

1 A bill to be entitled
 2 An act relating to public records; creating s.
 3 379.1026, F.S.; providing an exemption from public
 4 records requirements for the site-specific location
 5 information of certain endangered and threatened
 6 species; providing for future legislative review and
 7 repeal of the exemption; providing a statement of
 8 public necessity; providing an effective date.

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

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 12 Section 1. Section 379.1026, Florida Statutes, is created
 13 to read:

14 379.1026 Site-specific location information for endangered
 15 and threatened species; public records exemption.-

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

17 (a) "Agency" has the same meaning as in s. 119.011.

18 (b) "Endangered species" has the same meaning as in s.
 19 379.2291(3)(b).

20 (c) "Threatened species" has the same meaning as in s.
 21 379.2291(3)(c).

22 (2) The site-specific location information held by an
 23 agency concerning a species listed by a federal agency as
 24 endangered or threatened or listed by the Fish and Wildlife
 25 Conservation Commission as threatened is exempt from s.

26 | 119.07(1) and s. 24(a), Art. I of the State Constitution. This
27 | exemption is not waived by the release of such location
28 | information to another agency or to an educational institution
29 | or scientific facility for research purposes. This section is
30 | subject to the Open Government Sunset Review Act in accordance
31 | with s. 119.15 and shall stand repealed on October 2, 2025,
32 | unless reviewed and saved from repeal by the Legislature.

33 | Section 2. The Legislature finds that it is a public
34 | necessity that the site-specific location information held by an
35 | agency concerning a species listed by a federal agency as
36 | endangered or threatened or listed by the Fish and Wildlife
37 | Conservation Commission as threatened be made exempt from s.
38 | 119.07(1), Florida Statutes, and s. 24(a), Article I of the
39 | State Constitution. The Legislature finds that the release of
40 | such location information would jeopardize the continued
41 | existence of endangered or threatened species by increasing the
42 | risk of exposure to wildlife poachers or by threatening the
43 | integrity of the site due to increased use or traffic. This
44 | exemption protects private property owners from potential
45 | trespass and related liability issues when endangered or
46 | threatened species are found on their properties and encourages
47 | such property owners, as well as researchers, to provide
48 | agencies with information they might not otherwise provide if
49 | such location information were made public. The Legislature
50 | finds that the harm that may result from the release of such

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51 | location information outweighs any public benefit that may be
52 | derived from the disclosure of the information.

53 | Section 3. This act shall take effect July 1, 2020.