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 HB 7009

2006 Legislature

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act regarding local government managers;
 4 amending s. 119.071, F.S.; narrowing the public records
 5 exemption for personal identifying information of current
 6 or former human resource, labor relations, or employee
 7 relations directors, assistant directors, managers, or
 8 assistant managers of any local government agency or water
 9 management district with specified duties and the spouses
 10 and children of such personnel; removing the scheduled
 11 repeal of the exemption under the Open Government Sunset
 12 Review Act; providing an effective date.

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

15
 16 Section 1. Paragraph (d) of subsection (4) of section
 17 119.071, Florida Statutes, is amended to read:

18 119.071 General exemptions from inspection or copying of
 19 public records.--

20 (4) AGENCY PERSONNEL INFORMATION.--

21 (d)1. The home addresses, telephone numbers, social
 22 security numbers, and photographs of active or former law
 23 enforcement personnel, including correctional and correctional
 24 probation officers, personnel of the Department of Children and
 25 Family Services whose duties include the investigation of abuse,
 26 neglect, exploitation, fraud, theft, or other criminal
 27 activities, personnel of the Department of Health whose duties
 28 are to support the investigation of child abuse or neglect, and

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29 personnel of the Department of Revenue or local governments
30 whose responsibilities include revenue collection and
31 enforcement or child support enforcement; the home addresses,
32 telephone numbers, social security numbers, photographs, and
33 places of employment of the spouses and children of such
34 personnel; and the names and locations of schools and day care
35 facilities attended by the children of such personnel are exempt
36 from s. 119.07(1). The home addresses, telephone numbers, and
37 photographs of firefighters certified in compliance with s.
38 633.35; the home addresses, telephone numbers, photographs, and
39 places of employment of the spouses and children of such
40 firefighters; and the names and locations of schools and day
41 care facilities attended by the children of such firefighters
42 are exempt from s. 119.07(1). The home addresses and telephone
43 numbers of justices of the Supreme Court, district court of
44 appeal judges, circuit court judges, and county court judges;
45 the home addresses, telephone numbers, and places of employment
46 of the spouses and children of justices and judges; and the
47 names and locations of schools and day care facilities attended
48 by the children of justices and judges are exempt from s.
49 119.07(1). The home addresses, telephone numbers, social
50 security numbers, and photographs of current or former state
51 attorneys, assistant state attorneys, statewide prosecutors, or
52 assistant statewide prosecutors; the home addresses, telephone
53 numbers, social security numbers, photographs, and places of
54 employment of the spouses and children of current or former
55 state attorneys, assistant state attorneys, statewide
56 prosecutors, or assistant statewide prosecutors; and the names

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57 | and locations of schools and day care facilities attended by the
58 | children of current or former state attorneys, assistant state
59 | attorneys, statewide prosecutors, or assistant statewide
60 | prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of
61 | the State Constitution.

62 | 2. The home addresses, telephone numbers, ~~social security~~
63 | ~~numbers,~~ and photographs of current or former human resource,
64 | labor relations, or employee relations directors, assistant
65 | directors, managers, or assistant managers of any local
66 | government agency or water management district whose duties
67 | include hiring and firing employees, labor contract negotiation,
68 | administration, or other personnel-related duties; the names,
69 | home addresses, telephone numbers, ~~social security numbers,~~
70 | ~~photographs,~~ and places of employment of the spouses and
71 | children of such personnel; and the names and locations of
72 | schools and day care facilities attended by the children of such
73 | personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
74 | the State Constitution. ~~This subparagraph is subject to the Open~~
75 | ~~Government Sunset Review Act in accordance with s. 119.15 and~~
76 | ~~shall stand repealed on October 2, 2006, unless reviewed and~~
77 | ~~saved from repeal through reenactment by the Legislature.~~

78 | 3. The home addresses, telephone numbers, social security
79 | numbers, and photographs of current or former United States
80 | attorneys and assistant United States attorneys; the home
81 | addresses, telephone numbers, social security numbers,
82 | photographs, and places of employment of the spouses and
83 | children of current or former United States attorneys and
84 | assistant United States attorneys; and the names and locations

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85 | of schools and day care facilities attended by the children of
86 | current or former United States attorneys and assistant United
87 | States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.
88 | I of the State Constitution. This subparagraph is subject to the
89 | Open Government Sunset Review Act in accordance with s. 119.15
90 | and shall stand repealed on October 2, 2009, unless reviewed and
91 | saved from repeal through reenactment by the Legislature.

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

109 | 5. The home addresses, telephone numbers, social security
110 | numbers, and photographs of current or former code enforcement
111 | officers; the names, home addresses, telephone numbers, social
112 | security numbers, photographs, and places of employment of the

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113 spouses and children of such persons; and the names and
 114 locations of schools and day care facilities attended by the
 115 children of such persons are exempt from s. 119.07(1) and s.
 116 24(a), Art. I of the State Constitution. This subparagraph is
 117 subject to the Open Government Sunset Review Act in accordance
 118 with s. 119.15 and shall stand repealed on October 2, 2006,
 119 unless reviewed and saved from repeal through reenactment by the
 120 Legislature.

121 6. The home addresses, telephone numbers, places of
 122 employment, and photographs of current or former guardians ad
 123 litem, as defined in s. 39.820, and the names, home addresses,
 124 telephone numbers, and places of employment of the spouses and
 125 children of such persons, are exempt from s. 119.07(1) and s.
 126 24(a), Art. I of the State Constitution, if the guardian ad
 127 litem provides a written statement that the guardian ad litem
 128 has made reasonable efforts to protect such information from
 129 being accessible through other means available to the public.
 130 This subparagraph is subject to the Open Government Sunset
 131 Review Act in accordance with s. 119.15 and shall stand repealed
 132 on October 2, 2010, unless reviewed and saved from repeal
 133 through reenactment by the Legislature.

134 7. An agency that is the custodian of the personal
 135 information specified in subparagraph 1., subparagraph 2.,
 136 subparagraph 3., subparagraph 4., subparagraph 5., or
 137 subparagraph 6. and that is not the employer of the officer,
 138 employee, justice, judge, or other person specified in
 139 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph
 140 4., subparagraph 5., or subparagraph 6. shall maintain the

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141 exempt status of the personal information only if the officer,
142 employee, justice, judge, other person, or employing agency of
143 the designated employee submits a written request for
144 maintenance of the exemption to the custodial agency.

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