

1 A bill to be entitled

2 An act relating to public records; amending s.  
3 119.071, F.S.; providing an exemption from public  
4 records requirements for certain identifying  
5 information of specific current and former personnel  
6 of the Department of Health and the spouses and  
7 children of such personnel; providing for future  
8 legislative review and repeal of the exemption;  
9 providing a statement of public necessity; providing  
10 an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Paragraph (d) of subsection (4) of section  
15 119.071, Florida Statutes, is amended to read:

16 119.071 General exemptions from inspection or copying of  
17 public records.—

18 (4) AGENCY PERSONNEL INFORMATION.—

19 (d)1. For purposes of this paragraph, the term "telephone  
20 numbers" includes home telephone numbers, personal cellular  
21 telephone numbers, personal pager telephone numbers, and  
22 telephone numbers associated with personal communications  
23 devices.

24 2.a.(I) The home addresses, telephone numbers, social  
25 security numbers, dates of birth, and photographs of active or  
26 former sworn or civilian law enforcement personnel, including

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

40 | (II) The names of the spouses and children of active or  
41 | former sworn or civilian law enforcement personnel and the other  
42 | specified agency personnel identified in sub-sub-subparagraph  
43 | (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
44 | State Constitution.

45 | (III) Sub-sub-subparagraph (II) is subject to the Open  
46 | Government Sunset Review Act in accordance with s. 119.15~~7~~ and  
47 | shall stand repealed on October 2, 2018, unless reviewed and  
48 | saved from repeal through reenactment by the Legislature.

49 | b. The home addresses, telephone numbers, dates of birth,  
50 | and photographs of firefighters certified in compliance with s.  
51 | 633.408; the home addresses, telephone numbers, photographs,  
52 | dates of birth, and places of employment of the spouses and

53 children of such firefighters; and the names and locations of  
54 schools and day care facilities attended by the children of such  
55 firefighters are exempt from s. 119.07(1).

56 c. The home addresses, dates of birth, and telephone  
57 numbers of current or former justices of the Supreme Court,  
58 district court of appeal judges, circuit court judges, and  
59 county court judges; the home addresses, telephone numbers,  
60 dates of birth, and places of employment of the spouses and  
61 children of current or former justices and judges; and the names  
62 and locations of schools and day care facilities attended by the  
63 children of current or former justices and judges are exempt  
64 from s. 119.07(1).

65 d.(I) The home addresses, telephone numbers, social  
66 security numbers, dates of birth, and photographs of current or  
67 former state attorneys, assistant state attorneys, statewide  
68 prosecutors, or assistant statewide prosecutors; the home  
69 addresses, telephone numbers, social security numbers,  
70 photographs, dates of birth, and places of employment of the  
71 spouses and children of current or former state attorneys,  
72 assistant state attorneys, statewide prosecutors, or assistant  
73 statewide prosecutors; and the names and locations of schools  
74 and day care facilities attended by the children of current or  
75 former state attorneys, assistant state attorneys, statewide  
76 prosecutors, or assistant statewide prosecutors are exempt from  
77 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

78 (II) The names of the spouses and children of current or

79 former state attorneys, assistant state attorneys, statewide  
80 prosecutors, or assistant statewide prosecutors are exempt from  
81 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

82 (III) Sub-sub-subparagraph (II) is subject to the Open  
83 Government Sunset Review Act in accordance with s. 119.15~~7~~ and  
84 shall stand repealed on October 2, 2018, unless reviewed and  
85 saved from repeal through reenactment by the Legislature.

86 e. The home addresses, dates of birth, and telephone  
87 numbers of general magistrates, special magistrates, judges of  
88 compensation claims, administrative law judges of the Division  
89 of Administrative Hearings, and child support enforcement  
90 hearing officers; the home addresses, telephone numbers, dates  
91 of birth, and places of employment of the spouses and children  
92 of general magistrates, special magistrates, judges of  
93 compensation claims, administrative law judges of the Division  
94 of Administrative Hearings, and child support enforcement  
95 hearing officers; and the names and locations of schools and day  
96 care facilities attended by the children of general magistrates,  
97 special magistrates, judges of compensation claims,  
98 administrative law judges of the Division of Administrative  
99 Hearings, and child support enforcement hearing officers are  
100 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
101 Constitution if the general magistrate, special magistrate,  
102 judge of compensation claims, administrative law judge of the  
103 Division of Administrative Hearings, or child support hearing  
104 officer provides a written statement that the general

105 magistrate, special magistrate, judge of compensation claims,  
106 administrative law judge of the Division of Administrative  
107 Hearings, or child support hearing officer has made reasonable  
108 efforts to protect such information from being accessible  
109 through other means available to the public.

110 f. The home addresses, telephone numbers, dates of birth,  
111 and photographs of current or former human resource, labor  
112 relations, or employee relations directors, assistant directors,  
113 managers, or assistant managers of any local government agency  
114 or water management district whose duties include hiring and  
115 firing employees, labor contract negotiation, administration, or  
116 other personnel-related duties; the names, home addresses,  
117 telephone numbers, dates of birth, and places of employment of  
118 the spouses and children of such personnel; and the names and  
119 locations of schools and day care facilities attended by the  
120 children of such personnel are exempt from s. 119.07(1) and s.  
121 24(a), Art. I of the State Constitution.

122 g. The home addresses, telephone numbers, dates of birth,  
123 and photographs of current or former code enforcement officers;  
124 the names, home addresses, telephone numbers, dates of birth,  
125 and places of employment of the spouses and children of such  
126 personnel; and the names and locations of schools and day care  
127 facilities attended by the children of such personnel are exempt  
128 from s. 119.07(1) and s. 24(a), Art. I of the State  
129 Constitution.

130 h. The home addresses, telephone numbers, places of

131 employment, dates of birth, and photographs of current or former  
132 guardians ad litem, as defined in s. 39.820; the names, home  
133 addresses, telephone numbers, dates of birth, and places of  
134 employment of the spouses and children of such persons; and the  
135 names and locations of schools and day care facilities attended  
136 by the children of such persons are exempt from s. 119.07(1) and  
137 s. 24(a), Art. I of the State Constitution, if the guardian ad  
138 litem provides a written statement that the guardian ad litem  
139 has made reasonable efforts to protect such information from  
140 being accessible through other means available to the public.

141 i. The home addresses, telephone numbers, dates of birth,  
142 and photographs of current or former juvenile probation  
143 officers, juvenile probation supervisors, detention  
144 superintendents, assistant detention superintendents, juvenile  
145 justice detention officers I and II, juvenile justice detention  
146 officer supervisors, juvenile justice residential officers,  
147 juvenile justice residential officer supervisors I and II,  
148 juvenile justice counselors, juvenile justice counselor  
149 supervisors, human services counselor administrators, senior  
150 human services counselor administrators, rehabilitation  
151 therapists, and social services counselors of the Department of  
152 Juvenile Justice; the names, home addresses, telephone numbers,  
153 dates of birth, and places of employment of spouses and children  
154 of such personnel; and the names and locations of schools and  
155 day care facilities attended by the children of such personnel  
156 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State

157 Constitution.

158       j. The home addresses, telephone numbers, dates of birth,  
159 and photographs of current or former public defenders, assistant  
160 public defenders, criminal conflict and civil regional counsel,  
161 and assistant criminal conflict and civil regional counsel; the  
162 home addresses, telephone numbers, dates of birth, and places of  
163 employment of the spouses and children of such defenders or  
164 counsel; and the names and locations of schools and day care  
165 facilities attended by the children of such defenders or counsel  
166 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
167 Constitution.

168       k. The home addresses, telephone numbers, and photographs  
169 of current or former investigators or inspectors of the  
170 Department of Business and Professional Regulation; the names,  
171 home addresses, telephone numbers, and places of employment of  
172 the spouses and children of such current or former investigators  
173 and inspectors; and the names and locations of schools and day  
174 care facilities attended by the children of such current or  
175 former investigators and inspectors are exempt from s. 119.07(1)  
176 and s. 24(a), Art. I of the State Constitution if the  
177 investigator or inspector has made reasonable efforts to protect  
178 such information from being accessible through other means  
179 available to the public. This sub-subparagraph is subject to the  
180 Open Government Sunset Review Act in accordance with s. 119.15  
181 and shall stand repealed on October 2, 2017, unless reviewed and  
182 saved from repeal through reenactment by the Legislature.

183 1. The home addresses and telephone numbers of county tax  
184 collectors; the names, home addresses, telephone numbers, and  
185 places of employment of the spouses and children of such tax  
186 collectors; and the names and locations of schools and day care  
187 facilities attended by the children of such tax collectors are  
188 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
189 Constitution if the county tax collector has made reasonable  
190 efforts to protect such information from being accessible  
191 through other means available to the public. This sub-  
192 subparagraph is subject to the Open Government Sunset Review Act  
193 in accordance with s. 119.15 and shall stand repealed on October  
194 2, 2017, unless reviewed and saved from repeal through  
195 reenactment by the Legislature.

196 m. The home addresses, telephone numbers, dates of birth,  
197 and photographs of current or former personnel of the Department  
198 of Health whose duties include, or result in, the determination  
199 or adjudication of eligibility for social security disability  
200 benefits, the investigation or prosecution of complaints filed  
201 against health care practitioners, or the inspection of health  
202 care practitioners or health care facilities licensed by the  
203 Department of Health; the names, home addresses, telephone  
204 numbers, dates of birth, and places of employment of the spouses  
205 and children of such personnel; and the names and locations of  
206 schools and day care facilities attended by the children of such  
207 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
208 the State Constitution if the personnel have made reasonable



209 efforts to protect such information from being accessible  
 210 through other means available to the public. This sub-  
 211 subparagraph is subject to the Open Government Sunset Review Act  
 212 in accordance with s. 119.15 and shall stand repealed on October  
 213 2, 2019, unless reviewed and saved from repeal through  
 214 reenactment by the Legislature.

215 3. An agency that is the custodian of the information  
 216 specified in subparagraph 2. and that is not the employer of the  
 217 officer, employee, justice, judge, or other person specified in  
 218 subparagraph 2. shall maintain the exempt status of that  
 219 information only if the officer, employee, justice, judge, other  
 220 person, or employing agency of the designated employee submits a  
 221 written request for maintenance of the exemption to the  
 222 custodial agency.

223 4. The exemptions in this paragraph apply to information  
 224 held by an agency before, on, or after the effective date of the  
 225 exemption.

226 5. Except as otherwise expressly provided in this  
 227 paragraph, this paragraph is subject to the Open Government  
 228 Sunset Review Act in accordance with s. 119.15, and shall stand  
 229 repealed on October 2, 2017, unless reviewed and saved from  
 230 repeal through reenactment by the Legislature.

231 Section 2. The Legislature finds that it is a public  
 232 necessity that the home addresses, telephone numbers, dates of  
 233 birth, and photographs of current or former personnel of the  
 234 Department of Health whose duties include, or result in, the

235 determination or adjudication of eligibility for social security  
236 disability benefits, the investigation or prosecution of  
237 complaints filed against health care practitioners, or the  
238 inspection of health care practitioners or health care  
239 facilities licensed by the Department of Health; that the names,  
240 home addresses, telephone numbers, dates of birth, and places of  
241 employment of the spouses and children of such personnel; and  
242 that the names and locations of schools and day care facilities  
243 attended by the children of such personnel be made exempt from  
244 public records requirements. The Legislature finds that the  
245 release of such identifying and location information might place  
246 such current or former personnel of the Department of Health and  
247 their family members in danger of physical and emotional harm  
248 from disgruntled individuals who have contentious reactions to  
249 actions carried out by such personnel of the Department of  
250 Health, or whose business or professional practices have come  
251 under the scrutiny of investigators and inspectors of the  
252 Department of Health. The Legislature further finds that the  
253 harm that may result from the release of such identifying and  
254 location information outweighs any public benefit derived from  
255 disclosure of the information.

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