

By the Committee on Corrections and 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 or certified
6 health care clinicians and certified
7 educational personnel of the Department of
8 Corrections, and their spouses and children;
9 providing for future review and repeal;
10 providing a finding of public necessity;
11 providing an effective date.

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

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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
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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 health care clinicians of
5 the Department of Corrections who are licensed or certified
6 pursuant to chapter 458, chapter 459, chapter 464, chapter
7 465, chapter 466, or chapter 490, and of educational personnel
8 of the Department of Corrections who are certified pursuant to
9 s. 231.17; the home addresses, telephone numbers, social
10 security numbers, photographs, and places of employment of the
11 spouses and children of such persons; and the names and
12 locations of schools and day care facilities attended by the
13 children of such persons are exempt from subsection (1) and s.
14 24(a), Art. I of the State Constitution. This subparagraph is
15 subject to the Open Government Sunset Review Act of 1995 in
16 accordance with s. 119.15, and shall stand repealed on October
17 2, 2002, unless reviewed and saved from repeal through
18 reenactment by the Legislature.

19 ~~3.2.~~ An agency that is the custodian of the personal
20 information specified in subparagraph 1. or subparagraph 2.
21 and that is not the employer of the officer, employee,
22 justice, judge, or other person specified in subparagraph 1.
23 or subparagraph 2. shall maintain the confidentiality of the
24 personal information only if the officer, employee, justice,
25 judge, other person, or employing agency of the designated
26 employee submits a written request for confidentiality to the
27 custodial agency.

28 Section 2. The Legislature finds that the exemption of
29 the personal information specified in this act from public
30 records requirements is a public necessity because release of
31 this information would jeopardize the safety and welfare of

1 licensed or certified health care clinicians and certified
2 educational personnel employed by the Department of
3 Corrections and their families. The release of this personal
4 information would not benefit the public or aid it in
5 monitoring the effective and efficient operation of
6 government. The exemption of this personal information would
7 minimize the possibility that inmates, offenders, or other
8 individuals might use the information to threaten, intimidate,
9 harass, or cause physical harm or other injury to these
10 persons or members of their families.

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

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