

By the Committee on Family Law & Children and
Representatives Roberts, Brown and Effman

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing an exemption from
4 public records requirements for certain records
5 relating to personnel of the Department of
6 Children and Family Services who provide
7 services to abused, neglected, abandoned, or
8 exploited children, disabled adults, and
9 elderly persons and their families; providing
10 for future repeal; providing a finding of
11 public necessity; 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, 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, or the provision of services to abused, neglected,
27 abandoned, or exploited children, disabled adults, and elderly
28 persons and their families, personnel of the Department of
29 Health whose duties are to support the investigation of child
30 abuse or neglect, and personnel of the Department of Revenue
31 or local governments whose responsibilities include revenue

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

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

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

14 3. The public records exemption in subparagraph 1.
15 pertaining to personnel of the Department of Children and
16 Family Services whose duties include the provision of services
17 to abused, neglected, abandoned, or exploited children,
18 disabled adults, and elderly persons and their families 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, 2005, unless reviewed and saved from repeal through
22 reenactment by the Legislature.

23 Section 2. The Legislature finds that it is a public
24 necessity that home addresses, telephone numbers, social
25 security numbers, and photographs of employees of the
26 Department of Children and Family Services who provide
27 services to abused, neglected, abandoned, or exploited
28 children, disabled adults, and elderly persons and their
29 families be exempt from the public records laws of this state
30 because such employees may encounter individuals who are angry
31 or upset with the circumstances surrounding the involvement of

1 the Department of Children and Family Services. If any of
2 these individuals gains access to the personal information
3 specified in this section, the individual could use that
4 information to threaten, intimidate, harass, or cause physical
5 harm or other injury to the employees. Therefore, the
6 Legislature finds that it is a public necessity that the
7 personal information of employees of the Department of
8 Children and Family Services, as mentioned above, be exempt
9 from disclosure pursuant to the public records laws of this
10 state, in order to protect the health, safety, and welfare of
11 these employees. In addition, the Legislature finds that it
12 is a public necessity that such personal information be exempt
13 from public records laws of this state because without such an
14 exemption, the Department of Children and Family Services may
15 be unable to obtain qualified personnel due to safety
16 concerns, thus impeding the effective and efficient
17 administration of the services offered. These exemptions are
18 consistent with the long-standing policy of the state under s.
19 119.07(3)(i), Florida Statutes.

20 Section 3. This act shall take effect upon becoming
21 law.

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24 HOUSE SUMMARY

25 Provides an exemption from public records requirements
26 for the home addresses, telephone numbers, social
27 security numbers, and photographs of personnel of the
28 Department of Children and Family Services who provide
29 services to abused, neglected, abandoned, or exploited
30 children, disabled adults, and elderly persons and their
31 families. Provides for future review and repeal.