

By Representative Heyman

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; requiring that persons wishing to
4 examine or copy a public record must supply
5 certain identifying information and specifying
6 that such requirement is a "reasonable
7 condition"; providing that access to certain
8 confidential personal information may be
9 granted to agencies for employment purposes;
10 requiring such agencies to maintain the
11 confidentiality of such information; providing
12 an effective date.

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

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16 Section 1. Paragraph (a) of subsection (1) and
17 paragraph (i) of subsection (3) of section 119.07, Florida
18 Statutes, 1998 Supplement, are amended to read:

19 119.07 Inspection, examination, and duplication of
20 records; exemptions.--

21 (1)(a) Every person who has custody of a public record
22 shall permit the record to be inspected and examined by any
23 person desiring to do so, at any reasonable time, under
24 reasonable conditions, and under supervision by the custodian
25 of the public record or the custodian's designee. A person who
26 desires to inspect or copy a public record shall supply his or
27 her name and address, date of birth, and proof of identity.
28 Unless otherwise prohibited by law, if the record is being
29 inspected or copied on behalf of another person or entity, the
30 name and address of that person or entity must also be
31 provided. For the purposes of this section, the requirement

1 to provide this identifying information is a "reasonable
2 condition." The custodian shall furnish a copy or a certified
3 copy of the record upon payment of the fee prescribed by law
4 or, if a fee is not prescribed by law, for duplicated copies
5 of not more than 14 inches by 8 1/2 inches, upon payment of
6 not more than 15 cents per one-sided copy, and for all other
7 copies, upon payment of the actual cost of duplication of the
8 record. An agency may charge no more than an additional 5
9 cents for each two-sided duplicated copy. For purposes of
10 this section, duplicated copies shall mean new copies produced
11 by duplicating, as defined in s. 283.30. The phrase "actual
12 cost of duplication" means the cost of the material and
13 supplies used to duplicate the record, but it does not include
14 the labor cost or overhead cost associated with such
15 duplication. However, the charge for copies of county maps or
16 aerial photographs supplied by county constitutional officers
17 may also include a reasonable charge for the labor and
18 overhead associated with their duplication. Unless otherwise
19 provided by law, the fees to be charged for duplication of
20 public records shall be collected, deposited, and accounted
21 for in the manner prescribed for other operating funds of the
22 agency. An agency may charge up to \$1 per copy for a certified
23 copy of a public record.

24 (3)

25 (i)1. The home addresses, telephone numbers, social
26 security numbers, and photographs of active or former law
27 enforcement personnel, including correctional and correctional
28 probation officers, personnel of the Department of Children
29 and Family Services whose duties include the investigation of
30 abuse, neglect, exploitation, fraud, theft, or other criminal
31 activities, personnel of the Department of Health whose duties

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

1 care facilities attended by the children of current or former
2 state attorneys, assistant state attorneys, statewide
3 prosecutors, or assistant statewide prosecutors are exempt
4 from subsection (1) and s. 24(a), Art. I of the State
5 Constitution. The home addresses and home telephone numbers of
6 county and municipal code inspectors and code enforcement
7 officers are confidential and exempt from the provisions of
8 subsection (1) and s. 24(a), Art. I of the State Constitution.

9 2. An agency that is the custodian of the personal
10 information specified in subparagraph 1. and that is not the
11 employer of the officer, employee, justice, judge, or other
12 person specified in subparagraph 1. shall maintain the
13 confidentiality of the personal information only if the
14 officer, employee, justice, judge, other person, or employing
15 agency of the designated employee submits a written request
16 for confidentiality to the custodial agency.

17 3. Access to the personal information made
18 confidential under this paragraph shall be granted to an
19 agency for any purpose connected with the employment or
20 potential employment by the agency of a person specified in
21 subparagraph 1. An agency granted access to personal
22 information under this subparagraph shall maintain the
23 confidentiality of that information.

24 Section 2. This act shall take effect upon becoming a
25 law.

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HOUSE SUMMARY

Requires a person who desires to inspect or copy a public record to supply certain identifying information and specifies that such requirement is a "reasonable condition" with respect to such inspection or copying.

Provides that access to confidential personal information regarding specified persons and their spouses and children may be granted to agencies for employment purposes, and requires the agency to maintain the confidentiality of that information.