

By the Committee on Community Affairs

578-363-06

1    A bill to be entitled  
 2    An act relating to a review under the Open  
 3    Government Sunset Review Act; amending s.  
 4    119.071, F.S.; revising a public-records  
 5    exemption for specified identifying information  
 6    concerning current or former human resources,  
 7    labor relations, or employee relations  
 8    directors, assistant directors, managers, or  
 9    assistant managers of a local government agency  
 10    or water management district and their spouses  
 11    and children; saving the exemption from repeal  
 12    under the Open Government Sunset Review Act;  
 13    deleting provisions that provide for the repeal  
 14    of the exemption; providing an 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 (d) of subsection (4) of section  
 19    119.071, Florida Statutes, is amended to read:

20    119.071 General exemptions from inspection or copying  
 21    of public records.--

22    (4) AGENCY PERSONNEL INFORMATION.--

23    (d)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  
 27 and Family Services whose duties include the investigation of  
 28 abuse, 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,  
 31 and personnel of the Department of Revenue or local

1 governments whose responsibilities include revenue collection  
2 and enforcement or child support enforcement; the home  
3 addresses, telephone numbers, social security numbers,  
4 photographs, and places of employment of the spouses and  
5 children of such personnel; and the names and locations of  
6 schools and day care facilities attended by the children of  
7 such personnel are exempt from s. 119.07(1). The home  
8 addresses, telephone numbers, and photographs of firefighters  
9 certified in compliance with s. 633.35; the home addresses,  
10 telephone numbers, photographs, and places of employment of  
11 the spouses and children of such firefighters; and the names  
12 and locations of schools and day care facilities attended by  
13 the children of such firefighters are exempt from s.  
14 119.07(1). The home addresses and telephone numbers of  
15 justices of the Supreme Court, district court of appeal  
16 judges, circuit court judges, and county court judges; the  
17 home addresses, telephone numbers, and places of employment of  
18 the spouses and children of justices and judges; and the names  
19 and locations of schools and day care facilities attended by  
20 the children of justices and judges are exempt from s.  
21 119.07(1). The home addresses, telephone numbers, social  
22 security numbers, and photographs of current or former state  
23 attorneys, assistant state attorneys, statewide prosecutors,  
24 or assistant statewide prosecutors; the home addresses,  
25 telephone numbers, social security numbers, photographs, and  
26 places of employment of the spouses and children of current or  
27 former state attorneys, assistant state attorneys, statewide  
28 prosecutors, or assistant statewide prosecutors; and the names  
29 and locations of schools and day care facilities attended by  
30 the children of current or former state attorneys, assistant  
31 state attorneys, statewide prosecutors, or assistant statewide

1 prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I  
2 of the State Constitution.

3           2. The home addresses, telephone numbers, ~~social~~  
4 ~~security numbers~~, and photographs of current or former human  
5 resource, labor relations, or employee relations directors,  
6 assistant directors, managers, or assistant managers of any  
7 local government agency or water management district whose  
8 duties include hiring and firing employees, labor contract  
9 negotiation, administration, or other personnel-related  
10 duties; the names, home addresses, telephone numbers, ~~social~~  
11 ~~security numbers~~, ~~photographs~~, and places of employment of the  
12 spouses and children of such personnel; and the names and  
13 locations of schools and day care facilities attended by the  
14 children of such personnel are exempt from s. 119.07(1) and s.  
15 24(a), Art. I of the State Constitution, if the subject  
16 current or former employee provides a written statement that  
17 he or she has made reasonable efforts to protect such  
18 information from being accessible through other means  
19 available to the public. This subparagraph is subject to the  
20 Open Government Sunset Review Act in accordance with s. 119.15  
21 and shall stand repealed on October 2, 2006, unless reviewed  
22 and saved from repeal through reenactment by the Legislature.

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

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

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

24           5. The home addresses, telephone numbers, social  
25 security numbers, and photographs of current or former code  
26 enforcement officers; the names, home addresses, telephone  
27 numbers, social security numbers, photographs, and places of  
28 employment of the spouses and children of such persons; and  
29 the names and locations of schools and day care facilities  
30 attended by the children of such persons are exempt from s.  
31 119.07(1) and s. 24(a), Art. I of the State Constitution. This

1 subparagraph is subject to the Open Government Sunset Review  
2 Act in accordance with s. 119.15 and shall stand repealed on  
3 October 2, 2006, unless reviewed and saved from repeal through  
4 reenactment by the Legislature.

5           6. The home addresses, telephone numbers, places of  
6 employment, and photographs of current or former guardians ad  
7 litem, as defined in s. 39.820, and the names, home addresses,  
8 telephone numbers, and places of employment of the spouses and  
9 children of such persons, are exempt from s. 119.07(1) and s.  
10 24(a), Art. I of the State Constitution, if the guardian ad  
11 litem provides a written statement that the guardian ad litem  
12 has made reasonable efforts to protect such information from  
13 being accessible through other means available to the public.  
14 This subparagraph is subject to the Open Government Sunset  
15 Review Act in accordance with s. 119.15 and shall stand  
16 repealed on October 2, 2010, unless reviewed and saved from  
17 repeal through reenactment by the Legislature.

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

30           Section 2. This act shall take effect October 1, 2006.  
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SENATE SUMMARY

Revises the exemption from public-records requirements provided for information that identifies current or former human resources, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of a local government agency or water management district and their spouses and children. Removes the repeal of the exemption scheduled on October 2, 2006, under the Open Government Sunset Review Act.