

By Representative Sorensen

1                                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           119.07, F.S.; providing an exemption from  
4           public records requirements for specified  
5           identifying information relating to the staff  
6           and certified volunteers of the child guardian  
7           ad litem programs and their spouses and  
8           children; providing for future review and  
9           repeal; providing a finding of public  
10          necessity; providing an effective date.

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

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14           Section 1. Paragraph (i) of subsection (3) of section  
15 119.07, Florida Statutes, is amended to read:

16           119.07 Inspection, examination, and duplication of  
17 records; exemptions.--

18           (3)

19           (i)1. The home addresses, telephone numbers, social  
20 security numbers, and photographs of active or former law  
21 enforcement personnel, including correctional and correctional  
22 probation officers, personnel of the Department of Children  
23 and Family Services whose duties include the investigation of  
24 abuse, neglect, exploitation, fraud, theft, or other criminal  
25 activities, personnel of the Department of Health whose duties  
26 are to support the investigation of child abuse or neglect,  
27 and personnel of the Department of Revenue or local  
28 governments whose responsibilities include revenue collection  
29 and enforcement or child support enforcement; the home  
30 addresses, telephone numbers, social security numbers,  
31 photographs, and places of employment of the spouses and

1 children of such personnel; and the names and locations of  
2 schools and day care facilities attended by the children of  
3 such personnel are exempt from the provisions of subsection  
4 (1). The home addresses, telephone numbers, and photographs of  
5 firefighters certified in compliance with s. 633.35; the home  
6 addresses, telephone numbers, photographs, and places of  
7 employment of the spouses and children of such firefighters;  
8 and the names and locations of schools and day care facilities  
9 attended by the children of such firefighters are exempt from  
10 subsection (1). The home addresses and telephone numbers of  
11 justices of the Supreme Court, district court of appeal  
12 judges, circuit court judges, and county court judges; the  
13 home addresses, telephone numbers, and places of employment of  
14 the spouses and children of justices and judges; and the names  
15 and locations of schools and day care facilities attended by  
16 the children of justices and judges are exempt from the  
17 provisions of subsection (1). The home addresses, telephone  
18 numbers, social security numbers, and photographs of current  
19 or former state attorneys, assistant state attorneys,  
20 statewide prosecutors, or assistant statewide prosecutors; the  
21 home addresses, telephone numbers, social security numbers,  
22 photographs, and places of employment of the spouses and  
23 children of current or former state attorneys, assistant state  
24 attorneys, statewide prosecutors, or assistant statewide  
25 prosecutors; and the names and locations of schools and day  
26 care facilities attended by the children of current or former  
27 state attorneys, assistant state attorneys, statewide  
28 prosecutors, or assistant statewide prosecutors are exempt  
29 from subsection (1) and s. 24(a), Art. I of the State  
30 Constitution.  
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1           2. The home addresses, telephone numbers, social  
2 security numbers, and photographs of current or former human  
3 resource, labor relations, or employee relations directors,  
4 assistant directors, managers, or assistant managers of any  
5 local government agency or water management district whose  
6 duties include hiring and firing employees, labor contract  
7 negotiation, administration, or other personnel-related  
8 duties; the names, home addresses, telephone numbers, social  
9 security numbers, photographs, and places of employment of the  
10 spouses and children of such personnel; and the names and  
11 locations of schools and day care facilities attended by the  
12 children of such personnel are exempt from subsection (1) and  
13 s. 24(a), Art. I of the State Constitution. This subparagraph  
14 is subject to the Open Government Sunset Review Act of 1995 in  
15 accordance with s. 119.15, and shall stand repealed on October  
16 2, 2006, unless reviewed and saved from repeal through  
17 reenactment by the Legislature.

18           3. The home addresses, telephone numbers, social  
19 security numbers, and photographs of current or former code  
20 enforcement officers; the names, home addresses, telephone  
21 numbers, social security numbers, photographs, and places of  
22 employment of the spouses and children of such persons; and  
23 the names and locations of schools and day care facilities  
24 attended by the children of such persons are exempt from  
25 subsection (1) and s. 24(a), Art. I of the State Constitution.  
26 This subparagraph is subject to the Open Government Sunset  
27 Review Act of 1995 in accordance with s. 119.15, and shall  
28 stand repealed on October 2, 2006, unless reviewed and saved  
29 from repeal through reenactment by the Legislature.

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

1 and certified volunteers of the child guardian ad litem  
2 programs; the names, home addresses, telephone numbers, social  
3 security numbers, photographs, and places of employment of the  
4 spouses and children of such persons; and the names and  
5 locations of schools and day care facilities attended by the  
6 children of such persons are exempt from subsection (1) and s.  
7 24(a), Art. I of the State Constitution. This subparagraph is  
8 subject to the Open Government Sunset Review Act of 1995 in  
9 accordance with s. 119.15 and shall stand repealed on October  
10 2, 2007, unless reviewed and saved from repeal through  
11 reenactment by the Legislature.

12 ~~5.4.~~ An agency that is the custodian of the personal  
13 information specified in subparagraph 1., subparagraph 2., ~~or~~  
14 subparagraph 3., or subparagraph 4.and that is not the  
15 employer of the officer, employee, justice, judge, or other  
16 person specified in subparagraph 1., subparagraph 2., ~~or~~  
17 subparagraph 3., or subparagraph 4.shall maintain the  
18 confidentiality of the personal information only if the  
19 officer, employee, justice, judge, other person, or employing  
20 agency of the designated employee submits a written request  
21 for confidentiality to the custodial agency.

22 Section 2. The Legislature finds that the exemption  
23 from public records requirements provided by this act for  
24 identifying information relating to current and former staff  
25 and certified volunteers of the child guardian ad litem  
26 programs, and such persons' spouses and children, is a public  
27 necessity because the availability of personal information  
28 regarding such persons could threaten their safety in that  
29 they would be vulnerable to threats, harassment, intimidation,  
30 or the risk of personal injury. The duties of the staff and  
31 certified volunteers of the child guardian ad litem programs

1 often require investigation, interviewing witnesses, viewing  
2 evidence, and reporting to the circuit court with respect to  
3 the best interest of a child where allegations of abuse or  
4 neglect, family disputes, termination of parental rights, and  
5 family criminal matters are involved. In the past, performance  
6 of these duties has resulted in threats to such staff and  
7 certified volunteers. In order to ensure the health and safety  
8 of such persons, the staff and certified volunteer of the  
9 child guardian ad litem programs should be afforded the same  
10 protection provided to those individuals identified in s.  
11 119.07(3)(i)1., Florida Statutes, whose duties include  
12 investigation of child abuse and neglect, or other criminal  
13 activities involving children.

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

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17 HOUSE SUMMARY

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19 Provides an exemption from public records requirements  
20 for identifying information relating to the staff and  
21 certified volunteers of the child guardian ad litem  
22 programs and their spouses and children. Provides for  
23 future review and repeal.

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