

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act regarding code enforcement officers;
 4 amending s. 119.071, F.S.; narrowing the public records
 5 exemption for personal identifying information of current
 6 and former code enforcement officers and the spouses and
 7 children of such officers; removing the scheduled repeal
 8 of the exemption under the Open Government Sunset Review
 9 Act; providing an effective date.

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

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13 Section 1. Paragraph (d) of subsection (4) of section
 14 119.071, Florida Statutes, is amended to read:

15 119.071 General exemptions from inspection or copying of
 16 public records.--

17 (4) AGENCY PERSONNEL INFORMATION.--

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

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

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

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

75 3. The home addresses, telephone numbers, social security
76 numbers, and photographs of current or former United States
77 attorneys and assistant United States attorneys; the home
78 addresses, telephone numbers, social security numbers,
79 photographs, and places of employment of the spouses and
80 children of current or former United States attorneys and
81 assistant United States attorneys; and the names and locations
82 of schools and day care facilities attended by the children of
83 current or former United States attorneys and assistant United
84 States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.

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85 I of the State Constitution. This subparagraph is subject to the
86 Open Government Sunset Review Act in accordance with s. 119.15
87 and shall stand repealed on October 2, 2009, unless reviewed and
88 saved from repeal through reenactment by the Legislature.

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

106 5. The home addresses, telephone numbers, ~~social security~~
107 ~~numbers~~, and photographs of current or former code enforcement
108 officers; the names, home addresses, telephone numbers, ~~social~~
109 ~~security numbers~~, ~~photographs~~, and places of employment of the
110 spouses and children of such personnel ~~persons~~; and the names
111 and locations of schools and day care facilities attended by the
112 children of such personnel ~~persons~~ are exempt from s. 119.07(1)

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113 and s. 24(a), Art. I of the State Constitution. ~~This~~
 114 ~~subparagraph is subject to the Open Government Sunset Review Act~~
 115 ~~in accordance with s. 119.15 and shall stand repealed on October~~
 116 ~~2, 2006, unless reviewed and saved from repeal through~~
 117 ~~reenactment by the Legislature.~~

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

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

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140 | the designated employee submits a written request for
141 | maintenance of the exemption to the custodial agency.

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