

By Representative Harrington

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing exemptions from public
4 records requirements for specified personal
5 information relating to licensed clinicians and
6 educational personnel of the Department of
7 Corrections, and to certified educational
8 personnel, and their spouses and children;
9 providing for future review and repeal;
10 providing a finding of public necessity;
11 providing an effective date.

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

14
15 Section 1. Paragraph (i) of subsection (3) of section
16 119.07, Florida Statutes, 1996 Supplement, is amended to read:
17 119.07 Inspection, examination, and duplication of
18 records; exemptions.--

19 (3)

20 (i)1. The home addresses, telephone numbers, social
21 security numbers, and photographs of active or former law
22 enforcement personnel, including correctional and correctional
23 probation officers, personnel of the Department of Health and
24 Rehabilitative Services whose duties include the investigation
25 of abuse, neglect, exploitation, fraud, theft, or other
26 criminal activities, and personnel of the Department of
27 Revenue or local governments whose responsibilities include
28 revenue collection and enforcement or child support
29 enforcement; the home addresses, telephone numbers, social
30 security numbers, photographs, and places of employment of the
31 spouses and children of such personnel; and the names and

1 | locations of schools and day care facilities attended by the
2 | children of such personnel are exempt from the provisions of
3 | subsection (1). The home addresses, telephone numbers, and
4 | photographs of firefighters certified in compliance with s.
5 | 633.35; the home addresses, telephone numbers, photographs,
6 | and places of employment of the spouses and children of such
7 | firefighters; and the names and locations of schools and day
8 | care facilities attended by the children of such firefighters
9 | are exempt from subsection (1). The home addresses and
10 | telephone numbers of justices of the Supreme Court, district
11 | court of appeal judges, circuit court judges, and county court
12 | judges; the home addresses, telephone numbers, and places of
13 | employment of the spouses and children of justices and judges;
14 | and the names and locations of schools and day care facilities
15 | attended by the children of justices and judges are exempt
16 | from the provisions of subsection (1). The home addresses,
17 | telephone numbers, social security numbers, and photographs of
18 | current or former state attorneys, assistant state attorneys,
19 | statewide prosecutors, or assistant statewide prosecutors; the
20 | home addresses, telephone numbers, social security numbers,
21 | photographs, and places of employment of the spouses and
22 | children of current or former state attorneys, assistant state
23 | attorneys, statewide prosecutors, or assistant statewide
24 | prosecutors; and the names and locations of schools and day
25 | care facilities attended by the children of current or former
26 | state attorneys, assistant state attorneys, statewide
27 | prosecutors, or assistant statewide prosecutors are exempt
28 | from subsection (1) and s. 24(a), Art. I of the State
29 | Constitution. The home addresses and home telephone numbers of
30 | county and municipal code inspectors and code enforcement
31 |

1 officers are confidential and exempt from the provisions of
2 subsection (1) and s. 24(a), Art. I of the State Constitution.
3 2. The home addresses, telephone numbers, social
4 security numbers, and photographs of licensed clinicians of
5 the Department of Corrections, including the records kept by
6 the Agency for Health Care Administration, and of educational
7 personnel of the Department of Corrections whose duties
8 include responsibilities pursuant to s. 944.801; the home
9 addresses, telephone numbers, social security numbers,
10 photographs, and places of employment of the spouses and
11 children of such persons; and the names and locations of
12 schools and day care facilities attended by the children of
13 such persons, are exempt from subsection (1) and s. 24(a),
14 Art. I of the State Constitution. The home addresses,
15 telephone numbers, social security numbers, and photographs of
16 educational personnel certified pursuant to s. 231.17; the
17 home addresses, telephone numbers, social security numbers,
18 photographs, and places of employment of the spouses and
19 children of such educational personnel; and the names and
20 locations of schools and day care facilities attended by
21 children of such educational personnel, are exempt from
22 subsection (1) and s. 24(a), Art. I of the State Constitution.
23 This subparagraph is subject to the Open Government Sunset
24 Review Act of 1995 in accordance with s. 119.15, and shall
25 stand repealed on October 2, 2002, unless reviewed and saved
26 from repeal through reenactment by the Legislature.
27 ~~3.2.~~ An agency that is the custodian of the personal
28 information specified in subparagraph 1. or subparagraph 2.
29 and that is not the employer of the officer, employee,
30 justice, judge, or other person specified in subparagraph 1.
31 or subparagraph 2. shall maintain the confidentiality of the

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1 personal information only if the officer, employee, justice,
2 judge, other person, or employing agency of the designated
3 employee submits a written request for confidentiality to the
4 custodial agency.

5 Section 2. The Legislature finds that the exemption of
6 the personal information specified in this act from public
7 records requirements is a public necessity because release of
8 this information would jeopardize the safety and welfare of
9 licensed clinicians employed by the Department of Corrections
10 and of educational personnel and their families. The release
11 of this personal information would in no way benefit the
12 public or aid it in monitoring the effective and efficient
13 operation of government. The exemption of this personal
14 information would minimize the possibility that inmates,
15 offenders, or other individuals will be able to threaten,
16 intimidate, harass, or cause physical harm or other injury to
17 these persons or their family members.

18 Section 3. This act shall take effect October 1, 1997.

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21 HOUSE SUMMARY
22 Provides exemptions from public records requirements for
23 specified personal information relating to licensed
24 clinicians and educational personnel of the Department of
25 Corrections, and to certified educational personnel, and
 their spouses and children. Provides for future review
 and repeal.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.