

ENROLLED  
 HB 7011

2006 Legislature

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.

10

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.