

By the Committee on Governmental Oversight and Productivity;  
and Senator Garcia

302-2321-02

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 are  
 6           exempt from s. 119.07(1), F.S., and s. 24(a),  
 7           Art. I of the State Constitution; providing a  
 8           statement of public necessity; providing for  
 9           future legislative review and repeal; providing  
 10          an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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

17           119.07 Inspection, examination, and duplication of  
18 records; exemptions.--

19           (3)

20           (ee) The home mailing address, physical home address,  
 21 and home telephone number of a public employee are exempt from  
 22 subsection (1) and s. 24(a), Art. I of the State Constitution.  
 23 An agency may provide such addresses or phone numbers to a  
 24 bargaining agent as defined in s. 447.203 or to an employee  
 25 organization for official business use. This paragraph is  
 26 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 27 accordance with s. 119.15, and shall stand repealed on October  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, 2007, unless reviewed and saved from repeal through  
 29 reenactment by the Legislature.

30           Section 2. The Legislature finds that personal  
 31 information concerning public employees, such as home

1 addresses and home telephone numbers, which are held by a  
2 public employer reveal private information of a sensitive  
3 nature. The Legislature finds that public employers use such  
4 information primarily for recordkeeping, administrative  
5 purposes, or other purposes unrelated to an employee's public  
6 duties or responsibilities. Accordingly, the disclosure of  
7 such information to third parties does not serve an official  
8 public purpose. In addition, the Legislature finds that such  
9 information may be used for unwanted marketing purposes; to  
10 locate or intimidate public employees or their family members;  
11 to create false identities; to attempt to influence public  
12 employees in the performance of their public duties and  
13 responsibilities; or for other undesired, harmful, or  
14 fraudulent purposes. Similar information held by a private  
15 employer is not subject to public inspection and the privacy  
16 interests of public employees and their families should not be  
17 subject to a lower standard of protection than those of the  
18 private sector. Therefore, the Legislature finds it is a  
19 public necessity to provide public employees and their  
20 families with the same level of privacy and protection from  
21 unwanted intrusion which is provided to employees in the  
22 private sector.

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

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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
26 COMMITTEE SUBSTITUTE FOR  
27 Senate Bill 2416

28 Removes portion of bill prohibiting provision of agency  
29 employees' name, addresses and phone numbers in aggregate.

30 Makes name, addresses and phone numbers exempt.

31 Removes provision permitting review of personnel record  
information by separate written request for a named  
individual.