

By Senator Baxley

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 320.025, F.S.; expanding a public records exemption to
4 include all records pertaining to a registration
5 application submitted by any criminal conflict and
6 civil regional counsel office; providing for future
7 legislative review and repeal; providing a statement
8 of public necessity; providing a contingent 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. Subsection (3) of section 320.025, Florida
14 Statutes, is amended, and subsection (4) is added to that
15 section, to read:

16 320.025 Registration certificate and license plate or decal
17 issued under fictitious name; application.-

18 (3) This section constitutes an exception to other statutes
19 relating to falsification of public records, false swearing, and
20 similar matters. All records relating to the registration
21 application of the Attorney General's Medicaid Fraud Control
22 Unit, a law enforcement agency, ~~or~~ any state public defender's
23 office, or any office of criminal conflict and civil regional
24 counsel, and records necessary to carry out the intended purpose
25 of this section, are exempt from ~~the provisions of~~ s. 119.07(1),
26 and s. 24(a), Art. I of the State Constitution as long as the
27 information is retained by the department. This section does not
28 prohibit other personations, fabrications, or creations of false
29 identifications by the Attorney General's Medicaid Fraud Control

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30 Unit, ~~or~~ law enforcement or public defender's officers, or a
31 regional counsel office in the official performance of covert
32 operations.

33 (4) This section is subject to the Open Government Sunset
34 Review Act in accordance with s. 119.15 and shall stand repealed
35 on October 2, 2027, unless reviewed and saved from repeal
36 through reenactment by the Legislature.

37 Section 2. The Legislature finds that it is a public
38 necessity that all records relating to the application for a
39 confidential registration certificate and registration license
40 plate or decal submitted by an office of criminal conflict and
41 civil regional counsel, and any other records necessary to carry
42 out the intended purpose of s. 320.025, Florida Statutes, be
43 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
44 Article I of the State Constitution. Investigations by an office
45 of criminal conflict and civil regional counsel may be
46 jeopardized by the registration of motor vehicles under the
47 office's name or under the names of the office's investigators
48 in that persons under investigation may acquire such
49 registration information in order to seek retaliation against
50 the office or its investigators. Authorizing offices of criminal
51 conflict and civil regional counsel to obtain confidential
52 registration certificates and registration license plates or
53 decals in the same manner as other law enforcement agencies
54 would better ensure the safety of the regional counsel offices'
55 investigators in performing their official duties.

56 Section 3. This act shall take effect on the same date that
57 SB ____ or similar legislation takes effect, if such legislation
58 is adopted in the same legislative session or an extension

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59 | thereof and becomes a law.