

727-130AX-05

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Smith offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

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

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

(3)

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

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Bill No. HB 731

Amendment No. ____ (for drafter's use only)

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

Amendment No. ____ (for drafter's use only)

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

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 2. 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 3. 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

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.

10 Section 4. This act shall take effect October 1, 2001.

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

14 And the title is amended as follows:

15 On page 1, lines 10 and 11,
16 remove from the title of the bill: all of said lines

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18 and insert in lieu thereof:

19 expanding the exemption for code enforcement
20 officers to include additional information and
21 to include such officers' spouses and children;
22 providing for future review and repeal;
23 providing findings of public necessity;

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