

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.

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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 (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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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 current or former personnel  
127 of a crime laboratory or medical examiner's office; the names,  
128 home addresses, telephone numbers, social security numbers,  
129 photographs, and places of employment of the spouses and  
130 children of current or former personnel of a crime laboratory or  
131 medical examiner's office; and the names and locations of  
132 schools and day care facilities attended by children of current  
133 or former personnel of a crime laboratory or medical examiner's  
134 office are exempt from subsection (1) and s. 24(a), Art. I of  
135 the State Constitution. For purposes of this sub-subparagraph,  
136 personnel of a crime laboratory or medical examiner's office are  
137 defined as personnel whose primary duties or responsibilities  
138 include performing laboratory and analytical work in criminal  
139 identification and investigation; photographing crime scenes;  
140 classifying, evaluating, and identifying fingerprints; or

141 supervising one or more persons who have those duties or  
142 responsibilities.

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145 shall stand repealed on October 2, 2010, unless reviewed and  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

147 7.6- An agency that is the custodian of the personal  
148 information specified in subparagraph 1., subparagraph 2.,  
149 subparagraph 3., subparagraph 4., ~~or~~ subparagraph 5., or  
150 subparagraph 6., and that is not the employer of the officer,  
151 employee, justice, judge, or other person specified in  
152 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph  
153 4., ~~or~~ subparagraph 5., or subparagraph 6., shall maintain the  
154 exempt status of the personal information only if the officer,  
155 employee, justice, judge, other person, or employing agency of  
156 the designated employee submits a written request for  
157 maintenance of the exemption to the custodial agency.

158 Section 2. The Legislature finds that the exemption from  
159 public records requirements provided by this act for the home  
160 addresses, telephone numbers, social security numbers, and  
161 photographs of current or former personnel of a crime laboratory  
162 or medical examiner's office; the names, home addresses,  
163 telephone numbers, social security numbers, photographs, and  
164 places of employment of the spouses and children of such  
165 personnel; and the names and locations of schools and day care  
166 facilities attended by the children of such personnel is a  
167 public necessity. Personnel of a crime laboratory or medical  
168 examiner's office are often called upon to provide professional

169 opinions regarding the manner of death or injury of a victim of  
170 crime. The opinions they render may lead to the conviction of  
171 the accused and to the accused's incarceration or execution. As  
172 a result, current or former personnel could be targeted for  
173 revenge by the accused or by family or friends of the accused.  
174 In addition, persons who might seek revenge against current or  
175 former personnel of a crime laboratory or medical examiner's  
176 office could also target the family members of these personnel.  
177 If identifying information of current or former personnel of a  
178 crime laboratory or medical examiner's office or their family  
179 members is not made exempt from public records requirements, it  
180 would be much easier for persons with an intent to seek revenge  
181 to locate these personnel and their families and cause them  
182 harm. Thus, the Legislature finds that it is a public necessity  
183 to exempt from disclosure the home addresses, telephone numbers,  
184 social security numbers, and photographs of current and former  
185 personnel of a crime laboratory or medical examiner's office;  
186 the names, home addresses, telephone numbers, social security  
187 numbers, photographs, and places of employment of their spouses  
188 and children; and the names and locations of schools and day  
189 care facilities attended by the children of such personnel.

190 Section 3. This act shall take effect October 1, 2005.