

By Senator DiCeglie

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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 held by an animal shelter or
5 animal control agency operated by a local government
6 which contain certain information pertaining to
7 persons with legal custody of an animal; 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:

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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 personal identifying information of persons who
20 foster, adopt, or otherwise receive legal custody of an animal
21 from an animal shelter or animal control agency operated by a
22 county, municipality, or other incorporated political
23 subdivision in any record relating to the animal and held by the
24 shelter or agency are exempt from s. 119.07(1) and s. 24(a),
25 Art. I of the State Constitution. This subsection is subject to
26 the Open Government Sunset Review Act in accordance with s.
27 119.15 and shall stand repealed on October 2, 2029, unless
28 reviewed and saved from repeal through reenactment by the
29 Legislature.

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30 Section 2. The Legislature finds that it is a public
31 necessity that the personal identifying information of persons
32 who foster, adopt, or otherwise receive legal custody of an
33 animal from an animal shelter or animal control agency operated
34 by a county, municipality, or other incorporated political
35 subdivision in any record relating to the animal and held by the
36 shelter or agency be made exempt from s. 119.07(1), Florida
37 Statutes, and s. 24(a), Article I of the State Constitution. The
38 Legislature finds that, as reflected in s. 823.15(1), Florida
39 Statutes, it is an important public policy of the state to
40 encourage the fostering, adoption, and transfer of animals and
41 to reduce euthanasia rates for animals in animal shelters and
42 animal control agencies. Although such shelters and agencies are
43 motivated to find new homes or placements for animals in their
44 custody, potential fosterers and adopters and other persons
45 considering receiving legal custody of animals may become
46 discouraged from fostering, adopting, or receiving legal custody
47 of the animals if the prior owners who lost or surrendered legal
48 custody of the animals, or who did not reclaim the animals
49 within the applicable time periods, can obtain their personal
50 identifying information and attempt to regain legal custody of
51 the animals from such persons. The Legislature finds that the
52 stalking, harassment, and intimidation of animal fosterers,
53 adopters, and other persons receiving legal custody of animals
54 by prior animal owners, as well as prior animal owners' theft of
55 animals from such persons, are threats to public safety and
56 welfare and to the sanctity of private property, the family, and
57 the home. The Legislature further finds that the need to protect
58 the personal identifying information of animal fosterers,

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59 adopters, and other persons receiving legal custody of animals
60 is sufficiently compelling to override the state's public policy
61 of open government and that the protection of such information
62 cannot be accomplished without this exemption.

63 Section 3. This act shall take effect July 1, 2024.