

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 specified
 6 employees of a law enforcement agency or medical
 7 examiner's office in a forensic discipline, the names,
 8 home addresses, telephone numbers, social security
 9 numbers, photographs, and places of employment of the
 10 spouses and children of such employees, and the names and
 11 locations of schools and day care facilities attended by
 12 the children of such employees; providing for future
 13 review and repeal; providing a statement of public
 14 necessity; providing an effective date.

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

17
 18 Section 1. Paragraph (i) of subsection (6) of section
 19 119.07, Florida Statutes, is amended to read:

20 119.07 Inspection and copying of records; photographing
 21 public records; fees; exemptions.--

22 (6)

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
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
52 | addresses, telephone numbers, social security numbers, and
53 | photographs of current or former state attorneys, assistant
54 | state attorneys, statewide prosecutors, or assistant statewide
55 | prosecutors; the home addresses, telephone numbers, social
56 | security numbers, photographs, and places of employment of the

57 spouses and children of current or former state attorneys,
58 assistant state attorneys, statewide prosecutors, or assistant
59 statewide prosecutors; and the names and locations of schools
60 and day care facilities attended by the children of current or
61 former state attorneys, assistant state attorneys, statewide
62 prosecutors, or assistant statewide prosecutors are exempt from
63 subsection (1) 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 United States
83 attorneys and assistant United States attorneys; the home
84 addresses, telephone numbers, social security numbers,

85 | photographs, and places of employment of the spouses and
86 | children of current or former United States attorneys and
87 | assistant United States attorneys; and the names and locations
88 | of schools and day care facilities attended by the children of
89 | current or former United States attorneys and assistant United
90 | States attorneys are exempt from subsection (1) and s. 24(a),
91 | Art. I of the State Constitution. This subparagraph is subject
92 | to the Open Government Sunset Review Act of 1995 in accordance
93 | with s. 119.15 and shall stand repealed on October 2, 2009,
94 | unless reviewed and saved from repeal through reenactment by the
95 | Legislature.

96 | 4. The home addresses, telephone numbers, social security
97 | numbers, and photographs of current or former judges of United
98 | States Courts of Appeal, United States district judges, and
99 | United States magistrate judges; the home addresses, telephone
100 | numbers, social security numbers, photographs, and places of
101 | employment of the spouses and children of current or former
102 | judges of United States Courts of Appeal, United States district
103 | judges, and United States magistrate judges; and the names and
104 | locations of schools and day care facilities attended by the
105 | children of current or former judges of United States Courts of
106 | Appeal, United States district judges, and United States
107 | magistrate judges are exempt from subsection (1) and s. 24(a),
108 | Art. I of the State Constitution. This subparagraph is subject
109 | to the Open Government Sunset Review Act of 1995 in accordance
110 | with s. 119.15, and shall stand repealed on October 2, 2009,
111 | unless reviewed and saved from repeal through reenactment by the
112 | Legislature.

113 5. The home addresses, telephone numbers, social security
114 numbers, and photographs of current or former code enforcement
115 officers; the names, home addresses, telephone numbers, social
116 security numbers, photographs, and places of employment of the
117 spouses and children of such persons; and the names and
118 locations of schools and day care facilities attended by the
119 children of such persons are exempt from subsection (1) and s.
120 24(a), Art. I of the State Constitution. This subparagraph is
121 subject to the Open Government Sunset Review Act of 1995 in
122 accordance with s. 119.15, and shall stand repealed on October
123 2, 2006, unless reviewed and saved from repeal through
124 reenactment by the Legislature.

125 6.a. The home addresses, telephone numbers, social
126 security numbers, and photographs of employees of a law
127 enforcement agency or medical examiner's office in a forensic
128 discipline recognized by the International Association for
129 Identification and qualified for active membership in the
130 association; the names, home addresses, telephone numbers,
131 social security numbers, photographs, and places of employment
132 of the spouses and children of such employees; and the names and
133 locations of schools and day care facilities attended by
134 children of such employees are exempt from subsection (1) and s.
135 24(a), Art. I of the State Constitution. For purposes of this
136 sub-subparagraph, employees of a law enforcement agency or
137 medical examiner's office in a forensic discipline recognized by
138 the International Association for Identification and qualified
139 for active membership in the association are defined as
140 employees whose primary duties or responsibilities include the

141 collection, examination, preservation, documentation,
142 preparation, or analysis of physical evidence or testimony, or
143 both, or employees who are a direct supervisor, quality
144 management supervisor, or command officer of one or more
145 individuals with such responsibility. Administrative support
146 personnel, including, but not limited to, those whose primary
147 responsibilities are clerical or in accounting, purchasing,
148 legal, and personnel, shall not be included.

149 b. Sub-subparagraph a. is subject to the Open Government
150 Sunset Review Act of 1995 in accordance with s. 119.15, and
151 shall stand repealed on October 2, 2010, unless reviewed and
152 saved from repeal through reenactment by the Legislature.

153 7.6- An agency that is the custodian of the personal
154 information specified in subparagraph 1., subparagraph 2.,
155 subparagraph 3., subparagraph 4., ~~or~~ subparagraph 5., or
156 subparagraph 6., and that is not the employer of the officer,
157 employee, justice, judge, or other person specified in
158 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph
159 4., ~~or~~ subparagraph 5., or subparagraph 6., shall maintain the
160 exempt status of the personal information only if the officer,
161 employee, justice, judge, other person, or employing agency of
162 the designated employee submits a written request for
163 maintenance of the exemption to the custodial agency.

164 Section 2. The Legislature finds that the exemption from
165 s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the
166 State Constitution provided by this act for the home addresses,
167 telephone numbers, social security numbers, and photographs of
168 employees of a law enforcement agency or medical examiner's

169 office in a forensic discipline recognized by the International
170 Association for Identification and qualified for active
171 membership in the association whose primary duties or
172 responsibilities include the collection, examination,
173 preservation, documentation, preparation, or analysis of
174 physical evidence or testimony, or both, or who are a direct
175 supervisor, quality management supervisor, or command officer of
176 one or more individuals with such responsibility; the names,
177 home addresses, telephone numbers, social security numbers,
178 photographs, and places of employment of the spouses and
179 children of such employees; and the names and locations of
180 schools and day care facilities attended by the children of such
181 employees is a public necessity. Employees of a law enforcement
182 agency or medical examiner's office in a forensic discipline are
183 often called upon to provide professional opinions regarding the
184 manner of death or injury of a victim of crime. The opinions
185 they render may lead to the conviction of the accused and to the
186 accused's incarceration or execution. As a result, employees
187 could be targeted for revenge by the accused or by family or
188 friends of the accused. In addition, persons who might seek
189 revenge against employees of a law enforcement agency or medical
190 examiner's office in a forensic discipline could also target the
191 family members of these employees. If identifying information of
192 employees of a law enforcement agency or medical examiner's
193 office in a forensic discipline or their family members is not
194 made exempt from public records requirements, it would be much
195 easier for persons with an intent to seek revenge to locate
196 these employees and their families and cause them harm. Thus,

197 the Legislature finds that it is a public necessity to exempt
198 from disclosure the home addresses, telephone numbers, social
199 security numbers, and photographs of employees of a law
200 enforcement agency or medical examiner's office in a forensic
201 discipline recognized by the International Association for
202 Identification and qualified for active membership in the
203 association whose primary duties or responsibilities include the
204 collection, examination, preservation, documentation,
205 preparation, or analysis of physical evidence or testimony, or
206 both, or who are a direct supervisor, quality management
207 supervisor, or command officer of one or more individuals with
208 such responsibility; the names, home addresses, telephone
209 numbers, social security numbers, photographs, and places of
210 employment of their spouses and children; and the names and
211 locations of schools and day care facilities attended by the
212 children of such employees.

213 Section 3. This act shall take effect on the same date
214 that HB 215 or similar legislation takes effect, if such
215 legislation is adopted in the same legislative session or an
216 extension thereof and becomes law.