

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing exemptions from public
4 records requirements for specified identifying
5 information relating to local government or
6 water management district human resource, labor
7 relations, or employee relations directors,
8 assistant directors, managers, or assistant
9 managers and their spouses and children;
10 expanding the exemption for code enforcement
11 officers to include additional information and
12 to include such officers' spouses and children;
13 providing for future review and repeal;
14 providing findings of public necessity;
15 providing an effective date.

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

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

21 119.07 Inspection, examination, and duplication of
22 records; exemptions.--

23 (3)

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

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

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

8 2. The home addresses, telephone numbers, social
 9 security numbers, and photographs of current or former human
 10 resource, labor relations, or employee relations directors,
 11 assistant directors, managers, or assistant managers of any
 12 local government agency or water management district whose
 13 duties include hiring and firing employees, labor contract
 14 negotiation, administration, or other personnel-related
 15 duties; the names, home addresses, telephone numbers, social
 16 security numbers, photographs, and places of employment of the
 17 spouses and children of such personnel; and the names and
 18 locations of schools and day care facilities attended by the
 19 children of such personnel are exempt from subsection (1) and
 20 s. 24(a), Art. I of the State Constitution. This subparagraph
 21 is subject to the Open Government Sunset Review Act of 1995 in
 22 accordance with s. 119.15, and shall stand repealed on October
 23 2, 2006, unless reviewed and saved from repeal through
 24 reenactment by the Legislature.

25 3. The home addresses, telephone numbers, social
 26 security numbers, and photographs of current or former code
 27 enforcement officers; the names, home addresses, telephone
 28 numbers, social security numbers, photographs, and places of
 29 employment of the spouses and children of such persons; and
 30 the names and locations of schools and day care facilities
 31 attended by the children of such persons are exempt from

1 subsection (1) and s. 24(a), Art. I of the State Constitution.
2 This subparagraph is subject to the Open Government Sunset
3 Review Act of 1995 in accordance with s. 119.15, and shall
4 stand repealed on October 2, 2006, unless reviewed and saved
5 from repeal through reenactment by the Legislature.

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

15 Section 2. The Legislature finds that the exemption
16 from public records requirements provided by this act for
17 identifying information relating to current and former human
18 resource, labor relations, or employee relations directors,
19 assistant directors, managers, or assistant managers of local
20 government agencies or water management districts and their
21 families is justified because, if such information were not
22 confidential, a human resource, labor relations, or employee
23 relations director, assistant director, manager, or assistant
24 manager or such person's family could be harmed or threatened
25 with harm by a current or former employee or a friend or
26 family member of a current or former employee.

27 Section 3. The Legislature finds that the exemption
28 from public records requirements provided for by this act for
29 identifying information relating to current and former code
30 enforcement officers and their families is a public necessity.
31 The current exemption of names and addresses has not

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

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