

1 Section 1. Paragraph (d) of subsection (4) of section
2 119.071, Florida Statutes, is amended to read:

3 119.071 General exemptions from inspection or copying
4 of public records.--

5 (4) AGENCY PERSONNEL INFORMATION.--

6 (d)1. The home addresses, telephone numbers, social
7 security numbers, and photographs of active or former law
8 enforcement personnel, including correctional and correctional
9 probation officers, personnel of the Department of Children
10 and Family Services whose duties include the investigation of
11 abuse, neglect, exploitation, fraud, theft, or other criminal
12 activities, personnel of the Department of Health whose duties
13 are to support the investigation of child abuse or neglect,
14 and personnel of the Department of Revenue or local
15 governments whose responsibilities include revenue collection
16 and enforcement or child support enforcement; the home
17 addresses, telephone numbers, social security numbers,
18 photographs, and places of employment of the spouses and
19 children of such personnel; and the names and locations of
20 schools and day care facilities attended by the children of
21 such personnel are exempt from s. 119.07(1). The home
22 addresses, telephone numbers, and photographs of firefighters
23 certified in compliance with s. 633.35; the home addresses,
24 telephone numbers, photographs, and places of employment of
25 the spouses and children of such firefighters; and the names
26 and locations of schools and day care facilities attended by
27 the children of such firefighters are exempt from s.
28 119.07(1). The home addresses and telephone numbers of
29 justices of the Supreme Court, district court of appeal
30 judges, circuit court judges, and county court judges; the
31 home addresses, telephone numbers, and places of employment of

1 | the spouses and children of justices and judges; and the names
2 | and locations of schools and day care facilities attended by
3 | the children of justices and judges are exempt from s.
4 | 119.07(1). The home addresses, telephone numbers, social
5 | security numbers, and photographs of current or former state
6 | attorneys, assistant state attorneys, statewide prosecutors,
7 | or assistant statewide prosecutors; the home addresses,
8 | telephone numbers, social security numbers, photographs, and
9 | places of employment of the spouses and children of current or
10 | former state attorneys, assistant state attorneys, statewide
11 | prosecutors, or assistant statewide prosecutors; and the names
12 | and locations of schools and day care facilities attended by
13 | the children of current or former state attorneys, assistant
14 | state attorneys, statewide prosecutors, or assistant statewide
15 | prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I
16 | of the State Constitution.

17 | 2. The home addresses, telephone numbers, social
18 | security numbers, and photographs of current or former human
19 | resource, labor relations, or employee relations directors,
20 | assistant directors, managers, or assistant managers of any
21 | local government agency or water management district whose
22 | duties include hiring and firing employees, labor contract
23 | negotiation, administration, or other personnel-related
24 | duties; the names, home addresses, telephone numbers, social
25 | security numbers, photographs, and places of employment of the
26 | spouses and children of such personnel; and the names and
27 | locations of schools and day care facilities attended by the
28 | children of such personnel are exempt from s. 119.07(1) and s.
29 | 24(a), Art. I of the State Constitution. This subparagraph is
30 | subject to the Open Government Sunset Review Act in accordance
31 | with s. 119.15 and shall stand repealed on October 2, 2006,

1 unless reviewed and saved from repeal through reenactment by
2 the Legislature.

3 3. The home addresses, telephone numbers, social
4 security numbers, and photographs of current or former United
5 States attorneys and assistant United States attorneys; the
6 home addresses, telephone numbers, social security numbers,
7 photographs, and places of employment of the spouses and
8 children of current or former United States attorneys and
9 assistant United States attorneys; and the names and locations
10 of schools and day care facilities attended by the children of
11 current or former United States attorneys and assistant United
12 States attorneys are exempt from s. 119.07(1) and s. 24(a),
13 Art. I of the State Constitution. This subparagraph is subject
14 to the Open Government Sunset Review Act in accordance with s.
15 119.15 and shall stand repealed on October 2, 2009, unless
16 reviewed and saved from repeal through reenactment by the
17 Legislature.

18 4. The home addresses, telephone numbers, social
19 security numbers, and photographs of current or former judges
20 of United States Courts of Appeal, United States district
21 judges, and United States magistrate judges; the home
22 addresses, telephone numbers, social security numbers,
23 photographs, and places of employment of the spouses and
24 children of current or former judges of United States Courts
25 of Appeal, United States district judges, and United States
26 magistrate judges; and the names and locations of schools and
27 day care facilities attended by the children of current or
28 former judges of United States Courts of Appeal, United States
29 district judges, and United States magistrate judges are
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution. This subparagraph is subject to the Open

1 Government Sunset Review Act in accordance with s. 119.15 and
2 shall stand repealed on October 2, 2009, unless reviewed and
3 saved from repeal through reenactment by the Legislature.

4 5. The home addresses, telephone numbers, social
5 security numbers, and photographs of current or former code
6 enforcement officers; the names, home addresses, telephone
7 numbers, social security numbers, photographs, and places of
8 employment of the spouses and children of such persons; and
9 the names and locations of schools and day care facilities
10 attended by the children of such persons are exempt from s.
11 119.07(1) and s. 24(a), Art. I of the State Constitution. This
12 subparagraph is subject to the Open Government Sunset Review
13 Act in accordance with s. 119.15 and shall stand repealed on
14 October 2, 2006, unless reviewed and saved from repeal through
15 reenactment by the Legislature.

16 6. The home addresses, telephone numbers, places of
17 employment, and photographs of current or former guardians ad
18 litem, as defined in s. 39.820, and the names, home addresses,
19 telephone numbers, and places of employment of the spouses and
20 children of such persons, are exempt from s. 119.07(1) and s.
21 24(a), Art. I of the State Constitution, if the guardian ad
22 litem provides a written statement that the guardian ad litem
23 has made reasonable efforts to protect such information from
24 being accessible through other means available to the public.
25 This subparagraph is subject to the Open Government Sunset
26 Review Act in accordance with s. 119.15 and shall stand
27 repealed on October 2, 2010, unless reviewed and saved from
28 repeal through reenactment by the Legislature.

29 7. The home addresses, telephone numbers, and
30 photographs of current or former juvenile probation officers,
31 juvenile probation supervisors, detention superintendents,

1 assistant detention superintendents, senior juvenile detention
2 officers, juvenile detention officer supervisors, juvenile
3 detention officers, house parents I and II, house parent
4 supervisors, group treatment leaders, group treatment leader
5 supervisors, rehabilitation therapists, and social services
6 counselors of the Department of Juvenile Justice, the names,
7 home addresses, telephone numbers, and places of employment of
8 spouses and children of such personnel, and the names and
9 locations of schools and day care facilities attended by the
10 children of such personnel are exempt from s. 119.07(1) and s.
11 24(a), Art. I of the State Constitution. This subparagraph is
12 subject to the Open Government Sunset Review Act in accordance
13 with s. 119.15 and shall stand repealed on October 2, 2011,
14 unless reviewed and saved from repeal through reenactment by
15 the Legislature.

16 ~~8.7.~~ An agency that is the custodian of the personal
17 information specified in subparagraph 1., subparagraph 2.,
18 subparagraph 3., subparagraph 4., subparagraph 5., ~~or~~
19 subparagraph 6., or subparagraph 7. and that is not the
20 employer of the officer, employee, justice, judge, or other
21 person specified in subparagraph 1., subparagraph 2.,
22 subparagraph 3., subparagraph 4., subparagraph 5., ~~or~~
23 subparagraph 6., or subparagraph 7. shall maintain the exempt
24 status of the personal information only if the officer,
25 employee, justice, judge, other person, or employing agency of
26 the designated employee submits a written request for
27 maintenance of the exemption to the custodial agency.

28 Section 2. For the purpose of incorporating the
29 amendment made by this act to section 119.071, Florida
30 Statutes, in a reference thereto, section 409.2577, Florida
31 Statutes, is reenacted to read:

1 409.2577 Parent locator service.--The department shall
2 establish a parent locator service to assist in locating
3 parents who have deserted their children and other persons
4 liable for support of dependent children. The department shall
5 use all sources of information available, including the
6 Federal Parent Locator Service, and may request and shall
7 receive information from the records of any person or the
8 state or any of its political subdivisions or any officer
9 thereof. Any agency as defined in s. 120.52, any political
10 subdivision, and any other person shall, upon request, provide
11 the department any information relating to location, salary,
12 insurance, social security, income tax, and employment history
13 necessary to locate parents who owe or potentially owe a duty
14 of support pursuant to Title IV-D of the Social Security Act.
15 This provision shall expressly take precedence over any other
16 statutory nondisclosure provision which limits the ability of
17 an agency to disclose such information, except that law
18 enforcement information as provided in s. 119.071(4)(d) is not
19 required to be disclosed, and except that confidential
20 taxpayer information possessed by the Department of Revenue
21 shall be disclosed only to the extent authorized in s.
22 213.053(15). Nothing in this section requires the disclosure
23 of information if such disclosure is prohibited by federal
24 law. Information gathered or used by the parent locator
25 service is confidential and exempt from the provisions of s.
26 119.07(1). Additionally, the department is authorized to
27 collect any additional information directly bearing on the
28 identity and whereabouts of a person owing or asserted to be
29 owing an obligation of support for a dependent child. The
30 department shall, upon request, make information available
31 only to public officials and agencies of this state; political

1 subdivisions of this state, including any agency thereof
2 providing child support enforcement services to non-Title IV-D
3 clients; the custodial parent, legal guardian, attorney, or
4 agent of the child; and other states seeking to locate parents
5 who have deserted their children and other persons liable for
6 support of dependents, for the sole purpose of establishing,
7 modifying, or enforcing their liability for support, and shall
8 make such information available to the Department of Children
9 and Family Services for the purpose of diligent search
10 activities pursuant to chapter 39. If the department has
11 reasonable evidence of domestic violence or child abuse and
12 the disclosure of information could be harmful to the
13 custodial parent or the child of such parent, the child
14 support program director or designee shall notify the
15 Department of Children and Family Services and the Secretary
16 of the United States Department of Health and Human Services
17 of this evidence. Such evidence is sufficient grounds for the
18 department to disapprove an application for location services.

19 Section 3. The Legislature finds that it is a public
20 necessity that the home addresses, telephone numbers, and
21 photographs of current or former juvenile probation officers,
22 juvenile probation supervisors, detention superintendents,
23 assistant detention superintendents, senior juvenile detention
24 officers, juvenile detention officer supervisors, juvenile
25 detention officers, house parents I and II, house parent
26 supervisors, group treatment leaders, group treatment leader
27 supervisors, rehabilitation therapists, and social services
28 counselors of the Department of Juvenile Justice, the names,
29 home addresses, telephone numbers, and places of employment of
30 spouses and children of such personnel, and the names and
31 locations of schools and day care facilities attended by the

1 children of such personnel be made exempt from public-records
2 requirements. This exemption is justified because, if such
3 information were not made exempt from public-records
4 requirements, a juvenile probation officer, juvenile probation
5 supervisor, detention superintendent, assistant detention
6 superintendent, senior juvenile detention officer, juvenile
7 detention officer supervisor, juvenile detention officer,
8 house parent, house parent supervisor, group treatment leader,
9 group treatment leader supervisor, rehabilitation therapist,
10 or social services counselor of the Department of Juvenile
11 Justice or his or her family could be harmed or threatened
12 with harm by a juvenile defendant or by a friend or family
13 member of a juvenile defendant.

14 Section 4. This act shall take effect October 1, 2006.

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16 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
17 COMMITTEE SUBSTITUTE FOR
18 CS/SB 1320

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19 Removes social security numbers from the exemption as that
20 information is protected under s. 119.071(5), F.S.

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21 Removes photographs of spouses and children from the exemption
22 as that information is not collected.

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23 Removes requirement that employees file statement that they
24 have made reasonable efforts to protect such information from
25 being accessible through other means available to the public.

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