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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/11/2023	.	
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The Committee on Rules (Martin) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (10) is added to section 943.68,  
Florida Statutes, and subsections (1), (5), and (6) of that  
section are republished, to read:

943.68 Transportation and protective services.—

(1) The department shall provide and maintain the security  
of the Governor, the Governor's immediate family, and the  
Governor's office and mansion and the grounds thereof.



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12 (5) The department is authorized to provide security or  
13 transportation to visiting governors and their families upon  
14 request by the Governor.

15 (6) The department shall provide security or transportation  
16 services to other persons when requested by the Governor, the  
17 Lieutenant Governor, a member of the Cabinet, the Speaker of the  
18 House of Representatives, the President of the Senate, or the  
19 Chief Justice of the Supreme Court, subject to certification by  
20 the requesting party that such services are in the best interest  
21 of the state. The requesting party may delegate certification  
22 authority to the executive director of the department. The  
23 requesting party shall limit such services to persons:

24 (a) Who are visiting the state; for whom such services are  
25 requested by the Governor, the Lieutenant Governor, a member of  
26 the Cabinet, the Speaker of the House of Representatives, the  
27 President of the Senate, or the Chief Justice of the Supreme  
28 Court; and for whom the primary purpose of the visit is for a  
29 significant public purpose; or

30 (b) For whom the failure to provide security or  
31 transportation could result in a clear and present danger to the  
32 personal safety of such persons or to the safety of other  
33 persons or property within this state or could result in public  
34 embarrassment to the state.

35 (10) (a) Records held by a law enforcement agency relating  
36 to security or transportation services provided under subsection  
37 (1), subsection (5), or subsection (6) are exempt from s.  
38 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
39 exemption applies to records held by a law enforcement agency  
40 before, on, or after the effective date of this act.



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41 (b) This subsection is subject to the Open Government  
42 Sunset Review Act in accordance with s. 119.15 and shall stand  
43 repealed on October 2, 2028, unless reviewed and saved from  
44 repeal through reenactment by the Legislature.

45 Section 2. The Legislature finds that it is a public  
46 necessity that records held by a law enforcement agency relating  
47 to security or transportation services provided under s.  
48 943.68(1), (5), or (6), Florida Statutes, be made exempt from s.  
49 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
50 State Constitution. Information obtained by a law enforcement  
51 agency authorized by law to provide security or transportation  
52 services to persons, including the Governor, the Governor's  
53 immediate family, visiting governors and their families, the  
54 Lieutenant Governor, a member of the Cabinet, the Speaker of the  
55 House of Representatives, the President of the Senate, or the  
56 Chief Justice of the Supreme Court, or for persons for whom such  
57 services are requested by the Governor, the Lieutenant Governor,  
58 a member of the Cabinet, the Speaker of the House of  
59 Representatives, the President of the Senate, or the Chief  
60 Justice of the Supreme Court, the disclosure of which could  
61 endanger the protected person, should not be disclosed to the  
62 public. The disclosure of such records, including security,  
63 operational, and logistical plans; risk, vulnerability, and  
64 threat assessments; travel information relating to the protected  
65 person and law enforcement agents and personnel providing the  
66 security or transportation services; and identifying information  
67 of sworn and nonsworn personnel engaged in a security or  
68 transportation services operation or detail could reveal the  
69 means and methods of providing the required security or



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70 transportation services and could impair the ability of the law  
71 enforcement agency to ensure the safety and security of the  
72 protected person. The disclosure of such records could also  
73 endanger the law enforcement agents and personnel providing the  
74 security or transportation services. The Legislature finds that  
75 the safety and security of persons authorized protection under  
76 s. 943.68(1), (5), or (6), Florida Statutes, as well as the  
77 safety and security of law enforcement agents and personnel  
78 providing the security or transportation services, outweigh any  
79 public benefit that may be derived from the disclosure of such  
80 records. Therefore, it is a public necessity that records held  
81 by a law enforcement agency relating to security or  
82 transportation services provided under s. 943.68(1), (5), or  
83 (6), Florida Statutes, be made exempt from public records  
84 requirements.

85 Section 3. The Division of Law Revision is directed to  
86 replace the phrase "the effective date of this act" wherever it  
87 occurs in this act with the date this act becomes a law.

88 Section 4. This act shall take effect upon becoming a law.

89  
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete everything before the enacting clause  
93 and insert:

94 A bill to be entitled  
95 An act relating to public records; amending s. 943.68,  
96 F.S.; providing an exemption from public records  
97 requirements for records held by a law enforcement  
98 agency relating to certain security or transportation



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99 services; providing for retroactive application;  
100 providing for legislative review and repeal of the  
101 exemption; providing a statement of public necessity;  
102 providing a directive to the Division of Law Revision;  
103 providing an effective date.