

CHAPTER 2024-156

Committee Substitute for Committee Substitute for House Bill No. 1509

An act relating to public records; amending s. 30.15, F.S.; providing that certain information relating to school guardians held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school is exempt from public records requirements; providing for future legislative review and repeal of the exemption; 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 (6) is added to section 30.15, Florida Statutes, to read:

30.15 Powers, duties, and obligations.—

(6) Any information held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school that would identify whether a person has been certified to serve as a school guardian is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that any information held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school that would identify whether a person has been certified to serve as a school guardian is exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. School security and student safety are fundamental priorities in this state as is the safety of people serving or who have served as school guardians. School guardians serve a critical role as safe-school officers and first responders, and their presence on school grounds serves as a deterrent against incidents threatening the lives of students and school personnel. Disclosure of the identity of persons certified as school guardians might undermine such deterrence and may compromise their safety along with the safety of students by allowing ill-intentioned persons to compare the records of certified school guardians to information concerning school employees to discern whether a person has been appointed to serve as a school guardian. The public disclosure of such information would also adversely affect their ability to adequately respond to an active assailant incident as an assailant might be alerted in advance that a particular person is certified as a school guardian. Furthermore, school guardians who have been appointed to that position might leave their appointment for a period of time while maintaining their certification, and, thereafter, be reappointed at a future

date. The safety of such persons would be compromised if their status as school guardians became public record by virtue of their continued certification. Accordingly, it is necessary to protect the identity of persons certified as school guardians from public records requirements in order to effectively and efficiently implement the purpose and intent of school guardian programs.

Section 3. This act shall take effect on the same date that HB 1473 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 May 6, 2024.

Filed in Office Secretary of State May 6, 2024.