

By Representative Mackey

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 state officers and
6 employees whose duties are performed in
7 correctional institutions or licensed or
8 certified health care clinicians and certified
9 educational personnel of the Department of
10 Corrections, and their spouses and children;
11 providing for future review and repeal;
12 providing a finding of public necessity;
13 providing a contingent effective date.

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

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17 Section 1. Paragraph (i) of subsection (3) of section
18 119.07, Florida Statutes, 1996 Supplement, as amended by
19 chapter 97-185, Laws of Florida, is amended to read:

20 119.07 Inspection, examination, and duplication of
21 records; exemptions.--

22 (3)

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

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

1 Constitution. The home addresses and home telephone numbers of
2 county and municipal code inspectors and code enforcement
3 officers are confidential and exempt from the provisions of
4 subsection (1) and s. 24(a), Art. I of the State Constitution.

5 2. The home addresses, telephone numbers, social
6 security numbers, and photographs of health care clinicians of
7 the Department of Corrections who are licensed or certified
8 pursuant to chapter 458, chapter 459, chapter 464, chapter
9 465, chapter 466, or chapter 490, of educational personnel of
10 the Department of Corrections who are certified pursuant to s.
11 231.17, and of other state officers and employees whose duties
12 are performed in whole or in part in state correctional
13 institutions; the home addresses, telephone numbers, social
14 security numbers, photographs, and places of employment of the
15 spouses and children of such persons; and the names and
16 locations of schools and day care facilities attended by the
17 children of such persons are exempt from subsection (1) and s.
18 24(a), Art. I of the State Constitution. This subparagraph is
19 subject to the Open Government Sunset Review Act of 1995 in
20 accordance with s. 119.15, and shall stand repealed on October
21 2, 2003, unless reviewed and saved from repeal through
22 reenactment by the Legislature.

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

