

HB 1925

2004

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 for the home addresses, telephone numbers,
 5 social security numbers, and photographs of current or
 6 former personnel of a crime laboratory or medical
 7 examiner's office, the names, home addresses, telephone
 8 numbers, social security numbers, photographs, and places
 9 of employment of the spouses and children of such
 10 personnel, and the names and locations of schools and day
 11 care facilities attended by the children of such
 12 personnel; providing for future review and repeal;
 13 providing a statement of public necessity; providing an
 14 effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Paragraph (i) of subsection (3) of section
 19 119.07, Florida Statutes, is amended to read:

20 119.07 Inspection, examination, and duplication of
 21 records; exemptions.--

22 (3)

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

HB 1925

2004

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

HB 1925

2004

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

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

81 3. The home addresses, telephone numbers, social security
82 numbers, and photographs of current or former code enforcement
83 officers; the names, home addresses, telephone numbers, social
84 security numbers, photographs, and places of employment of the
85 spouses and children of such persons; and the names and
86 locations of schools and day care facilities attended by the
87 children of such persons are exempt from subsection (1) and s.

HB 1925

2004

88 24(a), Art. I of the State Constitution. This subparagraph is
 89 subject to the Open Government Sunset Review Act of 1995 in
 90 accordance with s. 119.15, and shall stand repealed on October
 91 2, 2006, unless reviewed and saved from repeal through
 92 reenactment by the Legislature.

93 4.a. The home addresses, telephone numbers, social
 94 security numbers, and photographs of current or former personnel
 95 of a crime laboratory or medical examiner's office; the names,
 96 home addresses, telephone numbers, social security numbers,
 97 photographs, and places of employment of spouses and children of
 98 current or former personnel of a crime laboratory or medical
 99 examiner's office; and the names and locations of schools and
 100 day care facilities attended by children of current or former
 101 personnel of a crime laboratory or medical examiner's office are
 102 exempt from subsection (1) and s. 24(a), Art. I of the State
 103 Constitution. For purposes of this sub-subparagraph, personnel
 104 of a crime laboratory or medical examiner's office are defined
 105 as personnel whose primary duties or responsibilities include
 106 performing laboratory and analytical work in criminal
 107 identification and investigation; photographing crime scenes;
 108 classifying, evaluating, and identifying fingerprints; or
 109 supervising one or more persons who have those duties or
 110 responsibilities.

111 b. Sub-subparagraph a. is subject to the Open Government
 112 Sunset Review Act of 1995 in accordance with s. 119.15, and
 113 shall stand repealed on October 2, 2009, unless reviewed and
 114 saved from repeal through reenactment by the Legislature.

115 ~~5.4.~~ An agency that is the custodian of the personal
 116 information specified in subparagraph 1., subparagraph 2., ~~or~~

HB 1925

2004

117 subparagraph 3., or subparagraph 4. and that is not the employer
 118 of the officer, employee, justice, judge, or other person
 119 specified in subparagraph 1., subparagraph 2., ~~or~~ subparagraph
 120 3., or subparagraph 4. shall maintain the confidentiality of the
 121 personal information only if the officer, employee, justice,
 122 judge, other person, or employing agency of the designated
 123 employee submits a written request for confidentiality to the
 124 custodial agency.

125 Section 2. The Legislature finds that the exemption from
 126 public records requirements provided by this act for the home
 127 addresses, telephone numbers, social security numbers, and
 128 photographs of current or former personnel of a crime laboratory
 129 or medical examiner's office, the names, home addresses,
 130 telephone numbers, social security numbers, photographs, and
 131 places of employment of the spouses and children of such
 132 personnel, and the names and locations of schools and day care
 133 facilities attended by the children of such personnel is a
 134 public necessity. This act is justified because, if such
 135 information were not confidential, personnel of a crime
 136 laboratory or medical examiner's office or their family members
 137 could be harmed or threatened with harm by a criminal defendant
 138 or by a friend or family member of a criminal defendant.

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