

By the Committee on State Administration and  
Representative Smith

1                           A bill to be entitled  
2           An act relating to public records; amending s.  
3           119.07, F.S.; expanding the exemption from  
4           public records requirements for identifying  
5           information relating to code enforcement  
6           officers to include additional information and  
7           to include such officers' spouses and children;  
8           providing for future review and repeal;  
9           providing a finding of public necessity;  
10          providing an effective date.

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

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14           Section 1. Paragraph (i) of subsection (3) of section  
15 119.07, Florida Statutes, is amended to read:

16           119.07 Inspection, examination, and duplication of  
17 records; exemptions.--

18           (3)

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

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

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 current or former code  
5 enforcement officers; the names, home addresses, telephone  
6 numbers, social security numbers, photographs, and places of  
7 employment of the spouses and children of such persons; and  
8 the names and locations of schools and day care facilities  
9 attended by the children of such persons are exempt from  
10 subsection (1) and s. 24(a), Art. I of the State Constitution.  
11 This subparagraph is subject to the Open Government Sunset  
12 Review Act of 1995 in accordance with s. 119.15, and shall  
13 stand repealed on October 2, 2006, unless reviewed and saved  
14 from repeal through reenactment by the Legislature.  
15       3.2. An agency that is the custodian of the personal  
16 information specified in subparagraph 1. or subparagraph 2.  
17 and that is not the employer of the officer, employee,  
18 justice, judge, or other person specified in subparagraph 1.  
19 or subparagraph 2. shall maintain the confidentiality of the  
20 personal information only if the officer, employee, justice,  
21 judge, other person, or employing agency of the designated  
22 employee submits a written request for confidentiality to the  
23 custodial agency.  
24       Section 2. The Legislature finds that the exemption  
25 from public records requirements provided for by this act for  
26 identifying information relating to current and former code  
27 enforcement officers and their families is a public necessity.  
28 The current exemption of names and addresses has not  
29 completely shielded the identities of county and municipal  
30 code enforcement officers. The responsibilities of these  
31 employees regularly take them into areas of neglect, abuse,

1 and personal danger. Citations issued in response to  
2 violations that they encounter often lead to retribution by  
3 the offenders. Their personnel files are reviewed on numerous  
4 occasions by code violators seeking information relating to  
5 the code enforcement officers and their families. The  
6 disclosure of this personal information has led to threats,  
7 acts of violence, and unwarranted risk to the officers and  
8 their families.

9           Section 3. This act shall take effect upon becoming a  
10 law.

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