

By Senator Hooper

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; defining the term "home addresses" for
4 purposes of public records exemptions for personal
5 identifying and location information of certain agency
6 personnel and their family members; exempting personal
7 identifying and location information of active or
8 former civilian personnel employed by a law
9 enforcement agency, and of spouses and children of
10 such personnel, from public records requirements;
11 providing for legislative review and repeal of the
12 exemptions; providing statements of public necessity;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Paragraph (d) of subsection (4) of section
18 119.071, Florida Statutes, is amended to read:

19 119.071 General exemptions from inspection or copying of
20 public records.—

21 (4) AGENCY PERSONNEL INFORMATION.—

22 (d)1. For purposes of this paragraph, the term:

23 a. "Home addresses" means the dwelling location at which an
24 individual resides and includes the physical address, mailing
25 address, street address, parcel identification number, plot
26 identification number, legal property description, neighborhood
27 name and lot number, GPS coordinates, and any other descriptive
28 property information that may reveal the home address.

29 b. "Telephone numbers" includes home telephone numbers,

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30 personal cellular telephone numbers, personal pager telephone
31 numbers, and telephone numbers associated with personal
32 communications devices.

33 2.a. The home addresses, telephone numbers, dates of birth,
34 and photographs of active or former sworn ~~or civilian~~ law
35 enforcement personnel or of active or former civilian personnel
36 employed by a law enforcement agency, including correctional and
37 correctional probation officers, personnel of the Department of
38 Children and Families whose duties include the investigation of
39 abuse, neglect, exploitation, fraud, theft, or other criminal
40 activities, personnel of the Department of Health whose duties
41 are to support the investigation of child abuse or neglect, and
42 personnel of the Department of Revenue or local governments
43 whose responsibilities include revenue collection and
44 enforcement or child support enforcement; the names, home
45 addresses, telephone numbers, photographs, dates of birth, and
46 places of employment of the spouses and children of such
47 personnel; and the names and locations of schools and day care
48 facilities attended by the children of such personnel are exempt
49 from s. 119.07(1) and s. 24(a), Art. I of the State
50 Constitution. ~~This sub-subparagraph is subject to the Open
51 Government Sunset Review Act in accordance with s. 119.15 and
52 shall stand repealed on October 2, 2022, unless reviewed and
53 saved from repeal through reenactment by the Legislature.~~

54 b. The home addresses, telephone numbers, dates of birth,
55 and photographs of current or former nonsworn investigative
56 personnel of the Department of Financial Services whose duties
57 include the investigation of fraud, theft, workers' compensation
58 coverage requirements and compliance, other related criminal

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59 activities, or state regulatory requirement violations; the
60 names, home addresses, telephone numbers, dates of birth, and
61 places of employment of the spouses and children of such
62 personnel; and the names and locations of schools and day care
63 facilities attended by the children of such personnel are exempt
64 from s. 119.07(1) and s. 24(a), Art. I of the State
65 Constitution. ~~This sub-subparagraph is subject to the Open
66 Government Sunset Review Act in accordance with s. 119.15 and
67 shall stand repealed on October 2, 2021, unless reviewed and
68 saved from repeal through reenactment by the Legislature.~~

69 c. The home addresses, telephone numbers, dates of birth,
70 and photographs of current or former nonsworn investigative
71 personnel of the Office of Financial Regulation's Bureau of
72 Financial Investigations whose duties include the investigation
73 of fraud, theft, other related criminal activities, or state
74 regulatory requirement violations; the names, home addresses,
75 telephone numbers, dates of birth, and places of employment of
76 the spouses and children of such personnel; and the names and
77 locations of schools and day care facilities attended by the
78 children of such personnel are exempt from s. 119.07(1) and s.
79 24(a), Art. I of the State Constitution. ~~This sub-subparagraph
80 is subject to the Open Government Sunset Review Act in
81 accordance with s. 119.15 and shall stand repealed on October 2,
82 2022, unless reviewed and saved from repeal through reenactment
83 by the Legislature.~~

84 d. The home addresses, telephone numbers, dates of birth,
85 and photographs of current or former firefighters certified in
86 compliance with s. 633.408; the names, home addresses, telephone
87 numbers, photographs, dates of birth, and places of employment

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88 of the spouses and children of such firefighters; and the names
89 and locations of schools and day care facilities attended by the
90 children of such firefighters are exempt from s. 119.07(1) and
91 s. 24(a), Art. I of the State Constitution. ~~This sub-~~
92 ~~subparagraph is subject to the Open Government Sunset Review Act~~
93 ~~in accordance with s. 119.15, and shall stand repealed on~~
94 ~~October 2, 2022, unless reviewed and saved from repeal through~~
95 ~~reenactment by the Legislature.~~

96 e. The home addresses, dates of birth, and telephone
97 numbers of current or former justices of the Supreme Court,
98 district court of appeal judges, circuit court judges, and
99 county court judges; the names, home addresses, telephone
100 numbers, dates of birth, and places of employment of the spouses
101 and children of current or former justices and judges; and the
102 names and locations of schools and day care facilities attended
103 by the children of current or former justices and judges are
104 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
105 Constitution. ~~This sub-subparagraph is subject to the Open~~
106 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
107 ~~shall stand repealed on October 2, 2022, unless reviewed and~~
108 ~~saved from repeal through reenactment by the Legislature.~~

109 f. The home addresses, telephone numbers, dates of birth,
110 and photographs of current or former state attorneys, assistant
111 state attorneys, statewide prosecutors, or assistant statewide
112 prosecutors; the names, home addresses, telephone numbers,
113 photographs, dates of birth, and places of employment of the
114 spouses and children of current or former state attorneys,
115 assistant state attorneys, statewide prosecutors, or assistant
116 statewide prosecutors; and the names and locations of schools

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117 and day care facilities attended by the children of current or
118 former state attorneys, assistant state attorneys, statewide
119 prosecutors, or assistant statewide prosecutors are exempt from
120 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

121 g. The home addresses, dates of birth, and telephone
122 numbers of general magistrates, special magistrates, judges of
123 compensation claims, administrative law judges of the Division
124 of Administrative Hearings, and child support enforcement
125 hearing officers; the names, home addresses, telephone numbers,
126 dates of birth, and places of employment of the spouses and
127 children of general magistrates, special magistrates, judges of
128 compensation claims, administrative law judges of the Division
129 of Administrative Hearings, and child support enforcement
130 hearing officers; and the names and locations of schools and day
131 care facilities attended by the children of general magistrates,
132 special magistrates, judges of compensation claims,
133 administrative law judges of the Division of Administrative
134 Hearings, and child support enforcement hearing officers are
135 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
136 Constitution. ~~This sub-subparagraph is subject to the Open
137 Government Sunset Review Act in accordance with s. 119.15 and
138 shall stand repealed on October 2, 2022, unless reviewed and
139 saved from repeal through reenactment by the Legislature.~~

140 h. The home addresses, telephone numbers, dates of birth,
141 and photographs of current or former human resource, labor
142 relations, or employee relations directors, assistant directors,
143 managers, or assistant managers of any local government agency
144 or water management district whose duties include hiring and
145 firing employees, labor contract negotiation, administration, or

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146 other personnel-related duties; the names, home addresses,
147 telephone numbers, dates of birth, and places of employment of
148 the spouses and children of such personnel; and the names and
149 locations of schools and day care facilities attended by the
150 children of such personnel are exempt from s. 119.07(1) and s.
151 24(a), Art. I of the State Constitution.

152 i. The home addresses, telephone numbers, dates of birth,
153 and photographs of current or former code enforcement officers;
154 the names, home addresses, telephone numbers, dates of birth,
155 and places of employment of the spouses and children of such
156 personnel; and the names and locations of schools and day care
157 facilities attended by the children of such personnel are exempt
158 from s. 119.07(1) and s. 24(a), Art. I of the State
159 Constitution.

160 j. The home addresses, telephone numbers, places of
161 employment, dates of birth, and photographs of current or former
162 guardians ad litem, as defined in s. 39.820; the names, home
163 addresses, telephone numbers, dates of birth, and places of
164 employment of the spouses and children of such persons; and the
165 names and locations of schools and day care facilities attended
166 by the children of such persons are exempt from s. 119.07(1) and
167 s. 24(a), Art. I of the State Constitution. ~~This sub-~~
168 ~~subparagraph is subject to the Open Government Sunset Review Act~~
169 ~~in accordance with s. 119.15 and shall stand repealed on October~~
170 ~~2, 2022, unless reviewed and saved from repeal through~~
171 ~~reenactment by the Legislature.~~

172 k. The home addresses, telephone numbers, dates of birth,
173 and photographs of current or former juvenile probation
174 officers, juvenile probation supervisors, detention

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175 superintendents, assistant detention superintendents, juvenile
176 justice detention officers I and II, juvenile justice detention
177 officer supervisors, juvenile justice residential officers,
178 juvenile justice residential officer supervisors I and II,
179 juvenile justice counselors, juvenile justice counselor
180 supervisors, human services counselor administrators, senior
181 human services counselor administrators, rehabilitation
182 therapists, and social services counselors of the Department of
183 Juvenile Justice; the names, home addresses, telephone numbers,
184 dates of birth, and places of employment of spouses and children
185 of such personnel; and the names and locations of schools and
186 day care facilities attended by the children of such personnel
187 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
188 Constitution.

189 1. The home addresses, telephone numbers, dates of birth,
190 and photographs of current or former public defenders, assistant
191 public defenders, criminal conflict and civil regional counsel,
192 and assistant criminal conflict and civil regional counsel; the
193 names, home addresses, telephone numbers, dates of birth, and
194 places of employment of the spouses and children of current or
195 former public defenders, assistant public defenders, criminal
196 conflict and civil regional counsel, and assistant criminal
197 conflict and civil regional counsel; and the names and locations
198 of schools and day care facilities attended by the children of
199 current or former public defenders, assistant public defenders,
200 criminal conflict and civil regional counsel, and assistant
201 criminal conflict and civil regional counsel are exempt from s.
202 119.07(1) and s. 24(a), Art. I of the State Constitution.

203 m. The home addresses, telephone numbers, dates of birth,

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204 and photographs of current or former investigators or inspectors
205 of the Department of Business and Professional Regulation; the
206 names, home addresses, telephone numbers, dates of birth, and
207 places of employment of the spouses and children of such current
208 or former investigators and inspectors; and the names and
209 locations of schools and day care facilities attended by the
210 children of such current or former investigators and inspectors
211 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
212 Constitution. ~~This sub-subparagraph is subject to the Open
213 Government Sunset Review Act in accordance with s. 119.15 and
214 shall stand repealed on October 2, 2022, unless reviewed and
215 saved from repeal through reenactment by the Legislature.~~

216 n. The home addresses, telephone numbers, and dates of
217 birth of county tax collectors; the names, home addresses,
218 telephone numbers, dates of birth, and places of employment of
219 the spouses and children of such tax collectors; and the names
220 and locations of schools and day care facilities attended by the
221 children of such tax collectors are exempt from s. 119.07(1) and
222 s. 24(a), Art. I of the State Constitution. ~~This sub-
223 subparagraph is subject to the Open Government Sunset Review Act
224 in accordance with s. 119.15 and shall stand repealed on October
225 2, 2022, unless reviewed and saved from repeal through
226 reenactment by the Legislature.~~

227 o. The home addresses, telephone numbers, dates of birth,
228 and photographs of current or former personnel of the Department
229 of Health whose duties include, or result in, the determination
230 or adjudication of eligibility for social security disability
231 benefits, the investigation or prosecution of complaints filed
232 against health care practitioners, or the inspection of health

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233 care practitioners or health care facilities licensed by the
234 Department of Health; the names, home addresses, telephone
235 numbers, dates of birth, and places of employment of the spouses
236 and children of such personnel; and the names and locations of
237 schools and day care facilities attended by the children of such
238 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
239 the State Constitution. ~~This sub-subparagraph is subject to the
240 Open Government Sunset Review Act in accordance with s. 119.15
241 and shall stand repealed on October 2, 2019, unless reviewed and
242 saved from repeal through reenactment by the Legislature.~~

243 p. The home addresses, telephone numbers, dates of birth,
244 and photographs of current or former impaired practitioner
245 consultants who are retained by an agency or current or former
246 employees of an impaired practitioner consultant whose duties
247 result in a determination of a person's skill and safety to
248 practice a licensed profession; the names, home addresses,
249 telephone numbers, dates of birth, and places of employment of
250 the spouses and children of such consultants or their employees;
251 and the names and locations of schools and day care facilities
252 attended by the children of such consultants or employees are
253 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
254 Constitution. ~~This sub-subparagraph is subject to the Open
255 Government Sunset Review Act in accordance with s. 119.15 and
256 shall stand repealed on October 2, 2020, unless reviewed and
257 saved from repeal through reenactment by the Legislature.~~

258 q. The home addresses, telephone numbers, dates of birth,
259 and photographs of current or former emergency medical
260 technicians or paramedics certified under chapter 401; the
261 names, home addresses, telephone numbers, dates of birth, and

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262 places of employment of the spouses and children of such
263 emergency medical technicians or paramedics; and the names and
264 locations of schools and day care facilities attended by the
265 children of such emergency medical technicians or paramedics are
266 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
267 Constitution. ~~This sub-subparagraph is subject to the Open
268 Government Sunset Review Act in accordance with s. 119.15 and
269 shall stand repealed on October 2, 2021, unless reviewed and
270 saved from repeal through reenactment by the Legislature.~~

271 r. The home addresses, telephone numbers, dates of birth,
272 and photographs of current or former personnel employed in an
273 agency's office of inspector general or internal audit
274 department whose duties include auditing or investigating waste,
275 fraud, abuse, theft, exploitation, or other activities that
276 could lead to criminal prosecution or administrative discipline;
277 the names, home addresses, telephone numbers, dates of birth,
278 and places of employment of spouses and children of such
279 personnel; and the names and locations of schools and day care
280 facilities attended by the children of such personnel are exempt
281 from s. 119.07(1) and s. 24(a), Art. I of the State
282 Constitution. ~~This sub-subparagraph is subject to the Open
283 Government Sunset Review Act in accordance with s. 119.15 and
284 shall stand repealed on October 2, 2021, unless reviewed and
285 saved from repeal through reenactment by the Legislature.~~

286 s. The home addresses, telephone numbers, dates of birth,
287 and photographs of current or former directors, managers,
288 supervisors, nurses, and clinical employees of an addiction
289 treatment facility; the home addresses, telephone numbers,
290 photographs, dates of birth, and places of employment of the

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291 spouses and children of such personnel; and the names and
292 locations of schools and day care facilities attended by the
293 children of such personnel are exempt from s. 119.07(1) and s.
294 24(a), Art. I of the State Constitution. For purposes of this
295 sub-subparagraph, the term "addiction treatment facility" means
296 a county government, or agency thereof, that is licensed
297 pursuant to s. 397.401 and provides substance abuse prevention,
298 intervention, or clinical treatment, including any licensed
299 service component described in s. 397.311(26). ~~This sub-~~
300 ~~subparagraph is subject to the Open Government Sunset Review Act~~
301 ~~in accordance with s. 119.15 and shall stand repealed on October~~
302 ~~2, 2023, unless reviewed and saved from repeal through~~
303 ~~re-enactment by the Legislature.~~

304 t. The home addresses, telephone numbers, dates of birth,
305 and photographs of current or former directors, managers,
306 supervisors, and clinical employees of a child advocacy center
307 that meets the standards of s. 39.3035(1) and fulfills the
308 screening requirement of s. 39.3035(2), and the members of a
309 child protection team as described in s. 39.303 whose duties
310 include supporting the investigation of child abuse or sexual
311 abuse, child abandonment, child neglect, and child exploitation
312 or to provide services as part of a multidisciplinary case
313 review team; the names, home addresses, telephone numbers,
314 photographs, dates of birth, and places of employment of the
315 spouses and children of such personnel and members; and the
316 names and locations of schools and day care facilities attended
317 by the children of such personnel and members are exempt from s.
318 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~
319 ~~sub-subparagraph is subject to the Open Government Sunset Review~~

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320 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
321 ~~October 2, 2023, unless reviewed and saved from repeal through~~
322 ~~reenactment by the Legislature.~~

323 3. An agency that is the custodian of the information
324 specified in subparagraph 2. and that is not the employer of the
325 officer, employee, justice, judge, or other person specified in
326 subparagraph 2. shall maintain the exempt status of that
327 information only if the officer, employee, justice, judge, other
328 person, or employing agency of the designated employee submits a
329 written request for maintenance of the exemption to the
330 custodial agency.

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

334 5. This paragraph is subject to the Open Government Sunset
335 Review Act in accordance with s. 119.15 and shall stand repealed
336 on October 2, 2023, unless reviewed and saved from repeal
337 through reenactment by the Legislature.

338 Section 2. (1) The Legislature finds that it is a public
339 necessity to define the term "home addresses" for purposes of
340 the public records exemptions for agency personnel information
341 under s. 119.071(4)(d), Florida Statutes. The public records
342 exemptions for agency personnel information protect identifying
343 and location information of numerous types of personnel,
344 including, but not limited to, current or former law enforcement
345 officers, investigative personnel, state attorneys and
346 prosecutors, public defenders, guardians ad litem, Supreme Court
347 justices, various judges, and the spouses and children of such
348 personnel. The Legislature has previously recognized that such

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349 personnel and their family members are at a heightened risk of
350 physical and emotional harm from disgruntled individuals who
351 have contentious reactions to actions taken by such personnel,
352 or whose business or professional practices have come under
353 scrutiny of such personnel, and, as a result, has enacted
354 various public records exemptions. While home addresses of such
355 personnel and their family members are already exempt from s.
356 119.07(1), Florida Statutes, and s. 24(a), Article I of the
357 State Constitution, the current exemptions do not provide
358 protection for various forms of descriptive property information
359 that may be used on its own, or in conjunction with other
360 information, to reveal the home addresses that otherwise should
361 be protected from public disclosure. Therefore, the Legislature
362 finds that it is a public necessity to specifically define the
363 term "home addresses" so that the safety and privacy of various
364 personnel and their family members are not compromised.

365 (2) The Legislature further finds that it is a public
366 necessity that the home addresses, telephone numbers, dates of
367 birth, and photographs of active or former civilian personnel
368 employed by a law enforcement agency; the names, home addresses,
369 telephone numbers, photographs, dates of birth, and places of
370 employment of the spouses and children of such personnel; and
371 the names and locations of schools and day care facilities
372 attended by the children of such personnel be exempt from public
373 records requirements. Existing law already provides that the
374 identifying and location information of active or former
375 civilian law enforcement personnel and their spouses and
376 children are exempt from public records requirements. The
377 amendment made by this act further specifies that any active or

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378 former civilian personnel employed by a law enforcement agency
379 and their spouses and children are entitled to the protections
380 of the public records exemption. The civilian personnel of law
381 enforcement agencies perform a variety of important duties that
382 ensure public safety and welfare and encourage safe and secure
383 communities. As a result of such duties, these civilian
384 personnel often come into close contact with individuals who not
385 only may be a threat to those personnel, but who might also seek
386 to take revenge against them by harming their spouses and
387 children. The Legislature finds that modifying the public
388 records exemption to apply to all active or former civilian
389 personnel employed by a law enforcement agency and their spouses
390 and children will serve the public interest by further ensuring
391 the safety of such personnel.

392 Section 3. This act shall take effect July 1, 2019.