

By Senator Garcia

39-1692-02

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing that the home mailing
4 addresses, physical home addresses, and home
5 telephone numbers of public employees in a
6 compiled or list form are exempt from s.
7 119.07(1), F.S., and s. 24(a), Art. I of the
8 State Constitution; providing for such
9 disclosure with respect to a named individual
10 by a separate written request; providing a
11 statement of public necessity; providing for
12 future legislative review and repeal; providing
13 an effective date.

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

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17 Section 1. Paragraph (ee) is added to subsection (3)
18 of section 119.07, Florida Statutes, as amended by section 1
19 of chapter 2001-364, Laws of Florida, to read:

20 119.07 Inspection, examination, and duplication of
21 records; exemptions.--

22 (3)

23 (ee) The home mailing address, physical home address,
24 and home telephone number of a public employee are
25 confidential and exempt from subsection (1) and s. 24(a), Art.
26 I of the State Constitution to the extent that a governmental
27 agency may not provide such addresses or phone numbers in
28 aggregate, compiled, or list form to any person, except to a
29 public agency engaged in official business. However, a
30 governmental agency may provide such addresses or phone
31 numbers to a bargaining agent as defined in s. 447.203 or to

1 an employee organization for official business use. A list of
2 such addresses or phone numbers may be exchanged by public
3 agencies, but such lists may not be provided to, and are not
4 open for inspection by, the public. Any person may view or
5 copy an individual's personnel records at the employee's
6 employing agency, one record at a time, or may obtain
7 information by a separate written request for a named
8 individual for whom information is desired. This paragraph is
9 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10 accordance with s. 119.15, and shall stand repealed on October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, 2007, unless reviewed and saved from repeal through
12 reenactment by the Legislature.

13 Section 2. The Legislature finds that personal
14 information concerning public employees, such as home
15 addresses and home telephone numbers, which are held by a
16 public employer reveal private information of a sensitive
17 nature. The Legislature finds that public employers use such
18 information primarily for recordkeeping, administrative
19 purposes, or other purposes unrelated to an employee's public
20 duties or responsibilities. Accordingly, the disclosure of
21 such information to third parties does not serve an official
22 public purpose. In addition, the Legislature finds that such
23 information may be used for unwanted marketing purposes; to
24 locate or intimidate public employees or their family members;
25 to create false identities; to attempt to influence public
26 employees in the performance of their public duties and
27 responsibilities; or for other undesired, harmful, or
28 fraudulent purposes. Similar information held by a private
29 employer is not subject to public inspection and the privacy
30 interests of public employees and their families should not be
31 subject to a lower standard of protection than those of the

1 private sector. Therefore, the Legislature finds it is a
2 public necessity to provide public employees and their
3 families with the same level of privacy and protection from
4 unwanted intrusion which is provided to employees in the
5 private sector.

6 Section 3. This act shall take effect July 1, 2002.

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9 SENATE SUMMARY

10 Exempts from disclosure under public-records requirements
11 the home mailing addresses, physical home addresses, and
12 home telephone numbers of public employees in a compiled
13 or list form. Authorizes such disclosure with respect to
14 a single employee pursuant to written request. Provides
15 for legislative review and repeal under the Open
16 Government Sunset Review Act.
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