

1                                   A bill to be entitled  
 2       An act relating to public records; amending s. 119.071,  
 3       F.S.; providing an exemption from public records  
 4       requirements for the home addresses, telephone numbers,  
 5       social security numbers, and photographs of active or  
 6       former emergency medical technicians or paramedics  
 7       certified in compliance with chapter 401, the home  
 8       addresses, telephone numbers, social security numbers,  
 9       photographs, and places of employment of the spouses and  
 10      the children of such emergency medical technicians and  
 11      paramedics, and the names and locations of schools and day  
 12      care facilities attended by children of such emergency  
 13      medical technicians and paramedics; providing for future  
 14      review and repeal of the exemption; providing a statement  
 15      of public necessity; providing an effective date.

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

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 19           Section 1. Paragraph (d) of subsection (4) of section  
 20   119.071, Florida Statutes, is amended to read:

21           119.071 General exemptions from inspection or copying of  
 22   public records.--

23           (4) AGENCY PERSONNEL INFORMATION.--

24           (d)1. The home addresses, telephone numbers, social  
 25   security numbers, and photographs of active or former law  
 26   enforcement personnel, including correctional and correctional  
 27   probation officers, personnel of the Department of Children and  
 28   Family Services whose duties include the investigation of abuse,

29 neglect, exploitation, fraud, theft, or other criminal  
 30 activities, personnel of the Department of Health whose duties  
 31 are to support the investigation of child abuse or neglect, and  
 32 personnel of the Department of Revenue or local governments  
 33 whose responsibilities include revenue collection and  
 34 enforcement or child support enforcement; the home addresses,  
 35 telephone numbers, social security numbers, photographs, and  
 36 places of employment of the spouses and children of such  
 37 personnel; and the names and locations of schools and day care  
 38 facilities attended by the children of such personnel are exempt  
 39 from s. 119.07(1). The home addresses, telephone numbers, and  
 40 photographs of firefighters certified in compliance with s.  
 41 633.35; the home addresses, telephone numbers, photographs, and  
 42 places of employment of the spouses and children of such  
 43 firefighters; and the names and locations of schools and day  
 44 care facilities attended by the children of such firefighters  
 45 are exempt from s. 119.07(1). The home addresses, telephone  
 46 numbers, social security numbers, and photographs of active or  
 47 former emergency medical technicians or paramedics certified in  
 48 compliance with chapter 401; the home addresses, telephone  
 49 numbers, social security numbers, photographs, and places of  
 50 employment of the spouses and children of such emergency medical  
 51 technicians and paramedics; and the names and locations of  
 52 schools and day care facilities attended by children of such  
 53 emergency medical technicians and paramedics are exempt from s.  
 54 119.07(1) and s. 24(a), Art. I of the State Constitution. The  
 55 home addresses and telephone numbers of justices of the Supreme  
 56 Court, district court of appeal judges, circuit court judges,

57 | and county court judges; the home addresses, telephone numbers,  
58 | and places of employment of the spouses and children of justices  
59 | and judges; and the names and locations of schools and day care  
60 | facilities attended by the children of justices and judges are  
61 | exempt from s. 119.07(1). The home addresses, telephone numbers,  
62 | social security numbers, and photographs of current or former  
63 | state attorneys, assistant state attorneys, statewide  
64 | prosecutors, or assistant statewide prosecutors; the home  
65 | addresses, telephone numbers, social security numbers,  
66 | photographs, and places of employment of the spouses and  
67 | children of current or former state attorneys, assistant state  
68 | attorneys, statewide prosecutors, or assistant statewide  
69 | prosecutors; and the names and locations of schools and day care  
70 | facilities attended by the children of current or former state  
71 | attorneys, assistant state attorneys, statewide prosecutors, or  
72 | assistant statewide prosecutors are exempt from s. 119.07(1) and  
73 | s. 24(a), Art. I of the State Constitution. This subparagraph is  
74 | subject to the Open Government Sunset Review Act in accordance  
75 | with s. 119.15 and shall stand repealed on October 2, 2011,  
76 | unless reviewed and saved from repeal through reenactment by the  
77 | Legislature.

78 |         2. The home addresses, telephone numbers, social security  
79 | numbers, and photographs of current or former human resource,  
80 | labor relations, or employee relations directors, assistant  
81 | directors, managers, or assistant managers of any local  
82 | government agency or water management district whose duties  
83 | include hiring and firing employees, labor contract negotiation,  
84 | administration, or other personnel-related duties; the names,

85 home addresses, telephone numbers, social security numbers,  
86 photographs, and places of employment of the spouses and  
87 children of such personnel; and the names and locations of  
88 schools and day care facilities attended by the children of such  
89 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
90 the State Constitution. This subparagraph is subject to the Open  
91 Government Sunset Review Act in accordance with s. 119.15 and  
92 shall stand repealed on October 2, 2006, unless reviewed and  
93 saved from repeal through reenactment by the Legislature.

94 3. The home addresses, telephone numbers, social security  
95 numbers, and photographs of current or former United States  
96 attorneys and assistant United States attorneys; the home  
97 addresses, telephone numbers, social security numbers,  
98 photographs, and places of employment of the spouses and  
99 children of current or former United States attorneys and  
100 assistant United States attorneys; and the names and locations  
101 of schools and day care facilities attended by the children of  
102 current or former United States attorneys and assistant United  
103 States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.  
104 I of the State Constitution. This subparagraph is subject to the  
105 Open Government Sunset Review Act in accordance with s. 119.15  
106 and shall stand repealed on October 2, 2009, unless reviewed and  
107 saved from repeal through reenactment by the Legislature.

108 4. The home addresses, telephone numbers, social security  
109 numbers, and photographs of current or former judges of United  
110 States Courts of Appeal, United States district judges, and  
111 United States magistrate judges; the home addresses, telephone  
112 numbers, social security numbers, photographs, and places of

113 employment of the spouses and children of current or former  
114 judges of United States Courts of Appeal, United States district  
115 judges, and United States magistrate judges; and the names and  
116 locations of schools and day care facilities attended by the  
117 children of current or former judges of United States Courts of  
118 Appeal, United States district judges, and United States  
119 magistrate judges are exempt from s. 119.07(1) and s. 24(a),  
120 Art. I of the State Constitution. This subparagraph is subject  
121 to the Open Government Sunset Review Act in accordance with s.  
122 119.15 and shall stand repealed on October 2, 2009, unless  
123 reviewed and saved from repeal through reenactment by the  
124 Legislature.

125 5. The home addresses, telephone numbers, social security  
126 numbers, and photographs of current or former code enforcement  
127 officers; the names, home addresses, telephone numbers, social  
128 security numbers, photographs, and places of employment of the  
129 spouses and children of such persons; and the names and  
130 locations of schools and day care facilities attended by the  
131 children of such persons are exempt from s. 119.07(1) and s.  
132 24(a), Art. I of the State Constitution. This subparagraph is  
133 subject to the Open Government Sunset Review Act in accordance  
134 with s. 119.15 and shall stand repealed on October 2, 2006,  
135 unless reviewed and saved from repeal through reenactment by the  
136 Legislature.

137 6. The home addresses, telephone numbers, places of  
138 employment, and photographs of current or former guardians ad  
139 litem, as defined in s. 39.820, and the names, home addresses,  
140 telephone numbers, and places of employment of the spouses and

141 children of such persons, are exempt from s. 119.07(1) and s.  
 142 24(a), Art. I of the State Constitution, if the guardian ad  
 143 litem provides a written statement that the guardian ad litem  
 144 has made reasonable efforts to protect such information from  
 145 being accessible through other means available to the public.  
 146 This subparagraph is subject to the Open Government Sunset  
 147 Review Act in accordance with s. 119.15 and shall stand repealed  
 148 on October 2, 2010, unless reviewed and saved from repeal  
 149 through reenactment by the Legislature.

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

161 Section 2. The Legislature finds that the exemption from  
 162 public records requirements provided for by this act for the  
 163 home addresses, telephone numbers, social security numbers, and  
 164 photographs of active or former emergency medical technicians or  
 165 paramedics certified in compliance with chapter 401, Florida  
 166 Statutes, the home addresses, telephone numbers, social security  
 167 numbers, photographs, and places of employment of the spouses  
 168 and children of such emergency medical technicians and

169 paramedics, and the names and locations of schools and day care  
 170 facilities attended by the children of such emergency medical  
 171 technicians and paramedics is a public necessity. Emergency  
 172 medical technicians and paramedics, law enforcement officers,  
 173 and firefighters deal with the same situations and the same  
 174 individuals in the discharge of their duties, yet law  
 175 enforcement officers and firefighters are currently granted an  
 176 exemption from public records requirements with respect to  
 177 information that identifies and locates them and their spouses  
 178 and children, and emergency medical technicians and paramedics  
 179 are not. Emergency medical technicians and paramedics are often  
 180 exposed to a criminal element when rendering medical treatment,  
 181 the need for which results from the commission of a criminal  
 182 act. This exemption is justified, because if the identifying  
 183 information specified in this act were not made confidential and  
 184 exempt from public records requirements, an emergency medical  
 185 technician or paramedic or a member or members of his or her  
 186 family could be harmed or threatened with harm by an individual  
 187 or a family member of such individual who was provided emergency  
 188 medical care which resulted in a negative outcome or who seeks  
 189 retribution for the emergency medical technician's or  
 190 paramedic's involvement in the control or management of a crime  
 191 scene.

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