

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; exempting from disclosure under
4 s. 119.07(1), F.S., and s. 24(a), Art. I of the
5 State Constitution, certain information
6 pertaining to county and municipal code
7 enforcement officers and their families;
8 providing for future repeal and prior
9 legislative review of these exemptions;
10 providing a statement of public necessity for
11 the exemptions; amending s. 119.07, F.S.;
12 expanding the exemption for code enforcement
13 officers to include additional information and
14 to include such officers' spouses and children;
15 providing for future review and repeal;
16 providing findings of public necessity;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Paragraph (i) of subsection (3) of section
22 119.07, Florida Statutes, is amended to read:

23 119.07 Inspection, examination, and duplication of
24 records; exemptions.--

25 (3)

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

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

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

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

18 Section 2. The exemptions from section 119.07(1) and
19 s. 24(a) of Art. I of the State Constitution which are
20 provided under section 1 of this act are repealed effective
21 October 2, 2006, and must be reviewed by the Legislature
22 before that date in accordance with section 119.15, Florida
23 Statutes, the Open Government Sunset Review Act of 1995.

24 Section 3. The Legislature finds that the exemptions
25 provided for in section 1 of this act are a public necessity.
26 The current exemption of names and addresses has not
27 completely shielded the identities of the county and municipal
28 code enforcement officers. The responsibilities of these
29 employees regularly take them into areas of neglect, abuse,
30 and personal danger. Citations issued in response to
31 violations that they encounter often lead to retribution by

1 the offenders. Their personnel files are reviewed on numerous
2 occasions by code violators seeking information relating to
3 the code enforcement officers and their families. The
4 disclosure of this personal information has led to threats,
5 acts of violence, and unwarranted risk to the officers and
6 their families.

7 Section 4. Paragraph (i) of subsection (3) of section
8 119.07, Florida Statutes, is amended to read:

9 119.07 Inspection, examination, and duplication of
10 records; exemptions.--

11 (3)

12 (i)1. The home addresses, telephone numbers, social
13 security numbers, and photographs of active or former law
14 enforcement personnel, including correctional and correctional
15 probation officers, personnel of the Department of Children
16 and Family Services whose duties include the investigation of
17 abuse, neglect, exploitation, fraud, theft, or other criminal
18 activities, personnel of the Department of Health whose duties
19 are to support the investigation of child abuse or neglect,
20 and personnel of the Department of Revenue or local
21 governments whose responsibilities include revenue collection
22 and enforcement or child support enforcement; the home
23 addresses, telephone numbers, social security numbers,
24 photographs, and places of employment of the spouses and
25 children of such personnel; and the names and locations of
26 schools and day care facilities attended by the children of
27 such personnel are exempt from the provisions of subsection
28 (1). The home addresses, telephone numbers, and photographs of
29 firefighters certified in compliance with s. 633.35; the home
30 addresses, telephone numbers, photographs, and places of
31 employment of the spouses and children of such firefighters;

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

27 2. The home addresses, telephone numbers, social
28 security numbers, and photographs of current or former human
29 resource, labor relations, or employee relations directors,
30 assistant directors, managers, or assistant managers of any
31 local government agency or water management district whose

1 duties include hiring and firing employees, labor contract
2 negotiation, administration, or other personnel-related
3 duties; the names, home addresses, telephone numbers, social
4 security numbers, photographs, and places of employment of the
5 spouses and children of such personnel; and the names and
6 locations of schools and day care facilities attended by the
7 children of such personnel are exempt from subsection (1) and
8 s. 24(a), Art. I of the State Constitution. This subparagraph
9 is subject to the Open Government Sunset Review Act of 1995 in
10 accordance with s. 119.15, and shall stand repealed on October
11 2, 2006, unless reviewed and saved from repeal through
12 reenactment by the Legislature.

13 3. The home addresses, telephone numbers, social
14 security numbers, and photographs of current or former code
15 enforcement officers; the names, home addresses, telephone
16 numbers, social security numbers, photographs, and places of
17 employment of the spouses and children of such persons; and
18 the names and locations of schools and day care facilities
19 attended by the children of such persons are exempt from
20 subsection (1) and s. 24(a), Art. I of the State Constitution.
21 This subparagraph is subject to the Open Government Sunset
22 Review Act of 1995 in accordance with s. 119.15, and shall
23 stand repealed on October 2, 2006, unless reviewed and saved
24 from repeal through reenactment by the Legislature.

25 4.2- An agency that is the custodian of the personal
26 information specified in subparagraph 1., subparagraph 2., or
27 subparagraph 3.and that is not the employer of the officer,
28 employee, justice, judge, or other person specified in
29 subparagraph 1., subparagraph 2., or subparagraph 3.shall
30 maintain the confidentiality of the personal information only
31 if the officer, employee, justice, judge, other person, or

1 employing agency of the designated employee submits a written
2 request for confidentiality to the custodial agency.

3 Section 5. The Legislature finds that the exemption
4 from public records requirements provided by this act for
5 identifying information relating to current and former human
6 resource, labor relations, or employee relations directors,
7 assistant directors, managers, or assistant managers of local
8 government agencies or water management districts and their
9 families is justified because, if such information were not
10 confidential, a human resource, labor relations, or employee
11 relations director, assistant director, manager, or assistant
12 manager or such person's family could be harmed or threatened
13 with harm by a current or former employee or a friend or
14 family member of a current or former employee.

15 Section 6. The Legislature finds that the exemption
16 from public records requirements provided for by this act for
17 identifying information relating to current and former code
18 enforcement officers and their families is a public necessity.
19 The current exemption of names and addresses has not
20 completely shielded the identities of county and municipal
21 code enforcement officers. The responsibilities of these
22 employees regularly take them into areas of neglect, abuse,
23 and personal danger. Citations issued in response to
24 violations that they encounter often lead to retribution by
25 the offenders. Their personnel files are reviewed on numerous
26 occasions by code violators seeking information relating to
27 the code enforcement officers and their families. The
28 disclosure of this personal information has led to threats,
29 acts of violence, and unwarranted risk to the officers and
30 their families.

31 Section 7. This act shall take effect July 1, 2001.