

By the Committee on Judiciary; and Senator Baxley

590-01915-22

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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 for a registration
7 certificate and registration license plate or decal
8 issued under a fictitious name; providing for future
9 legislative review and repeal; providing a statement
10 of public necessity; providing a contingent effective
11 date.

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

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15 Section 1. Subsection (3) of section 320.025, Florida
16 Statutes, is amended, and subsection (4) is added to that
17 section, to read:

18 320.025 Registration certificate and license plate or decal
19 issued under fictitious name; application.—

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

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30 prohibit other personations, fabrications, or creations of false
31 identifications by the Attorney General's Medicaid Fraud Control
32 Unit, ~~or~~ law enforcement or public defender's officers, or a
33 regional counsel office in the official performance of covert
34 operations.

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36 Review Act in accordance with s. 119.15 and shall stand repealed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

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

58 Section 3. This act shall take effect on the same date that

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59 SB 596 or similar legislation takes effect, if such legislation
60 is adopted in the same legislative session or an extension
61 thereof and becomes a law.