

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Passidomo offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (d) of subsection (4) of section
6 119.071, Florida Statutes, is amended to read:

7 119.071 General exemptions from inspection or copying of
8 public records.—

9 (4) AGENCY PERSONNEL INFORMATION.—

10 (d)1. For purposes of this paragraph, the term "telephone
11 numbers" includes home telephone numbers, personal cellular
12 telephone numbers, personal pager telephone numbers, and
13 telephone numbers associated with personal communications
14 devices.

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15 2.a.(I) The home addresses, telephone numbers, social
16 security numbers, dates of birth, and photographs of active or
17 former sworn or civilian law enforcement personnel, including
18 correctional and correctional probation officers, personnel of
19 the Department of Children and Families whose duties include the
20 investigation of abuse, neglect, exploitation, fraud, theft, or
21 other criminal activities, personnel of the Department of Health
22 whose duties are to support the investigation of child abuse or
23 neglect, and personnel of the Department of Revenue or local
24 governments whose responsibilities include revenue collection
25 and enforcement or child support enforcement; the home
26 addresses, telephone numbers, social security numbers,
27 photographs, dates of birth, and places of employment of the
28 spouses and children of such personnel; and the names and
29 locations of schools and day care facilities attended by the
30 children of such personnel are exempt from s. 119.07(1).

31 (II) The names of the spouses and children of active or
32 former sworn or civilian law enforcement personnel and the other
33 specified agency personnel identified in sub-sub-subparagraph
34 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the
35 State Constitution.

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38 shall stand repealed on October 2, 2018, unless reviewed and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

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40 (IV) The home addresses, telephone numbers, dates of
41 birth, and photographs of current or former nonsworn
42 investigative personnel of the Department of Financial Services
43 whose duties include the investigation of fraud, theft, workers'
44 compensation coverage requirements and compliance, other related
45 criminal activities, or state regulatory requirement violations;
46 the names, home addresses, telephone numbers, dates of birth,
47 and places of employment of the spouses and children of such
48 personnel; and the names and locations of schools and day care
49 facilities attended by the children of such personnel are exempt
50 from s. 119.07(1) and s. 24(a), Art. I of the State
51 Constitution. This sub-sub-subparagraph is subject to the Open
52 Government Sunset Review Act in accordance with s. 119.15 and
53 shall stand repealed on October 2, 2021, unless reviewed and
54 saved from repeal through reenactment by the Legislature.

55 b. The home addresses, telephone numbers, dates of birth,
56 and photographs of firefighters certified in compliance with s.
57 633.408; the home addresses, telephone numbers, photographs,
58 dates of birth, and places of employment of the spouses and
59 children of such firefighters; and the names and locations of
60 schools and day care facilities attended by the children of such
61 firefighters are exempt from s. 119.07(1).

62 c. The home addresses, dates of birth, and telephone
63 numbers of current or former justices of the Supreme Court,
64 district court of appeal judges, circuit court judges, and
65 county court judges; the home addresses, telephone numbers,

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66 dates of birth, and places of employment of the spouses and
67 children of current or former justices and judges; and the names
68 and locations of schools and day care facilities attended by the
69 children of current or former justices and judges are exempt
70 from s. 119.07(1).

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

84 (II) The names of the spouses and children of current or
85 former state attorneys, assistant state attorneys, statewide
86 prosecutors, or assistant statewide prosecutors are exempt from
87 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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92 e. The home addresses, dates of birth, and telephone
93 numbers of general magistrates, special magistrates, judges of
94 compensation claims, administrative law judges of the Division
95 of Administrative Hearings, and child support enforcement
96 hearing officers; the home addresses, telephone numbers, dates
97 of birth, and places of employment of the spouses and children
98 of general magistrates, special magistrates, judges of
99 compensation claims, administrative law judges of the Division
100 of Administrative Hearings, and child support enforcement
101 hearing officers; and the names and locations of schools and day
102 care facilities attended by the children of general magistrates,
103 special magistrates, judges of compensation claims,
104 administrative law judges of the Division of Administrative
105 Hearings, and child support enforcement hearing officers are
106 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
107 Constitution if the general magistrate, special magistrate,
108 judge of compensation claims, administrative law judge of the
109 Division of Administrative Hearings, or child support hearing
110 officer provides a written statement that the general
111 magistrate, special magistrate, judge of compensation claims,
112 administrative law judge of the Division of Administrative
113 Hearings, or child support hearing officer has made reasonable
114 efforts to protect such information from being accessible
115 through other means available to the public.

116 f. The home addresses, telephone numbers, dates of birth,
117 and photographs of current or former human resource, labor

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118 relations, or employee relations directors, assistant directors,
119 managers, or assistant managers of any local government agency
120 or water management district whose duties include hiring and
121 firing employees, labor contract negotiation, administration, or
122 other personnel-related duties; the names, home addresses,
123 telephone numbers, dates of birth, and places of employment of
124 the spouses and children of such personnel; and the names and
125 locations of schools and day care facilities attended by the
126 children of such personnel are exempt from s. 119.07(1) and s.
127 24(a), Art. I of the State Constitution.

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

136 h. The home addresses, telephone numbers, places of
137 employment, dates of birth, and photographs of current or former
138 guardians ad litem, as defined in s. 39.820; the names, home
139 addresses, telephone numbers, dates of birth, and places of
140 employment of the spouses and children of such persons; and the
141 names and locations of schools and day care facilities attended
142 by the children of such persons are exempt from s. 119.07(1) and
143 s. 24(a), Art. I of the State Constitution, if the guardian ad

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144 litem provides a written statement that the guardian ad litem
145 has made reasonable efforts to protect such information from
146 being accessible through other means available to the public.

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

164 j.(I) The home addresses, telephone numbers, dates of
165 birth, and photographs of current or former public defenders,
166 assistant public defenders, criminal conflict and civil regional
167 counsel, and assistant criminal conflict and civil regional
168 counsel; the home addresses, telephone numbers, dates of birth,
169 and places of employment of the spouses and children of such

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170 defenders or counsel; and the names and locations of schools and
171 day care facilities attended by the children of such defenders
172 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of
173 the State Constitution.

174 (II) The names of the spouses and children of the
175 specified agency personnel identified in sub-sub-subparagraph
176 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the
177 State Constitution. This sub-sub-subparagraph is subject to the
178 Open Government Sunset Review Act in accordance with s. 119.15
179 and shall stand repealed on October 2, 2019, unless reviewed and
180 saved from repeal through reenactment by the Legislature.

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

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196 1. The home addresses and telephone numbers of county tax
197 collectors; the names, home addresses, telephone numbers, and
198 places of employment of the spouses and children of such tax
199 collectors; and the names and locations of schools and day care
200 facilities attended by the children of such tax collectors are
201 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
202 Constitution if the county tax collector has made reasonable
203 efforts to protect such information from being accessible
204 through other means available to the public. This sub-
205 subparagraph is subject to the Open Government Sunset Review Act
206 in accordance with s. 119.15 and shall stand repealed on October
207 2, 2017, unless reviewed and saved from repeal through
208 reenactment by the Legislature.

209 m. The home addresses, telephone numbers, dates of birth,
210 and photographs of current or former personnel of the Department
211 of Health whose duties include, or result in, the determination
212 or adjudication of eligibility for social security disability
213 benefits, the investigation or prosecution of complaints filed
214 against health care practitioners, or the inspection of health
215 care practitioners or health care facilities licensed by the
216 Department of Health; the names, home addresses, telephone
217 numbers, dates of birth, and places of employment of the spouses
218 and children of such personnel; and the names and locations of
219 schools and day care facilities attended by the children of such
220 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
221 the State Constitution if the personnel have made reasonable

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222 efforts to protect such information from being accessible
223 through other means available to the public. This sub-
224 subparagraph is subject to the Open Government Sunset Review Act
225 in accordance with s. 119.15 and shall stand repealed on October
226 2, 2019, unless reviewed and saved from repeal through
227 reenactment by the Legislature.

228 n. The home addresses, telephone numbers, dates of birth,
229 and photographs of current or former impaired practitioner
230 consultants who are retained by an agency or current or former
231 employees of an impaired practitioner consultant whose duties
232 result in a determination of a person's skill and safety to
233 practice a licensed profession; the names, home addresses,
234 telephone numbers, dates of birth, and places of employment of
235 the spouses and children of such consultants or their employees;
236 and the names and locations of schools and day care facilities
237 attended by the children of such consultants or employees are
238 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
239 Constitution if a consultant or employee has made reasonable
240 efforts to protect such information from being accessible
241 through other means available to the public. This sub-
242 subparagraph is subject to the Open Government Sunset Review Act
243 in accordance with s. 119.15 and shall stand repealed on October
244 2, 2020, unless reviewed and saved from repeal through
245 reenactment by the Legislature.

246 o. The home addresses, telephone numbers, dates of birth,
247 and photographs of current or former emergency medical

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248 technicians or paramedics certified under chapter 401; the
249 names, home addresses, telephone numbers, dates of birth, and
250 places of employment of the spouses and children of such
251 emergency medical technicians or paramedics; and the names and
252 locations of schools and day care facilities attended by the
253 children of such emergency medical technicians or paramedics are
254 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
255 Constitution if the emergency medical technicians or paramedics
256 have made reasonable efforts to protect such information from
257 being accessible through other means available to the public.
258 This sub-subparagraph is subject to the Open Government Sunset
259 Review Act in accordance with s. 119.15 and shall stand repealed
260 on October 2, 2021, unless reviewed and saved from repeal
261 through reenactment by the Legislature.

262 3. An agency that is the custodian of the information
263 specified in subparagraph 2. and that is not the employer of the
264 officer, employee, justice, judge, or other person specified in
265 subparagraph 2. shall maintain the exempt status of that
266 information only if the officer, employee, justice, judge, other
267 person, or employing agency of the designated employee submits a
268 written request for maintenance of the exemption to the
269 custodial agency.

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

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

278 Section 2. The Legislature finds that it is a public
279 necessity to exempt from public records requirements the home
280 addresses, telephone numbers, dates of birth, and photographs of
281 current or former nonsworn investigative personnel of the
282 Department of Financial Services whose duties include the
283 investigation of fraud, theft, workers' compensation coverage
284 requirements and compliance, other related criminal activities,
285 or state regulatory requirement violations; the names, home
286 addresses, telephone numbers, dates of birth, and places of
287 employment of the spouses and children of such personnel; and
288 the names and locations of schools and day care facilities
289 attended by the children of such personnel. The efforts of such
290 personnel can lead to arrests and prosecutions for crimes up to
291 and including first degree felony violations and can also result
292 in the loss of commerce and property, the assessment of monetary
293 fines, or the suspension or loss of professional licenses. The
294 department has documented numerous instances of personnel who
295 have been threatened and who have feared repercussions as a
296 result of carrying out their duties. These threats have included
297 weapons being brandished, verbal threats made to harm them or
298 their family members, harassment, and intimidation. The

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299 Legislature finds that the release of such personal identifying
300 and location information might place these nonsworn
301 investigative personnel of the department and their family
302 members in danger of physical and emotional harm from
303 disgruntled individuals who have contentious reactions to
304 actions taken by such personnel, or whose business or
305 professional practices have come under the scrutiny of such
306 personnel. The Legislature further finds that the harm that may
307 result from the release of such personal identifying and
308 location information outweighs any public benefit that may be
309 derived from the disclosure of the information.

310 Section 3. The Legislature finds that it is a public
311 necessity that the home addresses, telephone numbers, dates of
312 birth, and photographs of current or former emergency medical
313 technicians or paramedics certified under chapter 401, Florida
314 Statutes; that the names, home addresses, telephone numbers, and
315 places of employment of the spouses and children of such
316 emergency medical technicians or paramedics; and that the names
317 and locations of schools and day care facilities attended by the
318 children of such emergency medical technicians or paramedics be
319 exempt from public records requirements if the emergency medical
320 technicians or paramedics have made reasonable efforts to
321 protect such information from being accessible through other
322 means available to the public. Emergency medical technicians or
323 paramedics are public safety officers whose duties as first
324 responders to accidents and life-threatening events often place

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325 them in traumatic circumstances in which loss of life and severe
326 bodily injuries have occurred. They often deal with violent,
327 angry, or mentally unstable individuals. As a result, the
328 Legislature finds that release of identifying and location
329 information of emergency medical technicians or paramedics
330 certified under chapter 401, Florida Statutes, or the spouses
331 and children of such emergency medical technicians or
332 paramedics, could place them in danger of being physically or
333 emotionally harmed or stalked by a person who has a hostile
334 reaction to his or her encounter with such emergency medical
335 technicians or paramedics. The Legislature further finds that
336 the harm that may result from the release of such identifying
337 and location information outweighs any public benefit that may
338 be derived from the disclosure of the information.

339 Section 4. This act shall take effect upon becoming a law.

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342 **T I T L E A M E N D M E N T**

343 Remove everything before the enacting clause and insert:

344 A bill to be entitled

345 An act relating to public records; amending s.

346 119.071, F.S.; providing an exemption from public

347 records requirements for the personal identifying and

348 location information of certain nonsworn investigative

349 personnel of the Department of Financial Services and

350 the names and personal identifying and location

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351 information of the spouses and children of such
352 personnel; providing an exemption from public records
353 requirements for certain identifying and location
354 information of current or former emergency medical
355 technicians or paramedics certified under ch. 401,
356 F.S., and the spouses and children of such emergency
357 medical technicians or paramedics, under specified
358 circumstances; providing for future review and repeal
359 of the exemptions; providing statements of public
360 necessity; providing an effective date.

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