

A bill to be entitled

An act relating to public records; amending s. 119.07, F.S.; creating an exemption from public records requirements; providing for the confidentiality of personal identifying information contained in records of current or former county attorneys, assistant county attorneys, municipal attorneys, and assistant municipal attorneys responsible for prosecuting violations of local codes and ordinances, and the spouses and children of those attorneys upon written request by the attorney, which must include verification that the attorney has received a work-related threat to his or her life, health, or safety or to the life, health, or safety of a member of his or her family; providing for review and repeal; providing a statement of public necessity; providing an effective date.

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

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

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

(3)

(i)1. The home addresses, telephone numbers, social security numbers, and photographs of active or former law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Family Services whose duties include the investigation of abuse,

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

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59 spouses and children of current or former state attorneys,  
60 assistant state attorneys, statewide prosecutors, or assistant  
61 statewide prosecutors; and the names and locations of schools  
62 and day care facilities attended by the children of current or  
63 former state attorneys, assistant state attorneys, statewide  
64 prosecutors, or assistant statewide prosecutors are exempt from  
65 subsection (1) and s. 24(a), Art. I of the State Constitution.

66 2. The home addresses, telephone numbers, social security  
67 numbers, and photographs of current or former human resource,  
68 labor relations, or employee relations directors, assistant  
69 directors, managers, or assistant managers of any local  
70 government agency or water management district whose duties  
71 include hiring and firing employees, labor contract negotiation,  
72 administration, or other personnel-related duties; the names,  
73 home addresses, telephone numbers, social security numbers,  
74 photographs, and places of employment of the spouses and  
75 children of such personnel; and the names and locations of  
76 schools and day care facilities attended by the children of such  
77 personnel are exempt from subsection (1) and s. 24(a), Art. I of  
78 the State Constitution. This subparagraph is subject to the Open  
79 Government Sunset Review Act of 1995 in accordance with s.  
80 119.15, and shall stand repealed on October 2, 2006, unless  
81 reviewed and saved from repeal through reenactment by the  
82 Legislature.

83 3. The home addresses, telephone numbers, social security  
84 numbers, and photographs of current or former code enforcement  
85 officers; the names, home addresses, telephone numbers, social  
86 security numbers, photographs, and places of employment of the  
87 spouses and children of such persons; and the names and

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

95 4. The home addresses, telephone numbers, social security  
 96 numbers, and photographs of current or former county attorneys,  
 97 assistant county attorneys, municipal attorneys, and assistant  
 98 municipal attorneys responsible for prosecuting violations of  
 99 local codes or ordinances; the names, home addresses, telephone  
 100 numbers, social security numbers, photographs, and places of  
 101 employment of the spouses and children of such persons; and the  
 102 names and locations of schools and day care facilities attended  
 103 by the children of such persons are exempt from subsection (1)  
 104 and s. 24(a), Art. I of the State Constitution upon written  
 105 request by the attorney, which must include verification that  
 106 the attorney has received a work-related threat to his or her  
 107 life, health, or safety or to the life, health, or safety of a  
 108 member of his or her family. This subparagraph is subject to the  
 109 Open Government Sunset Review Act of 1995 in accordance with s.  
 110 119.15 and shall stand repealed on October 2, 2009, unless  
 111 reviewed and saved from repeal through reenactment by the  
 112 Legislature.

113 ~~5.4-~~ An agency that is the custodian of the personal  
 114 information specified in subparagraph 1., subparagraph 2., ~~or~~  
 115 subparagraph 3., or subparagraph 4. and that is not the employer  
 116 of the officer, employee, justice, judge, or other person

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117 specified in subparagraph 1., subparagraph 2., ~~or~~ subparagraph  
 118 3., or subparagraph 4. shall maintain the confidentiality of the  
 119 personal information only if the officer, employee, justice,  
 120 judge, other person, or employing agency of the designated  
 121 employee submits a written request for confidentiality to the  
 122 custodial agency.

123 Section 2. The Legislature finds that the public records  
 124 exemption created by this act is a public necessity in order to  
 125 ensure the safety of current or former county attorneys,  
 126 assistant county attorneys, municipal attorneys, and assistant  
 127 municipal attorneys responsible for prosecuting violations of  
 128 local codes or ordinances, and the families of these attorneys.  
 129 If this information concerning these attorneys or their family  
 130 members were made publicly available, the ability of persons who  
 131 desire to harm these attorneys or their families would be  
 132 increased. Attorneys prosecuting violations of local codes or  
 133 ordinances and their family members should not be subject to  
 134 harassment or potential harm from individuals alleged to have  
 135 violated such codes or ordinances. Consequently, the Legislature  
 136 finds that the public records exemption created by this act is a  
 137 public necessity.

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