

By the Committees on Governmental Oversight and Productivity;
and Community Affairs

585-2174-06

1 A bill to be entitled

2 An act relating to a review under the Open

3 Government Sunset Review Act regarding code

4 enforcement officers; amending s. 119.071,

5 F.S.; narrowing the public records exemption

6 for personal identifying information of current

7 and former code enforcement officers and the

8 spouses and children of such officers; removing

9 the scheduled repeal of the exemption under the

10 Open Government Sunset Review Act; providing an

11 effective date.

12

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

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

16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying

18 of public records.--

19 (4) AGENCY PERSONNEL INFORMATION.--

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

21 security numbers, and photographs of active or former law

22 enforcement personnel, including correctional and correctional

23 probation officers, personnel of the Department of Children

24 and Family Services whose duties include the investigation of

25 abuse, neglect, exploitation, fraud, theft, or other criminal

26 activities, personnel of the Department of Health whose duties

27 are to support the investigation of child abuse or neglect,

28 and personnel of the Department of Revenue or local

29 governments whose responsibilities include revenue collection

30 and enforcement or child support enforcement; the home

31 addresses, telephone numbers, social security numbers,

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

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

18 3. The home addresses, telephone numbers, social
19 security numbers, and photographs of current or former United
20 States attorneys and assistant United States attorneys; the
21 home addresses, telephone numbers, social security numbers,
22 photographs, and places of employment of the spouses and
23 children of current or former United States attorneys and
24 assistant United States attorneys; and the names and locations
25 of schools and day care facilities attended by the children of
26 current or former United States attorneys and assistant United
27 States attorneys are exempt from s. 119.07(1) and s. 24(a),
28 Art. I of the State Constitution. This subparagraph is subject
29 to the Open Government Sunset Review Act in accordance with s.
30 119.15 and shall stand repealed on October 2, 2009, unless
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1 reviewed and saved from repeal through reenactment by the
2 Legislature.

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

20 5. The home addresses, telephone numbers, ~~social~~
21 ~~security numbers~~, and photographs of current or former code
22 enforcement officers; the names, home addresses, telephone
23 numbers, ~~social security numbers~~, ~~photographs~~, and places of
24 employment of the spouses and children of such personnel
25 ~~persons~~; and the names and locations of schools and day care
26 facilities attended by the children of such personnel ~~persons~~
27 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
28 Constitution. ~~This subparagraph is subject to the Open~~
29 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
30 ~~shall stand repealed on October 2, 2006, unless reviewed and~~
31 ~~saved from repeal through reenactment by the Legislature.~~

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

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

26 Section 2. This act shall take effect October 1, 2006.

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28 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
29 COMMITTEE SUBSTITUTE FOR
30 Senate Bill 664

31 Removes photographs of family members as agencies do not
collect those records according to agency surveys.