



HB 0123

2003

1 A bill to be entitled

2 An act relating to exemption from public records  
3 requirements; amending s. 119.07, F.S.; providing an  
4 exemption from public records requirements for electronic  
5 mail addresses, cellular telephone numbers, electronic  
6 pager numbers, specified identification numbers and access  
7 codes, and the billing records of such addresses, numbers,  
8 identification numbers, and access codes of active or  
9 former law enforcement personnel, including correctional  
10 and correctional probation officers, and specified  
11 personnel of the Department of Children and Family  
12 Services, the Department of Health, the Department of  
13 Revenue, and local governments; providing for future  
14 review and repeal of the exemption; providing a statement  
15 of public necessity; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Paragraph (i) of subsection (3) of section  
20 119.07, Florida Statutes, is amended to read:

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

23 (3)

24 (i)1. The home addresses, electronic mail addresses and  
25 the billing records of such electronic mail addresses, telephone  
26 numbers, cellular telephone numbers, including the number of a  
27 cellular telephone issued by an employing agency and used in the  
28 course of employment in this state, and the billing records of  
29 such cellular telephone numbers, electronic pager numbers and



HB 0123

2003

30 the billing records of such electronic pager numbers, user-  
31 specific electronic identification numbers or access codes for  
32 any electronic communications device issued by an employing  
33 agency and used in the course of employment in this state and  
34 the billing records of such identification numbers or access  
35 codes, social security numbers, and photographs of active or  
36 former law enforcement personnel, including correctional and  
37 correctional probation officers, personnel of the Department of  
38 Children and Family Services whose duties include the  
39 investigation of abuse, neglect, exploitation, fraud, theft, or  
40 other criminal activities, personnel of the Department of Health  
41 whose duties are to support the investigation of child abuse or  
42 neglect, and personnel of the Department of Revenue or local  
43 governments whose responsibilities include revenue collection  
44 and enforcement or child support enforcement; the home  
45 addresses, telephone numbers, social security numbers,  
46 photographs, and places of employment of the spouses and  
47 children of such personnel; and the names and locations of  
48 schools and day care facilities attended by the children of such  
49 personnel are exempt from the provisions of subsection (1). The  
50 home addresses, telephone numbers, and photographs of  
51 firefighters certified in compliance with s. 633.35; the home  
52 addresses, telephone numbers, photographs, and places of  
53 employment of the spouses and children of such firefighters; and  
54 the names and locations of schools and day care facilities  
55 attended by the children of such firefighters are exempt from  
56 subsection (1). The home addresses and telephone numbers of  
57 justices of the Supreme Court, district court of appeal judges,  
58 circuit court judges, and county court judges; the home



HB 0123

2003

59 addresses, telephone numbers, and places of employment of the  
60 spouses and children of justices and judges; and the names and  
61 locations of schools and day care facilities attended by the  
62 children of justices and judges are exempt from the provisions  
63 of subsection (1). The home addresses, telephone numbers, social  
64 security numbers, and photographs of current or former state  
65 attorneys, assistant state attorneys, statewide prosecutors, or  
66 assistant statewide prosecutors; the home addresses, telephone  
67 numbers, social security numbers, photographs, and places of  
68 employment of the spouses and children of current or former  
69 state attorneys, assistant state attorneys, statewide  
70 prosecutors, or assistant statewide prosecutors; and the names  
71 and locations of schools and day care facilities attended by the  
72 children of current or former state attorneys, assistant state  
73 attorneys, statewide prosecutors, or assistant statewide  
74 prosecutors are exempt from subsection (1) and s. 24(a), Art. I  
75 of the State Constitution. This subparagraph is subject to the  
76 Open Government Sunset Review Act of 1995 in accordance with s.  
77 119.15, and shall stand repealed on October 2, 2008, unless  
78 reviewed and saved from repeal through reenactment by the  
79 Legislature.

80 2. The home addresses, telephone numbers, social security  
81 numbers, and photographs of current or former human resource,  
82 labor relations, or employee relations directors, assistant  
83 directors, managers, or assistant managers of any local  
84 government agency or water management district whose duties  
85 include hiring and firing employees, labor contract negotiation,  
86 administration, or other personnel-related duties; the names,  
87 home addresses, telephone numbers, social security numbers,



HB 0123

2003

88 photographs, and places of employment of the spouses and  
89 children of such personnel; and the names and locations of  
90 schools and day care facilities attended by the children of such  
91 personnel are exempt from subsection (1) and s. 24(a), Art. I of  
92 the State Constitution. This subparagraph is subject to the Open  
93 Government Sunset Review Act of 1995 in accordance with s.  
94 119.15, and shall stand repealed on October 2, 2006, unless  
95 reviewed and saved from repeal through reenactment by the  
96 Legislature.

97 3. The home addresses, telephone numbers, social security  
98 numbers, and photographs of current or former code enforcement  
99 officers; the names, home addresses, telephone numbers, social  
100 security numbers, photographs, and places of employment of the  
101 spouses and children of such persons; and the names and  
102 locations of schools and day care facilities attended by the  
103 children of such persons are exempt from subsection (1) and s.  
104 24(a), Art. I of the State Constitution. This subparagraph is  
105 subject to the Open Government Sunset Review Act of 1995 in  
106 accordance with s. 119.15, and shall stand repealed on October  
107 2, 2006, unless reviewed and saved from repeal through  
108 reenactment by the Legislature.

109 4. An agency that is the custodian of the personal  
110 information specified in subparagraph 1., subparagraph 2., or  
111 subparagraph 3. and that is not the employer of the officer,  
112 employee, justice, judge, or other person specified in  
113 subparagraph 1., subparagraph 2., or subparagraph 3. shall  
114 maintain the confidentiality of the personal information only if  
115 the officer, employee, justice, judge, other person, or



HB 0123

2003

116 employing agency of the designated employee submits a written  
117 request for confidentiality to the custodial agency.

118       Section 2. The Legislature finds that the exemption from  
119 public records requirements provided by this act is a public  
120 necessity because law enforcement officers and former law  
121 enforcement officers can be identified as such by connecting  
122 them with electronic mail addresses, cellular telephone numbers,  
123 electronic pager numbers, user-specific identification numbers  
124 or access codes for electronic communications devices that are  
125 or have been used in the course of their employment, and the  
126 billing records of such addresses, numbers, identification  
127 numbers, or access codes. The identification of law enforcement  
128 officers through such addresses, numbers, identification  
129 numbers, and access codes and the billing records of such  
130 addresses, numbers and codes can compromise investigations,  
131 undermine law enforcement officers' ability to apprehend  
132 suspects, and compromise the physical safety of law enforcement  
133 officers. With respect to former law enforcement officers, such  
134 addresses, numbers, and access codes and the billing records of  
135 such addresses, numbers and access codes, if made public, could  
136 also jeopardize ongoing investigations, law enforcement  
137 informers and contacts, and the safety of former law enforcement  
138 officers because such addresses, numbers, and access codes could  
139 be used to connect a former law enforcement officer to an  
140 investigation. Consequently, the Legislature finds that  
141 electronic mail addresses, cellular telephone numbers,  
142 electronic pager numbers, user-specific identification numbers  
143 or access codes for electronic communications devices that are  
144 or have been used in the course of employment of law enforcement



HB 0123

2003

145 officers and former law enforcement officers, and the billing  
146 records of such addresses, numbers, identification numbers, and  
147 access codes must be exempt from public records requirements.

148 Section 3. This act shall take effect upon becoming a law.