** Sheriff Hardwick  
**2:58:35 PM** Senator Pizzo moves to adjourn  
**2:58:53 PM** Meeting adjourned