

By Senator Posey

15-1141-02

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; revising the status of specified
4 information concerning law enforcement
5 personnel, personnel of the Department of
6 Children and Family Services whose duties
7 include investigating certain criminal
8 activities, personnel of the Department of
9 Health whose duties include supporting the
10 investigation of child abuse or neglect, and
11 personnel of the Department of Revenue or local
12 governments who are responsible for revenue
13 collection and enforcement or child-support
14 enforcement, and the spouses and children of
15 such personnel; providing that such
16 information, when held by an agency that is not
17 the employer of the individual whom the
18 information concerns, has exempt status, rather
19 than being confidential; providing an exception
20 for recorded deeds for real property; providing
21 an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Paragraph (i) of subsection (3) of section
26 119.07, Florida Statutes, as amended by section 1 of chapter
27 2001-364, Laws of Florida, is amended to read:

28 119.07 Inspection, examination, and duplication of
29 records; exemptions.--

30 (3)

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

1 or former state attorneys, assistant state attorneys,
2 statewide prosecutors, or assistant statewide prosecutors; the
3 home addresses, telephone numbers, social security numbers,
4 photographs, and places of employment of the spouses and
5 children of current or former state attorneys, assistant state
6 attorneys, statewide prosecutors, or assistant statewide
7 prosecutors; and the names and locations of schools and day
8 care facilities attended by the children of current or former
9 state attorneys, assistant state attorneys, statewide
10 prosecutors, or assistant statewide prosecutors are exempt
11 from subsection (1) and s. 24(a), Art. I of the State
12 Constitution.

13 2. The home addresses, telephone numbers, social
14 security numbers, and photographs of current or former human
15 resource, labor relations, or employee relations directors,
16 assistant directors, managers, or assistant managers of any
17 local government agency or water management district whose
18 duties include hiring and firing employees, labor contract
19 negotiation, administration, or other personnel-related
20 duties; the names, home addresses, telephone numbers, social
21 security numbers, photographs, and places of employment of the
22 spouses and children of such personnel; and the names and
23 locations of schools and day care facilities attended by the
24 children of such personnel are exempt from subsection (1) and
25 s. 24(a), Art. I of the State Constitution. This subparagraph
26 is subject to the Open Government Sunset Review Act of 1995 in
27 accordance with s. 119.15, and shall stand repealed on October
28 2, 2006, unless reviewed and saved from repeal through
29 reenactment by the Legislature.

30 3. The home addresses, telephone numbers, social
31 security numbers, and photographs of current or former code

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

11 4. An agency that is the custodian of the personal
12 information specified in subparagraph 1., subparagraph 2., or
13 subparagraph 3. and that is not the employer of the officer,
14 employee, justice, judge, or other person specified in
15 subparagraph 1., subparagraph 2., or subparagraph 3. shall
16 maintain the exempt status ~~confidentiality~~ of the personal
17 information only if the officer, employee, justice, judge,
18 other person, or employing agency of the designated employee
19 submits a written request for maintenance of the exemption
20 ~~confidentiality~~ to the custodial agency. However, recorded
21 deeds for real property may not be exempted under this
22 subparagraph.

23 Section 2. This act shall take effect July 1, 2002.
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SENATE SUMMARY

Revises the exemption from the public-records law of specified information concerning law enforcement personnel, personnel of the Department of Children and Family Services whose duties include investigating certain criminal activities, personnel of the Department of Health whose duties include supporting the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments who are responsible for revenue collection and enforcement or child support enforcement and information concerning the spouses and children of such personnel. Provides that such information, when held by an agency that is not the employer of the individual whom the information concerns, has exempt status, rather than being confidential. Provides an exception for recorded deeds for real property, which are to remain public records.