1   A bill to be entitled

2   An act relating to public records; amending s. 823.15,

3   F.S.; providing an exemption from public records

4   requirements for records containing certain

5   information pertaining to persons with legal custody

6   of an animal from an animal shelter or animal control

7   agency operated by a local government; providing for

8   future legislative review and repeal of the exemption;

9   providing a statement of public necessity; providing

10   an effective date.

11

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

13

14   Section 1. Subsection (7) is added to section 823.15,

15   Florida Statutes, to read:

16   823.15 Public or private animal agencies; sterilization

17   required for dogs and cats released; recordkeeping requirements;

18   microchipping; public records exemption.—

19   (7) The names and e-mail addresses, as well as the home

20   addresses and telephone numbers, as those terms are defined in

21   s. 119.071(4)(d), of persons who foster, adopt, or otherwise

22   receive legal custody of an animal from an animal shelter or

23   animal control agency operated by a county, municipality, or

24   other incorporated political subdivision in any record relating

25   to the animal and held by the shelter or agency are exempt from

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26 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
27 | This subsection is subject to the Open Government Sunset Review
28 | Act in accordance with s. 119.15 and shall stand repealed on
29 | October 2, 2028, unless reviewed and saved from repeal through
30 | reenactment by the Legislature.
31 | Section 2. The Legislature finds that, as reflected in s.
32 | 823.15(1), Florida Statutes, it is an important public policy of
33 | the state to encourage the fostering, adoption, and transfer of
34 | animals and to reduce euthanasia rates for animals in animal
35 | shelters and animal control agencies. Although such shelters and
36 | agencies are motivated to find new homes or placements for
37 | animals in their custody, potential fosterers and adopters and
38 | other persons considering receiving legal custody of animals may
39 | become discouraged from fostering, adopting, or receiving legal
40 | custody of the animals if the prior owners who lost or
41 | surrendered legal custody of the animals, or who did not reclaim
42 | the animals within the applicable time periods, can obtain such
43 | persons' identifying information and attempt to regain legal
44 | custody of the animals from such persons. The Legislature finds
45 | that the stalking, harassment, and intimidation of animal
46 | fosterers, adopters, and other persons receiving legal custody
47 | of animals by prior animal owners, as well as prior animal
48 | owners' theft of animals from such persons, are threats to
49 | public safety and welfare and to the sanctity of private
50 | property, the family, and the home. The Legislature therefore

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51 finds that it is a public necessity that the names, home
52 addresses, e-mail addresses, and telephone numbers of persons
53 who foster, adopt, or otherwise receive legal custody of an
54 animal from an animal shelter or animal control agency operated
55 by a county, municipality, or other incorporated political
56 subdivision in any record relating to such animal and held by
57 such shelter or agency be made exempt from s. 119.07(1), Florida
58 Statutes, and s. 24(a), Art. I of the State Constitution. The
59 Legislature further finds that the need to protect the names,
60 home addresses, e-mail addresses, and telephone numbers of
61 animal fosterers, adopters, and other persons receiving legal
62 custody of animals is sufficiently compelling to override the
63 state's public policy of open government and that the protection
64 of such information cannot be accomplished without this
65 exemption.
66   Section 3.   This act shall take effect July 1, 2023.