

Bill No. SB 1766

Amendment No. Barcode 122460

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Sanderson moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 3, after line 31,

15

16 insert:

17 Section 4. Paragraph (i) of subsection (3) of section
18 119.07, Florida Statutes, is amended to read:

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

21 (3)

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

Bill No. SB 1766

Amendment No. ____ Barcode 122460

1 and enforcement or child support enforcement; the home
2 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 of
8 firefighters certified in compliance with s. 633.35; the home
9 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 addresses, 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

Bill No. SB 1766

Amendment No. ____ Barcode 122460

1 from subsection (1) and s. 24(a), Art. I of the State
2 Constitution. ~~The home addresses and home telephone numbers of~~
3 ~~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. The home addresses, telephone numbers, social
7 security numbers, and photographs of current or former human
8 resource, labor relations, or employee relations directors,
9 assistant directors, managers, or assistant managers of any
10 local government agency or water management district whose
11 duties include hiring and firing employees, labor contract
12 negotiation, administration, or other personnel-related
13 duties; the names, home addresses, telephone numbers, social
14 security numbers, photographs, and places of employment of the
15 spouses and children of such personnel; and the names and
16 locations of schools and day care facilities attended by the
17 children of such personnel are exempt from subsection (1) and
18 s. 24(a), Art. I of the State Constitution. This subparagraph
19 is 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, 2006, unless reviewed and saved from repeal through
22 reenactment by the Legislature.

23 3. The home addresses, telephone numbers, social
24 security numbers, and photographs of current or former code
25 enforcement officers; the names, home addresses, telephone
26 numbers, social security numbers, photographs, and places of
27 employment of the spouses and children of such persons; and
28 the names and locations of schools and day care facilities
29 attended by the children of such persons are exempt from
30 subsection (1) and s. 24(a), Art. I of the State Constitution.
31 This subparagraph is subject to the Open Government Sunset

Bill No. SB 1766

Amendment No. ____ Barcode 122460

1 Review Act of 1995 in accordance with s. 119.15, and shall
2 stand repealed on October 2, 2006, unless reviewed and saved
3 from repeal through reenactment by the Legislature.

4 ~~4.2.~~ An agency that is the custodian of the personal
5 information specified in subparagraph 1., subparagraph 2., or
6 subparagraph 3. and that is not the employer of the officer,
7 employee, justice, judge, or other person specified in
8 subparagraph 1., subparagraph 2., or subparagraph 3. shall
9 maintain the confidentiality of the personal information only
10 if the officer, employee, justice, judge, other person, or
11 employing agency of the designated employee submits a written
12 request for confidentiality to the custodial agency.

13 Section 5. The Legislature finds that the exemption
14 from public records requirements provided by this act for
15 identifying information relating to current and former human
16 resource, labor relations, or employee relations directors,
17 assistant directors, managers, or assistant managers of local
18 government agencies or water management districts and their
19 families is justified because, if such information were not
20 confidential, a human resource, labor relations, or employee
21 relations director, assistant director, manager, or assistant
22 manager or such person's family could be harmed or threatened
23 with harm by a current or former employee or a friend or
24 family member of a current or former employee.

25 Section 6. The Legislature finds that the exemption
26 from public records requirements provided for by this act for
27 identifying information relating to current and former code
28 enforcement officers and their families is a public necessity.
29 The current exemption of names and addresses has not
30 completely shielded the identities of county and municipal
31 code enforcement officers. The responsibilities of these

Bill No. SB 1766

Amendment No. ____ Barcode 122460

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

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11 (Redesignate subsequent sections.)

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14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 1, line 11, after the semicolon

17

18 insert:

19 amending s. 119.07, F.S.; expanding the
20 exemption for code enforcement officers to
21 include additional information and to include
22 such officers' spouses and children; providing
23 for future review and repeal; providing
24 findings of public necessity;

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