

## CHAPTER 2023-60

### Committee Substitute for Senate Bill No. 7020

An act relating to a review under the Open Government Sunset Review Act; amending s. 943.082, F.S.; expanding exemptions from public records requirements for the identity of a reporting party and any information received through the mobile suspicious activity reporting tool to include such information held by the Department of Education; providing for retroactivity of the exemption; providing for future legislative review and repeal; providing statements of public necessity; providing an effective date.

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

Section 1. Subsection (6) of section 943.082, Florida Statutes, is amended to read:

943.082 School Safety Awareness Program.—

(6) The identity of the reporting party received through the mobile suspicious activity reporting tool and held by the department, the Department of Education, law enforcement agencies, or school officials is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any other information received through the mobile suspicious activity reporting tool and held by the department, the Department of Education, law enforcement agencies, or school officials is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. These exemptions apply to any such records held by these agencies before, on, or after the effective date of this act. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, ~~2028~~ ~~2023~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that the identity of a person reporting unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, received through the mobile suspicious activity reporting tool and held by the Department of Education be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution, if the reporting person provides his or her identity. The public records exemption for the identity of those individuals reporting potentially harmful or threatening activities as part of the School Safety Awareness Program encourages individuals to act and not be fearful that their identity will be revealed. Without the public records exemption, individuals reporting such activities might be less willing to report their knowledge of these possible activities to the appropriate authorities out of fear. Ensuring their identity is protected will encourage reporting, which could lead to law enforcement or

other appropriate agencies intervening before an incident of mass violence occurs.

(2) The Legislature also finds that it is a public necessity that any other information received through the mobile suspicious activity reporting tool through the School Safety Awareness Program and held by the Department of Education be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The public records exemption for any other information received through the mobile suspicious activity reporting tool protects information of a sensitive personal nature that, if disclosed, could be embarrassing. Without the public records exemption, individuals reporting such activities might be less willing to report their knowledge of these possible activities to the appropriate authorities out of fear and concern for their safety. The public records exemption will encourage reporting, which could lead to law enforcement or other appropriate agencies intervening before an incident of mass violence occurs. The public records exemption is also needed to protect the privacy of other individuals who are included in the report. After a report is made, law enforcement may find the report to be unfounded. For these reasons, the Legislature finds that it is a public necessity to protect any other information reported through the mobile suspicious activity reporting tool.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 11, 2023.

Filed in Office Secretary of State May 11, 2023.