

By Senator Baker

20-1030-06

See HB 379

1 A bill to be entitled

2 An act relating to public records; amending s.

3 119.071, F.S.; providing an exemption from

4 public records requirements for the home

5 addresses, telephone numbers, social security

6 numbers, and photographs of active or former

7 emergency medical technicians or paramedics

8 certified in compliance with chapter 401, F.S.,

9 the home addresses, telephone numbers, social

10 security numbers, photographs, and places of

11 employment of the spouses and the children of

12 such emergency medical technicians and

13 paramedics, and the names and locations of

14 schools and day care facilities attended by

15 children of such emergency medical technicians

16 and paramedics; providing for future review and

17 repeal of the exemption; providing a statement

18 of public necessity; providing an effective

19 date.

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

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23 Section 1. Paragraph (d) of subsection (4) of section

24 119.071, Florida Statutes, is amended to read:

25 119.071 General exemptions from inspection or copying

26 of public records.--

27 (4) AGENCY PERSONNEL INFORMATION.--

28 (d)1. The home addresses, telephone numbers, social

29 security numbers, and photographs of active or former law

30 enforcement personnel, including correctional and correctional

31 probation officers, personnel of the Department of Children

1 and Family Services whose duties include the investigation of
2 abuse, neglect, exploitation, fraud, theft, or other criminal
3 activities, personnel of the Department of Health whose duties
4 are to support the investigation of child abuse or neglect,
5 and personnel of the Department of Revenue or local
6 governments whose responsibilities include revenue collection
7 and enforcement or child support enforcement; the home
8 addresses, telephone numbers, social security numbers,
9 photographs, and places of employment of the spouses and
10 children of such personnel; and the names and locations of
11 schools and day care facilities attended by the children of
12 such personnel are exempt from s. 119.07(1). The home
13 addresses, telephone numbers, and photographs of firefighters
14 certified in compliance with s. 633.35; the home addresses,
15 telephone numbers, photographs, and places of employment of
16 the spouses and children of such firefighters; and the names
17 and locations of schools and day care facilities attended by
18 the children of such firefighters are exempt from s.
19 119.07(1). The home addresses, telephone numbers, social
20 security numbers, and photographs of active or former
21 emergency medical technicians or paramedics certified in
22 compliance with chapter 401; the home addresses, telephone
23 numbers, social security numbers, photographs, and places of
24 employment of the spouses and children of such emergency
25 medical technicians and paramedics; and the names and
26 locations of schools and day care facilities attended by
27 children of such emergency medical technicians and paramedics
28 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
29 Constitution. The home addresses and telephone numbers of
30 justices of the Supreme Court, district court of appeal
31 judges, circuit court judges, and county court judges; the

1 | home addresses, telephone numbers, and places of employment of
2 | the spouses and children of justices and judges; and the names
3 | and locations of schools and day care facilities attended by
4 | the children of justices and judges are exempt from s.
5 | 119.07(1). The home addresses, telephone numbers, social
6 | security numbers, and photographs of current or former state
7 | attorneys, assistant state attorneys, statewide prosecutors,
8 | or assistant statewide prosecutors; the home addresses,
9 | telephone numbers, social security numbers, photographs, and
10 | places of employment of the spouses and children of current or
11 | former state attorneys, assistant state attorneys, statewide
12 | prosecutors, or assistant statewide prosecutors; and the names
13 | and locations of schools and day care facilities attended by
14 | the children of current or former state attorneys, assistant
15 | state attorneys, statewide prosecutors, or assistant statewide
16 | prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I
17 | of the State Constitution. This subparagraph is subject to the
18 | Open Government Sunset Review Act in accordance with s. 119.15
19 | and shall stand repealed on October 2, 2011, unless reviewed
20 | and saved from repeal through reenactment by the Legislature.

21 | 2. The home addresses, telephone numbers, social
22 | security numbers, and photographs of current or former human
23 | resource, labor relations, or employee relations directors,
24 | assistant directors, managers, or assistant managers of any
25 | local government agency or water management district whose
26 | duties include hiring and firing employees, labor contract
27 | negotiation, administration, or other personnel-related
28 | duties; the names, home addresses, telephone numbers, social
29 | security numbers, photographs, and places of employment of the
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 are exempt from s. 119.07(1) and s.
2 24(a), Art. I of the State Constitution. This subparagraph is
3 subject to the Open Government Sunset Review Act in accordance
4 with s. 119.15 and shall stand repealed on October 2, 2006,
5 unless reviewed and saved from repeal through reenactment by
6 the Legislature.

7 3. The home addresses, telephone numbers, social
8 security numbers, and photographs of current or former United
9 States attorneys and assistant United States attorneys; the
10 home addresses, telephone numbers, social security numbers,
11 photographs, and places of employment of the spouses and
12 children of current or former United States attorneys and
13 assistant United States attorneys; and the names and locations
14 of schools and day care facilities attended by the children of
15 current or former United States attorneys and assistant United
16 States attorneys are exempt from s. 119.07(1) and s. 24(a),
17 Art. I of the State Constitution. This subparagraph is subject
18 to the Open Government Sunset Review Act in accordance with s.
19 119.15 and shall stand repealed on October 2, 2009, unless
20 reviewed and saved from repeal through reenactment by the
21 Legislature.

22 4. The home addresses, telephone numbers, social
23 security numbers, and photographs of current or former judges
24 of United States Courts of Appeal, United States district
25 judges, and United States magistrate judges; the home
26 addresses, telephone numbers, social security numbers,
27 photographs, and places of employment of the spouses and
28 children of current or former judges of United States Courts
29 of Appeal, United States district judges, and United States
30 magistrate judges; and the names and locations of schools and
31 day care facilities attended by the children of current or

1 former judges of United States Courts of Appeal, United States
2 district judges, and United States magistrate judges are
3 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
4 Constitution. This subparagraph is subject to the Open
5 Government Sunset Review Act in accordance with s. 119.15 and
6 shall stand repealed on October 2, 2009, unless reviewed and
7 saved from repeal through reenactment by the Legislature.

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

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

3 7. An agency that is the custodian of the personal
4 information specified in subparagraph 1., subparagraph 2.,
5 subparagraph 3., subparagraph 4., subparagraph 5., or
6 subparagraph 6. and that is not the employer of the officer,
7 employee, justice, judge, or other person specified in
8 subparagraph 1., subparagraph 2., subparagraph 3.,
9 subparagraph 4., subparagraph 5., or subparagraph 6. shall
10 maintain the exempt status of the personal information only if
11 the officer, employee, justice, judge, other person, or
12 employing agency of the designated employee submits a written
13 request for maintenance of the exemption to the custodial
14 agency.

15 Section 2. The Legislature finds that the exemption
16 from public records requirements provided for by this act for
17 the home addresses, telephone numbers, social security
18 numbers, and photographs of active or former emergency medical
19 technicians or paramedics certified in compliance with chapter
20 401, Florida Statutes, the home addresses, telephone numbers,
21 social security numbers, photographs, and places of employment
22 of the spouses and children of such emergency medical
23 technicians and paramedics, and the names and locations of
24 schools and day care facilities attended by the children of
25 such emergency medical technicians and paramedics is a public
26 necessity. Emergency medical technicians and paramedics, law
27 enforcement officers, and firefighters deal with the same
28 situations and the same individuals in the discharge of their
29 duties, yet law enforcement officers and firefighters are
30 currently granted an exemption from public records
31 requirements with respect to information that identifies and

1 locates them and their spouses and children, and emergency
2 medical technicians and paramedics are not. Emergency medical
3 technicians and paramedics are often exposed to a criminal
4 element when rendering medical treatment, the need for which
5 results from the commission of a criminal act. This exemption
6 is justified, because if the identifying information specified
7 in this act were not made confidential and exempt from public
8 records requirements, an emergency medical technician or
9 paramedic or a member or members of his or her family could be
10 harmed or threatened with harm by an individual or a family
11 member of such individual who was provided emergency medical
12 care which resulted in a negative outcome or who seeks
13 retribution for the emergency medical technician's or
14 paramedic's involvement in the control or management of a
15 crime scene.

16 Section 3. This act shall take effect upon becoming a
17 law.

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