

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [HB 511](#)

TITLE: Pub. Rec./Code Inspector Body Cameras

SPONSOR(S): Partington

COMPANION BILL: [SB 506](#) (Burgess)

LINKED BILLS: [HB 509](#) Partington

RELATED BILLS: [SB 504](#) (Burgess)

Committee References

[Intergovernmental Affairs](#)

16 Y, 0 N



[Government Operations](#)



[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill creates a public records exemption for certain body camera recordings made by code inspectors. The bill specifies that the public records exemption is subject to the Open Government Sunset Review Act and shall be repealed on October 2, 2031, unless reenacted by the Legislature. The bill provides that exempt body camera recordings may still be disclosed under specific conditions.

Fiscal or Economic Impact:

The bill may have an indeterminant insignificant negative fiscal impact on counties and municipalities that allow the use of body cameras by code inspectors due to any costs associated with training staff on, and making redactions required by, the newly-created public record exemption.

Extraordinary Vote Required for Passage:

The bill requires a two-thirds vote of the members present and voting in both houses of the Legislature for final passage.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates a [public records](#) exemption for certain recordings made by [code inspectors](#).¹ The bill specifically provides that [body camera recordings](#) are confidential and exempt if they are taken in:

- The interior of a private residence;
- A facility that offers health care, mental health care, or social services; or
- A place that a reasonable person would expect to be private. (Section [1](#))

The bill provides that exempt body camera recordings may still be disclosed by a local government in furtherance of its official duties and responsibilities or to another governmental agency in furtherance of its official duties and responsibilities. The bill further provides that relevant portions of exempt body camera recordings must be disclosed by a local government:

- To a person or the personal representative of a person recorded by the body camera, to the extent the portions are relevant to the person's presence in the recording;
- To a person not depicted in the recording, if that person legally resided, dwelled, or lodged at the location of the recording when the recording was made and those portions record the interior of the location; or
- Pursuant to a court order. (Section [1](#))

¹ The bill's provisions are similar to the regulations in [s. 119.071\(2\)\(f\), F.S.](#) for public records exemptions regarding body cameras used by law enforcement agencies.

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When determining whether to grant an order to disclose a body camera recording, the bill directs the court to consider if:

- Disclosure is necessary to advance a compelling interest.
- The recording contains information that is otherwise exempt or confidential and exempt under the law.
- The person requesting disclosure is seeking to obtain evidence to determine legal issues in a case in which the person is a party.
- Disclosure would reveal information regarding a person which is of a highly sensitive personal nature.
- Disclosure may harm the reputation or jeopardize the safety of a person depicted in the recording.
- Confidentiality is necessary to prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice.
- The recording could be redacted to protect privacy interests.
- There is good cause to disclose all or portions of the recording. (Section [1](#))

If a proceeding occurs regarding the disclosure of a body camera recording, the local government that made the recording must be given reasonable notice of any hearings and an opportunity to participate. (Section [1](#))

The bill requires that code inspectors' body camera recordings be retained for at least 90 days and requires the Division of Library and Information Services of the Department of State to incorporate this retention requirement into the appropriate general records schedule. (Sections [1](#) and [3](#))

The bill provides that the public records exemption created by the bill applies retroactively and does not supersede any other public records exemptions that existed before or are created after the effective date of the bill. (Section [1](#))

The bill provides that this exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. (Section [1](#))

In support of the exemption, the bill provides a statement of public necessity as required by the Florida Constitution. Therein, the bill states that while body cameras preserve information that has potential to assist both the code inspector and the public in reviewing the accuracy of the code inspector's work the audio and video recorded by body cameras in certain instances are significantly likely to capture highly sensitive personal information. The bill further states that providing the exemption would allow code inspectors to administer their duties more effectively and efficiently than they would be able to do so in the absence of the exemption. (Section [2](#))

The bill provides that it takes effect on the same date that HB 509 or similar legislation takes effect. (Section [4](#))

RULEMAKING:

The bill requires the Division of Library and Information Services of the Department of State to incorporate a 90-day retention requirement for body camera recordings recorded by code inspectors into the appropriate general records schedule by rule by October 1, 2026.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The bill may have an indeterminate insignificant negative fiscal impact on counties and municipalities that allow the use of body cameras by code inspectors due to any costs associated with training staff on, and making redactions required by, the newly-created public record exemption.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Public Records

The Florida Constitution sets forth the state’s public policy regarding access to government records, guaranteeing every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government.² The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.³

The Legislature may provide by general law an exemption from public record requirements provided that the exemption passes by a two-thirds vote of each chamber, states with specificity the public necessity justifying the exemption, and is no broader than necessary to meet its public purpose.⁴ Furthermore, the Open Government Sunset Review (OGSR) Act⁵ provides that a public record exemption may be created, revised, or maintained only if it serves an identifiable public purpose and the Legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exemption.⁶ An identifiable public purpose is served if the exemption meets one of the following purposes:

- Allows the state or its political subdivisions to effectively and efficiently administer a governmental program, the administration of which would be significantly impaired without the exemption,
- Protects sensitive personal information that, if released, would be defamatory or would jeopardize an individual’s safety, or
- Protects trade or business secrets.⁷

Pursuant to the OGSR Act, a new public record exemption, or the substantial amendment of an existing public record exemption, is repealed on October 2nd of the fifth year following enactment, unless the Legislature reenacts the exemption.⁸

Furthermore, there is a difference between records the Legislature designates *exempt* from public record requirements and those the Legislature designates *confidential and exempt*. A record classified as exempt from public disclosure may be disclosed under certain circumstances. If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records to anyone other than the persons or entities specifically designated in statute.⁹

County and Municipal Code Enforcement

Code enforcement is a function of local government intended to enhance the economy and quality of life of counties and municipalities by protecting the health, safety, and welfare of the community.¹⁰ Current law provides counties and municipalities with multiple mechanisms to enforce their local codes and ordinances.¹¹ Under each mechanism, a local government designates code inspectors or code enforcement officers, tasked with investigating

² [Art. I, s. 24\(a\), Fla. Const.](#) See also [s. 119.01, F.S.](#)
³ *Id.*
⁴ [Art. I, s. 24\(c\), Fla. Const.](#)
⁵ [S. 119.15, F.S.](#)
⁶ [S. 119.15\(6\)\(b\), F.S.](#)
⁷ *Id.*
⁸ [S. 119.15\(3\), F.S.](#)
⁹ See *WFTV, Inc. v. Sch. Bd. of Seminole*, 874 So.2d 48, 53 (Fla. 5th DCA 2004), *review denied*, 892 So.2d 1015 (Fla. 2004); *State v. Wooten*, 260 So. 3d 1060, 1070 (Fla. 4th DCA 2018); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So.2d 683, 687 (Fla. 5th DCA 1991); See Op. Att’y Gen. Fla. 04- 09 (2004).
¹⁰ [S. 162.02, F.S.](#)
¹¹ Ch. 125, Part II, F.S. (county self-government), ch. 162, Part 1, F.S. (code enforcement), ch. 162, Part 2 (supplemental procedures), and [s. 166.0415, F.S.](#) (city ordinance enforcement).

potential code violations, providing notice of violations, and issuing citations for noncompliance.¹² Local codes and ordinances allow local governments to enforce regulations on a variety of matters such as zoning, tree cutting, nuisances, and excessive noise. Code inspectors do not have the authority to perform the functions or duties of law enforcement officers.¹³

The Local Government Code Enforcement Boards Act¹⁴ allows each county and municipality to create local government code enforcement boards by ordinance.¹⁵ A code enforcement board is an administrative board composed of members appointed by the governing body of a county or municipality¹⁶ with the authority to hold hearings and impose administrative fines and other non-criminal penalties for violations of the jurisdiction's codes or ordinances.¹⁷ A code enforcement board may adopt rules for the conduct of its hearings; subpoena alleged violators, witnesses, and evidence to its hearings; take testimony under oath; and issue orders having the force of law necessary to bring a violation into compliance.¹⁸

Code enforcement proceedings are initiated by code inspectors.¹⁹ When a code violation is found, the code inspector notifies the violator and gives the alleged violator a reasonable period to correct the violation.²⁰ Should the violation continue beyond the time specified, the code inspector notifies the code enforcement board and requests a hearing. The code enforcement board then schedules a hearing to take testimony from the code inspector and alleged violator.²¹ At the conclusion of the hearing, the code enforcement board issues findings of fact, based on evidence of record and conclusions of law, and issues an order stating the relief granted.²²

An enforcement board, upon notification by the code inspector that an order of the enforcement board has not been complied with, may order the violator to pay a fine for each day the violation that continues past the date set by the enforcement board for compliance or for each day a repeat violation continues.²³ Code enforcement boards may issue fines of up to \$250 per day for a first violation and up to \$500 per day for a repeat violation, as well as all costs of repairs.²⁴ If a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine up to \$5,000 per violation. In determining the amount of the fine, the enforcement board shall consider the following factors:

- The gravity of the violation;
- Any actions taken by the violator to correct the violation; and
- Any previous violations committed by the violator.²⁵

Body Cameras

Current law requires law enforcement agencies to establish policies and procedures for body cameras worn by law enforcement officers but does not address the use of body cameras by code inspectors.²⁶ Each law enforcement agency that permits its law enforcement officers to wear body cameras must establish policies and procedures to

¹² Section [162.21\(1\), F.S.](#), defines a code enforcement officer as any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality. Code enforcement officers may include, but are not limited to, code inspectors, law enforcement officers, animal control officers, or fire safety inspectors.

¹³ [Ss. 125.69\(4\)\(h\) and 166.0415\(4\), F.S.](#)

¹⁴ Ch. 162, Part I, F.S.

¹⁵ [S. 162.05\(1\), F.S.](#)

¹⁶ *Id.*

¹⁷ [S. 162.03, F.S.](#)

¹⁸ [S. 162.08, F.S.](#)

¹⁹ [S. 162.06\(1\)\(a\), F.S.](#) A "code inspector" is "any authorized agent or employee of the county or municipality whose duty it is to assure code compliance." [S. 164.04\(2\), F.S.](#)

²⁰ [S. 162.06\(2\), F.S.](#)

²¹ [S. 162.07\(1\), F.S.](#)

²² [S. 162.07\(4\), F.S.](#)

²³ [S. 162.09\(1\), F.S.](#)

²⁴ [S. 162.09\(2\)\(a\), F.S.](#)

²⁵ [S. 162.09\(2\)\(b\), F.S.](#)

²⁶ [S. 943.1718, F.S.](#)

address proper use, maintenance, and storage of body cameras and of the data recorded by body cameras. These policies and procedures must include:

- General guidelines for the proper use of body cameras.
- Any limitations on which law enforcement officers may wear body cameras.
- Any limitations on law-enforcement-related encounters and activities in which law enforcement officers are permitted to wear body cameras.
- A provision permitting law enforcement officers using body cameras to review the recorded footage from the body camera before writing a report or providing a statement regarding any event arising within the scope of their official duties.
- Guidelines for body camera audio and video data storage, retention, and release.²⁷

Each law enforcement agency that permits its law enforcement officers to use body cameras must also:

- Ensure all personnel who wear, use, maintain, or store body cameras are trained in the law enforcement agency's body camera policies and procedures.
- Ensure that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in the law enforcement agency's policies and procedures.
- Retain audio and video data recorded by body cameras in accordance with public records laws.
- Perform periodic reviews of actual body camera practices to ensure compliance with the agency's adopted policies and procedures.

Some local governments in Florida have approved the use of body cameras for code inspections.²⁸ The usage of body cameras can serve as a safety precaution for code inspectors as well as provide accountability for their actions.²⁹ Local governments use body cameras to promote transparency, accountability, and public trust while documenting interactions with the community.³⁰ These body cameras enable real-time recording of code violations, property inspections, and resident interactions, reducing liability and streamlining enforcement processes. Body camera footage has been used in cases including noise complaints, property maintenance, illegal short-term rentals, and other types of code violations.³¹

BILL HISTORY				
COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	16 Y, 0 N	1/14/2026	Darden	Hilliard
Government Operations Subcommittee				
State Affairs Committee				

²⁷ [S. 943.1718\(2\), F.S.](#)

²⁸ See, e.g., Letter from Mayor Philip Levine and City Commission of City of Miami Beach to Jimmy Morales, City Manager, City of Miami Beach, [Letter to the Commission No. 434-2016](#) (Oct. 18, 2016) (last visited Jan. 8, 2026); Tess Rowland, [PCB Code Enforcement to receive body cameras](#), WMBB (Oct. 28, 2020) (last visited Jan. 8, 2026); Letter from the Mayor and City Council of the City of Doral to Hernan Organvitez, Interim City Manager, City of Doral, [Letter to Council No. 005-2022](#) (Feb. 7, 2022) (last visited Jan 8, 2026).

²⁹ Citrus County Chronicle, [County backs body-cam proposal for code officers](#), Sep. 3, 2025 (last visited Jan. 8, 2026).

³⁰ Panama City Beach, [City Council Regular Meeting Agenda p. 103](#), October 23, 2025 (last visited Jan. 8, 2026).

³¹ Miami Beach, [Letter to the Commission No. 434-2016](#), Oct. 18, 2016 (last visited Jan. 8, 2026).

