

By the Committee on Health, Aging, and Long-Term Care; and
 Senator Saunders

317-2198-04

1 A bill to be entitled
 2 An act relating to a public records exemption;
 3 amending s. 119.07; providing an exemption from
 4 public records requirements for the home
 5 addresses, telephone numbers, social security
 6 numbers, and photographs of active or former
 7 emergency medical technicians or paramedics
 8 certified in compliance with ch. 401, F.S., the
 9 home addresses, telephone numbers, social
 10 security numbers, photographs, and places of
 11 employment of the spouses and the children of
 12 such emergency medical technicians and
 13 paramedics, and the names and locations of
 14 schools and day care facilities attended by
 15 children of such emergency medical technicians
 16 and paramedics; providing for retroactive
 17 application of the exemption; providing for
 18 future review and repeal of the exemption;
 19 providing a statement of public necessity;
 20 providing an effective date.

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 22 Be It Enacted by the Legislature of the State of Florida:
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24 Section 1. Paragraph (i) of subsection (3) of section
 25 119.07, Florida Statutes, is amended to read:

26 119.07 Inspection, examination, and duplication of
 27 records; exemptions.--

28 (3)

29 (i)1.a. The home addresses, telephone numbers, social
 30 security numbers, and photographs of active or former law
 31 enforcement personnel, including correctional and correctional

1 probation officers, personnel of the Department of Children
2 and Family Services whose duties include the investigation of
3 abuse, neglect, exploitation, fraud, theft, or other criminal
4 activities, personnel of the Department of Health whose duties
5 are to support the investigation of child abuse or neglect,
6 and personnel of the Department of Revenue or local
7 governments whose responsibilities include revenue collection
8 and enforcement or child support enforcement; the home
9 addresses, telephone numbers, social security numbers,
10 photographs, and places of employment of the spouses and
11 children of such personnel; and the names and locations of
12 schools and day care facilities attended by the children of
13 such personnel are exempt from the provisions of subsection
14 (1).

15 b. The home addresses, telephone numbers, and
16 photographs of firefighters certified in compliance with s.
17 633.35; the home addresses, telephone numbers, photographs,
18 and places of employment of the spouses and children of such
19 firefighters; and the names and locations of schools and day
20 care facilities attended by the children of such firefighters
21 are exempt from subsection (1).

22 c. The home addresses, telephone numbers, social
23 security numbers, and photographs of active or former
24 emergency medical technicians or paramedics certified in
25 compliance with chapter 401; the home addresses, telephone
26 numbers, social security numbers, photographs, and places of
27 employment of the spouses and children of such emergency
28 medical technicians and paramedics; and the names and
29 locations of schools and day care facilities attended by
30 children of such emergency medical technicians and paramedics
31 are exempt from subsection (1) and s. 24(a), Art. I of the

1 State Constitution. This exemption applies to personal
2 information held by an agency before, on, or after the
3 effective date of this exemption.

4 d. The home addresses and telephone numbers of
5 justices of the Supreme Court, district court of appeal
6 judges, circuit court judges, and county court judges; the
7 home addresses, telephone numbers, and places of employment of
8 the spouses and children of justices and judges; and the names
9 and locations of schools and day care facilities attended by
10 the children of justices and judges are exempt from the
11 provisions of subsection (1).

12 e. The home addresses, telephone numbers, social
13 security numbers, and photographs of current or former state
14 attorneys, assistant state attorneys, statewide prosecutors,
15 or assistant statewide prosecutors; the home addresses,
16 telephone numbers, social security numbers, photographs, and
17 places of employment of the spouses and children of current or
18 former state attorneys, assistant state attorneys, statewide
19 prosecutors, or assistant statewide prosecutors; and the names
20 and locations of schools and day care facilities attended by
21 the children of current or former state attorneys, assistant
22 state attorneys, statewide prosecutors, or assistant statewide
23 prosecutors are exempt from subsection (1) and s. 24(a), Art.
24 I of the State Constitution.

25 2. The home addresses, telephone numbers, social
26 security numbers, and photographs of current or former human
27 resource, labor relations, or employee relations directors,
28 assistant directors, managers, or assistant managers of any
29 local government agency or water management district whose
30 duties include hiring and firing employees, labor contract
31 negotiation, administration, or other personnel-related

1 duties; the names, home addresses, telephone numbers, social
2 security numbers, photographs, and places of employment of the
3 spouses and children of such personnel; and the names and
4 locations of schools and day care facilities attended by the
5 children of such personnel are exempt from subsection (1) and
6 s. 24(a), Art. I of the State Constitution. This subparagraph
7 is subject to the Open Government Sunset Review Act of 1995 in
8 accordance with s. 119.15, and shall stand repealed on October
9 2, 2006, unless reviewed and saved from repeal through
10 reenactment by the Legislature.

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

23 4. An agency that is the custodian of the personal
24 information specified in subparagraph 1., subparagraph 2., or
25 subparagraph 3. and that is not the employer of the officer,
26 employee, justice, judge, or other person specified in
27 subparagraph 1., subparagraph 2., or subparagraph 3. shall
28 maintain the confidentiality of the personal information only
29 if the officer, employee, justice, judge, other person, or
30 employing agency of the designated employee submits a written
31 request for confidentiality to the custodial agency.

1 Section 2. Sub-subparagraph c. of subparagraph 1. of
2 paragraph (i) of subsection (3) of section 119.07, Florida
3 Statutes, is subject to the Open Government Sunset Review Act
4 of 1995 in accordance with section 119.15, Florida Statutes,
5 and shall stand repealed on October 2, 2009, unless reviewed
6 and saved from repeal through reenactment by the Legislature.

7 Section 3. The Legislature finds that the exemption
8 from public records requirements provided for by this act for
9 the home addresses, telephone numbers, social security
10 numbers, and photographs of active or former emergency medical
11 technicians or paramedics certified in compliance with chapter
12 401, Florida Statutes, the home addresses, telephone numbers,
13 social security numbers, photographs, and places of employment
14 of the spouses and the children of such emergency medical
15 technicians and paramedics, and the names and locations of
16 schools and day care facilities attended by children of such
17 emergency medical technicians and paramedics is a public
18 necessity. This exemption is justified because if such
19 information were not confidential, an emergency medical
20 technician or paramedic or a member or members of his or her
21 family could be harmed or threatened with harm by an
22 individual, or a family member of such individual, who was
23 provided emergency medical care which resulted in a negative
24 outcome.

25 Section 4. This act shall take effect upon becoming a
26 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1880

The committee substitute provides that the public records exemption applies to personal information held by an agency before, on, or after the effective date of the exemption.