

House Bill No. 399

An act relating to a public records exemption for certain information relating to emergency telephone number “911”; amending s. 365.171, F.S., which provides an exemption from public records requirements for information that reveals the name, address, telephone number, or personal information about, or other information that would identify, a person requesting emergency service or reporting an emergency; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; correcting a reference; providing an effective date.

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

Section 1. Notwithstanding the October 2, 2001, repeal of said subsection scheduled pursuant to the Open Government Sunset Review Act of 1995, subsection (15) of section 365.171, Florida Statutes, is reenacted and amended to read:

365.171 Emergency telephone number “911.”—

(15) **CONFIDENTIALITY OF RECORDS.**—Any record, recording, or information, or portions thereof, obtained by a public agency or a public safety agency for the purpose of providing services in an emergency and which reveals the name, address, telephone number, or personal information about, or information which may identify any person requesting emergency service or reporting an emergency by accessing an emergency telephone number “911” system is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that such record or information may be disclosed to a public safety agency. The exemption applies only to the name, address, telephone number or personal information about, or information which may identify any person requesting emergency services or reporting an emergency while such information is in the custody of the public agency or public safety agency providing emergency services. A telephone company or commercial mobile radio service provider shall not be liable for damages to any person resulting from or in connection with such telephone company’s or commercial mobile radio service provider’s provision of any lawful assistance to any investigative or law enforcement officer of the State of Florida or political subdivisions thereof, of the United States, or of any other state or political subdivision thereof, in connection with any lawful investigation or other law enforcement activity by such law enforcement officer unless the telephone company or commercial mobile radio service provider acted in a wanton and willful manner. ~~The exemptions in this section are subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2001, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2001.

Approved by the Governor May 29, 2001.

Filed in Office Secretary of State May 29, 2001.