

By Senator Crist

12-1179-04

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; creating an exemption from
4 public-records requirements for personal
5 identifying information contained in records
6 concerning current or former juvenile probation
7 officers, juvenile probation supervisors, and
8 juvenile detention officers of the Department
9 of Juvenile Justice, and their spouses and
10 children; providing for future repeal and
11 legislative review under the Open Government
12 Sunset Review Act of 1995; providing a
13 statement of public necessity; providing an
14 effective date.

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

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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
27 and Family Services whose duties include the investigation of
28 abuse, neglect, exploitation, fraud, theft, or other criminal
29 activities, personnel of the Department of Health whose duties
30 are to support the investigation of child abuse or neglect,
31 and personnel of the Department of Revenue or local

1 governments whose responsibilities include revenue collection
2 and enforcement or child support enforcement; the home
3 addresses, telephone numbers, social security numbers,
4 photographs, and places of employment of the spouses and
5 children of such personnel; and the names and locations of
6 schools and day care facilities attended by the children of
7 such personnel are exempt from the provisions of subsection
8 (1). The home addresses, telephone numbers, and photographs of
9 firefighters certified in compliance with s. 633.35; the home
10 addresses, telephone numbers, photographs, and places of
11 employment of the spouses and children of such firefighters;
12 and the names and locations of schools and day care facilities
13 attended by the children of such firefighters are exempt from
14 subsection (1). The home addresses and telephone numbers of
15 justices of the Supreme Court, district court of appeal
16 judges, circuit court judges, and county court judges; the
17 home addresses, telephone numbers, and places of employment of
18 the spouses and children of justices and judges; and the names
19 and locations of schools and day care facilities attended by
20 the children of justices and judges are exempt from the
21 provisions of subsection (1). The home addresses, telephone
22 numbers, social security numbers, and photographs of current
23 or former state attorneys, assistant state attorneys,
24 statewide prosecutors, or assistant statewide prosecutors; the
25 home addresses, telephone numbers, social security numbers,
26 photographs, and places of employment of the spouses and
27 children of current or former state attorneys, assistant state
28 attorneys, statewide prosecutors, or assistant statewide
29 prosecutors; and the names and locations of schools and day
30 care facilities attended by the children of current or former
31 state attorneys, assistant state attorneys, statewide

1 prosecutors, or assistant statewide prosecutors are exempt
2 from subsection (1) and s. 24(a), Art. I of the State
3 Constitution.

4 2. The home addresses, telephone numbers, social
5 security numbers, and photographs of current or former human
6 resource, labor relations, or employee relations directors,
7 assistant directors, managers, or assistant managers of any
8 local government agency or water management district whose
9 duties include hiring and firing employees, labor contract
10 negotiation, administration, or other personnel-related
11 duties; the names, home addresses, telephone numbers, social
12 security numbers, photographs, and places of employment of the
13 spouses and children of such personnel; and the names and
14 locations of schools and day care facilities attended by the
15 children of such personnel are exempt from subsection (1) and
16 s. 24(a), Art. I of the State Constitution. This subparagraph
17 is subject to the Open Government Sunset Review Act of 1995 in
18 accordance with s. 119.15, and shall stand repealed on October
19 2, 2006, unless reviewed and saved from repeal through
20 reenactment by the Legislature.

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

3 4. The home addresses, telephone numbers, social
4 security numbers, and photographs of current or former
5 juvenile probation officers, juvenile probation supervisors,
6 and juvenile detention officers of the Department of Juvenile
7 Justice; the names, home addresses, telephone numbers, social
8 security numbers, photographs, and places of employment of the
9 spouses and children of such personnel; and the names and
10 locations of schools and day care facilities attended by the
11 children of such personnel are exempt from subsection (1) and
12 s. 24(a), Art. I of the State Constitution. This subparagraph
13 is subject to the Open Government Sunset Review Act of 1995 in
14 accordance with s. 119.15, and shall stand repealed on October
15 2, 2009, unless reviewed and saved from repeal through
16 reenactment by the Legislature.

17 ~~5.4.~~ An agency that is the custodian of the personal
18 information specified in subparagraph 1., subparagraph 2., ~~or~~
19 subparagraph 3., or subparagraph 4.and that is not the
20 employer of the officer, employee, justice, judge, or other
21 person specified in subparagraph 1., subparagraph 2., ~~or~~
22 subparagraph 3., or subparagraph 4.shall maintain the
23 confidentiality of the personal information only if the
24 officer, employee, justice, judge, other person, or employing
25 agency of the designated employee submits a written request
26 for confidentiality to the custodial agency.

27 Section 2. The Legislature finds that the exemption
28 from public-records requirements provided in this act for
29 identifying information relating to current and former
30 juvenile probation officers, juvenile probation supervisors,
31 and juvenile detention officers of the Department of Juvenile

1 Justice and their families is a public necessity. This act is
2 justified because, if such information were not confidential,
3 a juvenile probation officer, a juvenile probation supervisor,
4 a juvenile detention officer, or his or her family could be
5 harmed or threatened with harm by a juvenile defendant or by a
6 friend or family member of a juvenile defendant.

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

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10 SENATE SUMMARY

11 Provides that personal identifying information contained
12 in records for juvenile probation officers, juvenile
13 probation supervisors, and juvenile detention officers of
14 the Department of Juvenile Justice, and their spouses and
15 children, are exempt from disclosure under the public
16 records law.
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