

Bill No. SB 768

Amendment No. \_\_\_\_ Barcode 620124

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

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11 Senators Sanderson and Crist moved the following amendment:

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

14 Delete everything after the enacting clause

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16 and insert:

17 Section 1. 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

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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

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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

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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

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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 Delete everything before the enacting clause

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17 and insert:

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A bill to be entitled

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An act relating to public records; amending s.

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119.07, F.S.; providing exemptions from public

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records requirements for specified identifying

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information relating to local government or

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water management district human resource, labor

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relations, or employee relations directors,

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assistant directors, managers, or assistant

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managers and their spouses and children;

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expanding the exemption for code enforcement

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officers to include additional information and

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to include such officers' spouses and children;

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providing for future review and repeal;

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providing findings of public necessity;

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1            providing an effective date.  
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