

By Senator Legg

17-00154A-15

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 190.0121, F.S.; providing an exemption from public
4 records requirements for certain surveillance
5 recordings held by a community development district;
6 providing exceptions; providing for future legislative
7 review and repeal of the exemption; providing a
8 statement of public necessity; providing an effective
9 date.

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

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13 Section 1. Section 190.0121, Florida Statutes, is created
14 to read:

15 190.0121 Public records exemption; surveillance
16 recordings.-

17 (1) A surveillance recording created by monitoring
18 activities occurring inside or outside a public building or on
19 public property which is held by a community development
20 district is confidential and exempt from s. 119.07(1) and s.
21 24(a), Art. I of the State Constitution.

22 (2) A community development district may disclose such a
23 recording:

24 (a) To a law enforcement agency in the furtherance of the
25 agency's official duties and responsibilities; or

26 (b) Pursuant to a court order.

27 (3) This section is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15 and shall stand repealed
29 on October 2, 2020, unless reviewed and saved from repeal

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30 through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that any surveillance recording created by monitoring
33 activities occurring inside or outside a public building or on
34 public property which is held by a community development
35 district be made confidential and exempt from s. 119.07(1),
36 Florida Statutes, and s. 24(a), Article I of the State
37 Constitution. Community development districts provide
38 surveillance of public areas in order to monitor activities
39 occurring within the districts and to ensure the security of the
40 district residents. The exemption for surveillance recordings
41 allows community development districts to effectively and
42 efficiently provide security and surveillance while maintaining
43 the privacy of the residents and the guests of the residents,
44 including those who use community facilities. Without the public
45 records exemption, coverage and other technical aspects of the
46 surveillance system would be revealed and would make it easier
47 for individuals who wish to evade detection by the surveillance
48 systems to do so. As such, the Legislature finds that it is a
49 public necessity to prohibit the disclosure of such surveillance
50 recordings held by a community development district.

51 Section 3. This act shall take effect July 1, 2015.