

CHAPTER 2022-196

Committee Substitute for Senate Bill No. 598

An act relating to public records; amending s. 320.025, F.S.; expanding a public records exemption to include all records pertaining to a registration application submitted by any criminal conflict and civil regional counsel office for a registration certificate and registration license plate or decal issued under a fictitious name; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Subsection (3) of section 320.025, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

320.025 Registration certificate and license plate or decal issued under fictitious name; application.—

(3) This section constitutes an exception to other statutes relating to falsification of public records, false swearing, and similar matters. All records relating to the registration application of the Attorney General's Medicaid Fraud Control Unit, a law enforcement agency, ~~or any state public defender's office, or any office of criminal conflict and civil regional counsel,~~ and records necessary to carry out the intended purpose of this section, are exempt from ~~the provisions of s. 119.07(1), and s. 24(a), Art. I of the State Constitution as long as the information is retained by the department.~~ This section does not prohibit other personations, fabrications, or creations of false identifications by the Attorney General's Medicaid Fraud Control Unit, ~~or law enforcement or public defender's officers, or a regional counsel office~~ in the official performance of covert operations.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that all records relating to the application for a confidential registration certificate and registration license plate or decal submitted by an office of criminal conflict and civil regional counsel, and any other records necessary to carry out the intended purpose of s. 320.025, Florida Statutes, be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Investigations by an office of criminal conflict and civil regional counsel may be jeopardized by the registration of motor vehicles under the office's name or under the names of the office's investigators in that persons under investigation may acquire such registration information in order to seek retaliation against the office or its investigators. Authorizing

offices of criminal conflict and civil regional counsel to obtain confidential registration certificates and registration license plates or decals in the same manner as other law enforcement agencies would better ensure the safety of the regional counsel offices' investigators in performing their official duties.

Section 3. This act shall take effect on the same date that SB 596 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor June 20, 2022.

Filed in Office Secretary of State June 20, 2022.