

CHAPTER 2026-49

Senate Bill No. 506

An act relating to public records; amending s. 119.0713, F.S.; defining terms; providing an exemption from public records requirements for body camera recordings recorded by a code inspector under certain circumstances; providing exceptions; requiring a local government to retain body camera recordings for a specified timeframe; providing for retroactive application; providing construction; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; directing the Division of Library and Information Services of the Department of State to adopt a specified retention requirement for certain body camera recordings by a specified date; providing a contingent effective date.

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

Section 1. Subsection (6) is added to section 119.0713, Florida Statutes, to read:

119.0713 Local government agency exemptions from inspection or copying of public records.—

(6)(a) As used in this subsection, the term:

1. “Body camera” means a portable electronic recording device that is worn on a code inspector’s body and that records audio and video data in the course of the performance of his or her official duties and responsibilities.

2. “Code inspector” has the same meaning as in s. 162.04(2).

3. “Personal representative” means a parent, a court-appointed guardian, an attorney, or an agent of, or a person holding a power of attorney for, a person recorded by a body camera. If a person depicted in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person’s surviving spouse, parent, or adult child; the deceased person’s attorney or agent; or the parent or guardian of a surviving minor child of the deceased. An agent must possess written authorization of the recorded person to act on his or her behalf.

(b) A body camera recording, or a portion thereof, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the recording:

1. Is taken within the interior of a private residence;

2. Is taken within the interior of a facility that offers health care, mental health care, or social services; or

3. Is taken in a place that a reasonable person would expect to be private.

(c) Notwithstanding paragraph (b), a body camera recording, or a portion thereof, may be disclosed by a local government:

1. In furtherance of its official duties and responsibilities; or
2. To another governmental agency in the furtherance of its official duties and responsibilities.

(d) Notwithstanding paragraph (b), a body camera recording, or a portion thereof, must be disclosed by a local government:

1. To a person recorded by the body camera; however, a local government may disclose only those portions relevant to the person's presence in the recording;

2. To the personal representative of a person recorded by the body camera; however, a local government may disclose only those portions relevant to the represented person's presence in the recording;

3. To a person not depicted in the body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, a local government may disclose only those portions that record the interior of such a place; or

4. Pursuant to a court order.

a. In addition to any other grounds the court may consider in determining whether to order that a body camera recording be disclosed, the court shall consider whether:

(I) Disclosure is necessary to advance a compelling interest;

(II) The recording contains information that is otherwise exempt or confidential and exempt under the law;

(III) The person requesting disclosure is seeking to obtain evidence to determine legal issues in a case in which the person is a party;

(IV) Disclosure would reveal information regarding a person which is of a highly sensitive personal nature;

(V) Disclosure may harm the reputation or jeopardize the safety of a person depicted in the recording;

(VI) Confidentiality is necessary to prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;

(VII) The recording could be redacted to protect privacy interests; and

(VIII) There is good cause to disclose all or portions of the recording.

b. In any proceeding regarding the disclosure of a body camera recording, the local government that made the recording must be given reasonable notice of hearings and an opportunity to participate.

(e) A local government shall retain a body camera recording for at least 90 days.

(f) The exemption provided in paragraph (b) applies retroactively.

(g) This subsection does not supersede any other public records exemption that existed before or is created after the effective date of this exemption. Those portions of a recording which are protected from disclosure by another public records exemption continue to be exempt or confidential and exempt.

(h) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, 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 following types of body camera recordings recorded by a code inspector in the course of performing his or her official duties and responsibilities be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution: recordings taken within the interior of a private residence; recordings taken within the interior of a facility that offers health care, mental health care, or social services; and recordings taken in a place that a reasonable person would expect to be private.

(2) The Legislature recognizes that body cameras preserve information that has the potential to assist both code inspectors' and the public's ability to review the accuracy of code inspection work.

(3) However, the Legislature also finds that, in certain instances, audio and video recorded by body cameras is significantly likely to capture highly sensitive personal information. The exemption of body camera recordings from public records requirements allows code inspectors to administer their duties more effectively and efficiently, which would otherwise be significantly impaired. The Legislature finds that the concerns regarding the impact of public records requirements for body camera recordings necessitate the exemption of the recordings from public records requirements and outweigh any public benefit that may be derived from their disclosure.

Section 3. By October 1, 2026, the Division of Library and Information Services of the Department of State shall by rule incorporate into the appropriate general records schedule a 90-day retention requirement for body camera recordings recorded by code inspectors.

Section 4. This act shall take effect on the same date that SB 504 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 April 23, 2026.

Filed in Office Secretary of State April 23, 2026.