

HB 1281

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1 A bill to be entitled
 2 An act relating to public records; amending s. 119.07,
 3 F.S.; creating an exemption from public records
 4 requirements; providing for the confidentiality of
 5 personal identifying information contained in records of
 6 current or former county attorneys, assistant county
 7 attorneys, municipal attorneys, and assistant municipal
 8 attorneys responsible for prosecuting violations of local
 9 codes and ordinances, and the spouses and children of
 10 those attorneys; providing for review and repeal;
 11 providing a statement of public necessity; providing an
 12 effective date.

13

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

15

16 Section 1. Paragraph (i) of subsection (3) of section
 17 119.07, Florida Statutes, is amended to read:

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

20 (3)

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

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30 whose responsibilities include revenue collection and
 31 enforcement or child support enforcement; the home addresses,
 32 telephone numbers, social security numbers, photographs, and
 33 places of employment of the spouses and children of such
 34 personnel; and the names and locations of schools and day care
 35 facilities attended by the children of such personnel are exempt
 36 from the provisions of subsection (1). The home addresses,
 37 telephone numbers, and photographs of firefighters certified in
 38 compliance with s. 633.35; the home addresses, telephone
 39 numbers, photographs, and places of employment of the spouses
 40 and children of such firefighters; and the names and locations
 41 of schools and day care facilities attended by the children of
 42 such firefighters are exempt from subsection (1). The home
 43 addresses and telephone numbers of justices of the Supreme
 44 Court, district court of appeal judges, circuit court judges,
 45 and county court judges; the home addresses, telephone numbers,
 46 and places of employment of the spouses and children of justices
 47 and judges; and the names and locations of schools and day care
 48 facilities attended by the children of justices and judges are
 49 exempt from the provisions of subsection (1). The home
 50 addresses, telephone numbers, social security numbers, and
 51 photographs of current or former state attorneys, assistant
 52 state attorneys, statewide prosecutors, or assistant statewide
 53 prosecutors; the home addresses, telephone numbers, social
 54 security numbers, photographs, and places of employment of the
 55 spouses and children of current or former state attorneys,
 56 assistant state attorneys, statewide prosecutors, or assistant
 57 statewide prosecutors; and the names and locations of schools
 58 and day care facilities attended by the children of current or

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59 former state attorneys, assistant state attorneys, statewide
60 prosecutors, or assistant statewide prosecutors are exempt from
61 subsection (1) and s. 24(a), Art. I of the State Constitution.

62 2. The home addresses, telephone numbers, social security
63 numbers, and photographs of current or former human resource,
64 labor relations, or employee relations directors, assistant
65 directors, managers, or assistant managers of any local
66 government agency or water management district whose duties
67 include hiring and firing employees, labor contract negotiation,
68 administration, or other personnel-related duties; the names,
69 home addresses, telephone numbers, social security numbers,
70 photographs, and places of employment of the spouses and
71 children of such personnel; and the names and locations of
72 schools and day care facilities attended by the children of such
73 personnel are exempt from subsection (1) and s. 24(a), Art. I of
74 the State Constitution. This subparagraph is subject to the Open
75 Government Sunset Review Act of 1995 in accordance with s.
76 119.15, and shall stand repealed on October 2, 2006, unless
77 reviewed and saved from repeal through reenactment by the
78 Legislature.

79 3. The home addresses, telephone numbers, social security
80 numbers, and photographs of current or former code enforcement
81 officers; the names, home addresses, telephone numbers, social
82 security numbers, photographs, and places of employment of the
83 spouses and children of such persons; and the names and
84 locations of schools and day care facilities attended by the
85 children of such persons are exempt from subsection (1) and s.
86 24(a), Art. I of the State Constitution. This subparagraph is
87 subject to the Open Government Sunset Review Act of 1995 in

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88 accordance with s. 119.15, and shall stand repealed on October
 89 2, 2006, unless reviewed and saved from repeal through
 90 reenactment by the Legislature.

91 4. The home addresses, telephone numbers, social security
 92 numbers, and photographs of current or former county attorneys,
 93 assistant county attorneys, municipal attorneys, and assistant
 94 municipal attorneys responsible for prosecuting violations of
 95 local codes or ordinances; the names, home addresses, telephone
 96 numbers, social security numbers, photographs, and places of
 97 employment of the spouses and children of such persons; and the
 98 names and locations of schools and day care facilities attended
 99 by the children of such persons are exempt from subsection (1)
 100 and s. 24(a), Art. I of the State Constitution. This
 101 subparagraph is subject to the Open Government Sunset Review Act
 102 of 1995 in accordance with s. 119.15 and shall stand repealed on
 103 October 2, 2009, unless reviewed and saved from repeal through
 104 reenactment by the Legislature.

105 ~~5.4.~~ An agency that is the custodian of the personal
 106 information specified in subparagraph 1., subparagraph 2., ~~or~~
 107 subparagraph 3., or subparagraph 4. and that is not the employer
 108 of the officer, employee, justice, judge, or other person
 109 specified in subparagraph 1., subparagraph 2., ~~or~~ subparagraph
 110 3., or subparagraph 4. shall maintain the confidentiality of the
 111 personal information only if the officer, employee, justice,
 112 judge, other person, or employing agency of the designated
 113 employee submits a written request for confidentiality to the
 114 custodial agency.

115 Section 2. The Legislature finds that the public records
 116 exemption created by this act is a public necessity in order to

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117 ensure the safety of current or former county attorneys,
118 assistant county attorneys, municipal attorneys, and assistant
119 municipal attorneys responsible for prosecuting violations of
120 local codes or ordinances, and the families of these attorneys.
121 If this information concerning these attorneys or their family
122 members were made publicly available, the ability of persons who
123 desire to harm these attorneys or their families would be
124 increased. Attorneys prosecuting violations of local codes or
125 ordinances and their family members should not be subject to
126 harassment or potential harm from individuals alleged to have
127 violated such codes or ordinances. Consequently, the Legislature
128 finds that the public records exemption created by this act is a
129 public necessity.

130 Section 3. This act shall take effect October 1, 2004.