

CHAPTER 2023-19

House Bill No. 7025

An act relating to public records; amending s. 1002.42, F.S.; providing a public records exemption for information pertaining to a safe-school officer at a private school; 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. Paragraph (c) is added to subsection (18) of section 1002.42, Florida Statutes, as created by HB 543 or similar legislation, 2023 Regular Session, to read:

1002.42 Private schools.—

(18) SAFE SCHOOL OFFICERS.—

(c) Any information that may identify whether a particular individual has been assigned as a safe-school officer pursuant to s. 1006.12 at a private school and that is held by a law enforcement agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.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 that may identify whether a particular individual has been assigned as a safe-school officer at a private school and that is held by a law enforcement agency be made 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. Private schools should be provided options for a security presence similar to that established for school districts. To maximize the effectiveness of the presence of safe-school officers as a deterrent and in their role as first responders to incidents threatening the lives of students and school staff, safe-school officers may perform their school-related duties while carrying a weapon. Disclosure of the identity of a safe-school officer may affect his or her ability to adequately respond to an active assailant situation. Accordingly, it is necessary to protect the identity of safe-school officers from public records requirements in order to effectively and efficiently implement the purpose and intent of the program. Such personal identifying information of an individual assigned as a safe-school officer which is held by a law enforcement agency or public school is currently exempt from public records requirements.

Section 3. This act shall take effect on the same date that HB 543 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 3, 2023.

Filed in Office Secretary of State April 3, 2023.