

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 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, 1998 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 Children
24 and Family Services whose duties include the investigation of
25 abuse, neglect, exploitation, fraud, theft, or other criminal
26 activities, personnel of the Department of Health whose duties
27 are to support the investigation of child abuse or neglect,
28 and personnel of the Department of Revenue or local
29 governments whose responsibilities include revenue collection
30 and enforcement or child support enforcement; the home
31 addresses, telephone numbers, social security numbers,

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

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

4 2. The home addresses, telephone numbers, social
5 security numbers, and photographs of health care clinicians of
6 the Department of Corrections who are licensed or certified
7 pursuant to chapter 458, chapter 459, chapter 464, chapter
8 465, chapter 466, or chapter 490, and of educational personnel
9 of the Department of Corrections who are certified pursuant to
10 s. 231.17; the home addresses, telephone numbers, social
11 security numbers, photographs, and places of employment of the
12 spouses and children of such persons; and the names and
13 locations of schools and day care facilities attended by the
14 children of such persons are exempt from subsection (1) and s.
15 24(a), Art. I of the State Constitution. This subparagraph is
16 subject to the Open Government Sunset Review Act of 1995 in
17 accordance with s. 119.15, and shall stand repealed on October
18 2, 2004, unless reviewed and saved from repeal through
19 reenactment by the Legislature.

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

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

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

12 Section 3. This act shall take effect October 1, 1999.

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14 HOUSE SUMMARY

15 Provides exemptions from public records requirements for
16 specified personal information relating to licensed or
17 certified health care clinicians and certified
18 educational personnel of the Department of Corrections,
19 and their spouses and children. Provides for future
20 review and repeal.