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A bill to be entitled
 An act relating to public records; amending s.
 252.385, F.S.; creating an exemption from public
 record requirements for certain information of a
 person using a public shelter during an emergency;
 defining the term "agency"; providing for future
 legislative review and repeal of the exemption;
 creating s. 252.64, F.S.; creating an exemption from
 public record requirements for certain identifying
 information related to damage assessments held by an
 agency; defining the term "agency"; providing for
 expiration of the public record exemption; providing
 for future legislative review and repeal of the
 exemption; providing public necessity statements;
 providing an effective date.

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

Section 1. Subsection (5) is added to section 252.385,
 Florida Statutes, to read:

252.385 Public shelter space; public record exemption.—
(5) The name, address, and telephone number of a person
using a public shelter during an emergency held by an agency as
defined in s. 119.011, is exempt from s. 119.07(1) and s. 24(a),
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 27 | 119.15 and shall stand repealed on October 2, 2023, unless
 28 | reviewed and saved from repeal through reenactment of the
 29 | Legislature.

30 | Section 2. Section 252.64, Florida Statutes, is created to
 31 | read:

32 | 252.64 Public records exemption; damage assessments.— The
 33 | name, address, and telephone number of a homeowner or tenant
 34 | held by an agency as defined in s. 119.011, for the purpose of
 35 | providing or receiving damage assessment data following a
 36 | disaster is exempt from s. 119.07(1) and s. 24(a), Art. I of the
 37 | State Constitution. Such information shall cease to be exempt
 38 | one year after the date of the disaster. This section is subject
 39 | to the Open Government Sunset Review Act in accordance with s.
 40 | 119.15 and shall stand repealed on October 2, 2023, unless
 41 | reviewed and saved from repeal through reenactment of the
 42 | Legislature.

43 | Section 3. (1) The Legislature finds that it is a public
 44 | necessity that the name, address, and telephone number of a
 45 | person using a public shelter during an emergency held by an
 46 | agency be made exempt from s. 119.07(1), Florida Statutes, and
 47 | s. 24(a), Article I of the State Constitution. Shelters are made
 48 | available to the public to provide a safe place of accommodation
 49 | before, during, and immediately following an emergency or
 50 | disaster. During an emergency or disaster, the people affected

51 are in a vulnerable state as they have voluntarily displaced
52 themselves from their residences and possessions to seek refuge.
53 The information submitted by such a shelter resident could be
54 used by persons seeking to take advantage of their vulnerability
55 during or following the emergency or disaster. In addition,
56 persons seeking shelter for their safety and the safety of their
57 families should not be forced to forfeit their privacy for the
58 sake of such safety. Therefore, the Legislature finds that it is
59 a public necessity to protect such information from public
60 disclosure.

61 (2) The Legislature further finds that it is a public
62 necessity that the name, address, and telephone number of a
63 person held by an agency for the purpose of providing or
64 receiving damage assessment data should be made exempt from s.
65 119.07(1), Florida Statutes, and s. 24(a), Article I of the
66 State Constitution for one year following the date of a
67 disaster. In response to a disaster, an agency, in trying to
68 ascertain the damage to certain areas, may ask residents to
69 submit data detailing the damage to their properties. The agency
70 may also create damage assessment data or amend the submitted
71 data to enhance the accuracy of all damage assessments within a
72 given area. The information may include a person's name,
73 address, and telephone number which may then be used to locate
74 the damaged property, identify the owner or tenant, and contact
75 them if needed. Following a disaster the people affected are

76 vulnerable; they are frequently displaced, living without their
77 possessions, and their homes may be severely damaged, often to
78 the point of being uninhabitable. The information could, if
79 released, be used by thieves, predatory lenders, deceptive
80 contractors, or persons otherwise seeking to take advantage of
81 the vulnerability of an affected homeowner or tenant following a
82 disaster. Therefore, it is necessary that this information be
83 protected for a period to ensure that persons affected by a
84 disaster are not harassed, intimidated, or potentially defrauded
85 by such persons.

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