

By Senator Montford

6-01942-11

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; creating exemptions from public-records
4 requirements for the home addresses, telephone
5 numbers, and photographs of emergency medical
6 technicians and paramedics, the home addresses,
7 telephone numbers, photographs, and places of
8 employment of the spouses and children of such
9 emergency medical technicians and paramedics, and the
10 names and locations of schools and day care facilities
11 attended by the children of such emergency medical
12 technicians and paramedics; providing for future
13 legislative review and repeal of the exemption under
14 the Open Government Sunset Review Act; providing a
15 statement of public necessity; providing an effective
16 date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Paragraph (d) of subsection (4) of section
21 119.071, Florida Statutes, is amended to read:

22 119.071 General exemptions from inspection or copying of
23 public records.—

24 (4) AGENCY PERSONNEL INFORMATION.—

25 (d)1.a. The home addresses, telephone numbers, social
26 security numbers, and photographs of active or former law
27 enforcement personnel, including correctional and correctional
28 probation officers, personnel of the Department of Children and
29 Family Services whose duties include the investigation of abuse,

6-01942-11

20111240__

30 neglect, exploitation, fraud, theft, or other criminal
31 activities, personnel of the Department of Health whose duties
32 are to support the investigation of child abuse or neglect, and
33 personnel of the Department of Revenue or local governments
34 whose responsibilities include revenue collection and
35 enforcement or child support enforcement; the home addresses,
36 telephone numbers, social security numbers, photographs, and
37 places of employment of the spouses and children of such
38 personnel; and the names and locations of schools and day care
39 facilities attended by the children of such personnel are exempt
40 from s. 119.07(1).

41 b. The home addresses, telephone numbers, and photographs
42 of firefighters certified in compliance with s. 633.35; the home
43 addresses, telephone numbers, photographs, and places of
44 employment of the spouses and children of such firefighters; and
45 the names and locations of schools and day care facilities
46 attended by the children of such firefighters are exempt from s.
47 119.07(1).

48 c. The home addresses and telephone numbers of justices of
49 the Supreme Court, district court of appeal judges, circuit
50 court judges, and county court judges; the home addresses,
51 telephone numbers, and places of employment of the spouses and
52 children of justices and judges; and the names and locations of
53 schools and day care facilities attended by the children of
54 justices and judges are exempt from s. 119.07(1).

55 d. The home addresses, telephone numbers, social security
56 numbers, and photographs of current or former state attorneys,
57 assistant state attorneys, statewide prosecutors, or assistant
58 statewide prosecutors; the home addresses, telephone numbers,

6-01942-11

20111240

59 social security numbers, photographs, and places of employment
60 of the spouses and children of current or former state
61 attorneys, assistant state attorneys, statewide prosecutors, or
62 assistant statewide prosecutors; and the names and locations of
63 schools and day care facilities attended by the children of
64 current or former state attorneys, assistant state attorneys,
65 statewide prosecutors, or assistant statewide prosecutors are
66 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
67 Constitution.

68 e. The home addresses and telephone numbers of general
69 magistrates, special magistrates, judges of compensation claims,
70 administrative law judges of the Division of Administrative
71 Hearings, and child support enforcement hearing officers; the
72 home addresses, telephone numbers, and places of employment of
73 the spouses and children of general magistrates, special
74 magistrates, judges of compensation claims, administrative law
75 judges of the Division of Administrative Hearings, and child
76 support enforcement hearing officers; and the names and
77 locations of schools and day care facilities attended by the
78 children of general magistrates, special magistrates, judges of
79 compensation claims, administrative law judges of the Division
80 of Administrative Hearings, and child support enforcement
81 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
82 I of the State Constitution if the general magistrate, special
83 magistrate, judge of compensation claims, administrative law
84 judge of the Division of Administrative Hearings, or child
85 support hearing officer provides a written statement that the
86 general magistrate, special magistrate, judge of compensation
87 claims, administrative law judge of the Division of

6-01942-11

20111240

88 Administrative Hearings, or child support hearing officer has
89 made reasonable efforts to protect such information from being
90 accessible through other means available to the public. This
91 sub-subparagraph is subject to the Open Government Sunset Review
92 Act in accordance with s. 119.15, and shall stand repealed on
93 October 2, 2013, unless reviewed and saved from repeal through
94 reenactment by the Legislature.

95 f. The home addresses, telephone numbers, and photographs
96 of current or former human resource, labor relations, or
97 employee relations directors, assistant directors, managers, or
98 assistant managers of any local government agency or water
99 management district whose duties include hiring and firing
100 employees, labor contract negotiation, administration, or other
101 personnel-related duties; the names, home addresses, telephone
102 numbers, and places of employment of the spouses and children of
103 such personnel; and the names and locations of schools and day
104 care facilities attended by the children of such personnel are
105 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
106 Constitution.

107 g. The home addresses, telephone numbers, and photographs
108 of current or former code enforcement officers; the names, home
109 addresses, telephone numbers, and places of employment of the
110 spouses and children of such personnel; and the names and
111 locations of schools and day care facilities attended by the
112 children of such personnel are exempt from s. 119.07(1) and s.
113 24(a), Art. I of the State Constitution.

114 h. The home addresses, telephone numbers, places of
115 employment, and photographs of current or former guardians ad
116 litem, as defined in s. 39.820; the names, home addresses,

6-01942-11

20111240

117 telephone numbers, and places of employment of the spouses and
118 children of such persons; and the names and locations of schools
119 and day care facilities attended by the children of such persons
120 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
121 Constitution, if the guardian ad litem provides a written
122 statement that the guardian ad litem has made reasonable efforts
123 to protect such information from being accessible through other
124 means available to the public. This sub-subparagraph is subject
125 to the Open Government Sunset Review Act in accordance with s.
126 119.15 and shall stand repealed on October 2, 2015, unless
127 reviewed and saved from repeal through reenactment by the
128 Legislature.

129 i. The home addresses, telephone numbers, and photographs
130 of current or former juvenile probation officers, juvenile
131 probation supervisors, detention superintendents, assistant
132 detention superintendents, senior juvenile detention officers,
133 juvenile detention officer supervisors, juvenile detention
134 officers, house parents I and II, house parent supervisors,
135 group treatment leaders, group treatment leader supervisors,
136 rehabilitation therapists, and social services counselors of the
137 Department of Juvenile Justice; the names, home addresses,
138 telephone numbers, and places of employment of spouses and
139 children of such personnel; and the names and locations of
140 schools and day care facilities attended by the children of such
141 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
142 the State Constitution. This sub-subparagraph is subject to the
143 Open Government Sunset Review Act in accordance with s. 119.15
144 and shall stand repealed on October 2, 2011, unless reviewed and
145 saved from repeal through reenactment by the Legislature.

6-01942-11

20111240

146 j. The home addresses, telephone numbers, and photographs
147 of current or former public defenders, assistant public
148 defenders, criminal conflict and civil regional counsel, and
149 assistant criminal conflict and civil regional counsel; the home
150 addresses, telephone numbers, and places of employment of the
151 spouses and children of such defenders or counsel; and the names
152 and locations of schools and day care facilities attended by the
153 children of such defenders or counsel are exempt from s.
154 119.07(1) and s. 24(a), Art. I of the State Constitution. This
155 sub-subparagraph is subject to the Open Government Sunset Review
156 Act in accordance with s. 119.15 and shall stand repealed on
157 October 2, 2015, unless reviewed and saved from repeal through
158 reenactment by the Legislature.

159 k. The home addresses, telephone numbers, and photographs
160 of emergency medical technicians and paramedics as defined in s.
161 401.23; the home addresses, telephone numbers, photographs, and
162 places of employment of the spouses and children of such
163 emergency medical technicians and paramedics; and the names and
164 locations of schools and day care facilities attended by the
165 children of such emergency medical technicians and paramedics
166 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
167 Constitution. This sub-subparagraph is subject to the Open
168 Government Sunset Review Act in accordance with s. 119.15 and
169 shall stand repealed on October 2, 2016, unless reviewed and
170 saved from repeal through reenactment by the Legislature.

171 2. An agency that is the custodian of the information
172 specified in subparagraph 1. and that is not the employer of the
173 officer, employee, justice, judge, or other person specified in
174 subparagraph 1. shall maintain the exempt status of that

6-01942-11

20111240__

175 information only if the officer, employee, justice, judge, other
176 person, or employing agency of the designated employee submits a
177 written request for maintenance of the exemption to the
178 custodial agency.

179 Section 2. The Legislature finds that it is a public
180 necessity that the home addresses, telephone numbers, and
181 photographs of a certified emergency medical technician (EMT) or
182 paramedic; the home addresses, telephone numbers, photographs,
183 and places of employment of their spouses and children; and the
184 names and locations of schools and day care facilities attended
185 by their children be made exempt from public-records
186 requirements. Release of such identifying and location
187 information might place such persons and their family members in
188 danger of physical and emotional harm from disgruntled persons
189 involved in incidents responded to by a certified EMT or
190 paramedic. Therefore, the harm that might result from the
191 release of such information outweighs any public benefit that
192 could be derived from its disclosure.

193 Section 3. This act shall take effect July 1, 2011.