

A bill to be entitled

An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for identifying information of specified agency personnel to include home parcel identification numbers maintained by county property appraisers; providing for review and repeal; providing a statement of public necessity; reenacting s. 409.2577, F.S., relating to the parent locator service operated by the Department of Children and Family Services, to incorporate the amendment to s. 119.071, F.S., in a reference thereto; providing an effective date.

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

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

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

(4) AGENCY PERSONNEL INFORMATION.--

(d)1. The home addresses, home parcel identification numbers, telephone numbers, social security numbers, and photographs of active or former law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Family Services whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to

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

57 prosecutors; the home addresses, home parcel identification
 58 numbers, telephone numbers, social security numbers,
 59 photographs, and places of employment of the spouses and
 60 children of current or former state attorneys, assistant state
 61 attorneys, statewide prosecutors, or assistant statewide
 62 prosecutors; and the names and locations of schools and day care
 63 facilities attended by the children of current or former state
 64 attorneys, assistant state attorneys, statewide prosecutors, or
 65 assistant statewide prosecutors are exempt from s. 119.07(1) and
 66 s. 24(a), Art. I of the State Constitution. This subparagraph is
 67 subject to the Open Government Sunset Review Act in accordance
 68 with s. 119.15 and shall stand repealed on October 2, 2011,
 69 unless reviewed and saved from repeal through reenactment by the
 70 Legislature.

71 2. The home addresses, home parcel identification numbers,
 72 telephone numbers, social security numbers, and photographs of
 73 current or former human resource, labor relations, or employee
 74 relations directors, assistant directors, managers, or assistant
 75 managers of any local government agency or water management
 76 district whose duties include hiring and firing employees, labor
 77 contract negotiation, administration, or other personnel-related
 78 duties; the names, home addresses, home parcel identification
 79 numbers, telephone numbers, social security numbers,
 80 photographs, and places of employment of the spouses and
 81 children of such personnel; and the names and locations of
 82 schools and day care facilities attended by the children of such
 83 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 84 the State Constitution. This subparagraph is subject to the Open

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85 Government Sunset Review Act in accordance with s. 119.15 and
86 shall stand repealed on October 2, 2011 ~~2006~~, unless reviewed
87 and saved from repeal through reenactment by the Legislature.

88 3. The home addresses, home parcel identification numbers,
89 telephone numbers, social security numbers, and photographs of
90 current or former United States attorneys and assistant United
91 States attorneys; the home addresses, home parcel identification
92 numbers, telephone numbers, social security numbers,
93 photographs, and places of employment of the spouses and
94 children of current or former United States attorneys and
95 assistant United States attorneys; and the names and locations
96 of schools and day care facilities attended by the children of
97 current or former United States attorneys and assistant United
98 States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.
99 I of the State Constitution. This subparagraph is subject to the
100 Open Government Sunset Review Act in accordance with s. 119.15
101 and shall stand repealed on October 2, 2011 ~~2009~~, unless
102 reviewed and saved from repeal through reenactment by the
103 Legislature.

104 4. The home addresses, home parcel identification numbers,
105 telephone numbers, social security numbers, and photographs of
106 current or former judges of United States Courts of Appeal,
107 United States district judges, and United States magistrate
108 judges; the home addresses, home parcel identification numbers,
109 telephone numbers, social security numbers, photographs, and
110 places of employment of the spouses and children of current or
111 former judges of United States Courts of Appeal, United States
112 district judges, and United States magistrate judges; and the

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113 names and locations of schools and day care facilities attended
114 by the children of current or former judges of United States
115 Courts of Appeal, United States district judges, and United
116 States magistrate judges are exempt from s. 119.07(1) and s.
117 24(a), Art. I of the State Constitution. This subparagraph is
118 subject to the Open Government Sunset Review Act in accordance
119 with s. 119.15 and shall stand repealed on October 2, 2011 ~~2009~~,
120 unless reviewed and saved from repeal through reenactment by the
121 Legislature.

122 5. The home addresses, home parcel identification numbers,
123 telephone numbers, social security numbers, and photographs of
124 current or former code enforcement officers; the names, home
125 addresses, home parcel identification numbers, telephone
126 numbers, social security numbers, photographs, and places of
127 employment of the spouses and children of such persons; and the
128 names and locations of schools and day care facilities attended
129 by the children of such persons are exempt from s. 119.07(1) and
130 s. 24(a), Art. I of the State Constitution. This subparagraph is
131 subject to the Open Government Sunset Review Act in accordance
132 with s. 119.15 and shall stand repealed on October 2, 2011 ~~2006~~,
133 unless reviewed and saved from repeal through reenactment by the
134 Legislature.

135 6. The home addresses, home parcel identification numbers,
136 telephone numbers, places of employment, and photographs of
137 current or former guardians ad litem, as defined in s. 39.820,
138 and the names, home addresses, home parcel identification
139 numbers, telephone numbers, and places of employment of the
140 spouses and children of such persons, are exempt from s.

141 119.07(1) and s. 24(a), Art. I of the State Constitution, if the
 142 guardian ad litem provides a written statement that the guardian
 143 ad litem has made reasonable efforts to protect such information
 144 from being accessible through other means available to the
 145 public. This subparagraph is subject to the Open Government
 146 Sunset Review Act in accordance with s. 119.15 and shall stand
 147 repealed on October 2, 2011 ~~2010~~, unless reviewed and saved from
 148 repeal through reenactment by the Legislature.

149 7. An agency that is the custodian of the personal
 150 information specified in subparagraph 1., subparagraph 2.,
 151 subparagraph 3., subparagraph 4., subparagraph 5., or
 152 subparagraph 6. and that is not the employer of the officer,
 153 employee, justice, judge, or other person specified in
 154 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph
 155 4., subparagraph 5., or subparagraph 6. shall maintain the
 156 exempt status of the personal information only if the officer,
 157 employee, justice, judge, other person, or employing agency of
 158 the designated employee submits a written request for
 159 maintenance of the exemption to the custodial agency.

160 Section 2. The Legislature finds that it is a public
 161 necessity that home parcel identification numbers maintained by
 162 county property appraisers which identify the homes of specified
 163 state agency personnel be held confidential and exempt from
 164 public records requirements. Pursuant to s. 119.071(4), Florida
 165 Statutes, the home addresses of specified agency personnel are
 166 exempt from public records requirements to ensure their safety.
 167 Records at county property appraisers' offices are available via
 168 the Internet and can be searched using a parcel identification

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169 number or the property owner's name, street number, or street
170 name. It has been revealed that it is possible to determine the
171 identity of a person living at an address if a search of a
172 county property appraiser's records is performed using the
173 parcel identification number of the property owned by such
174 person. By searching a county property appraiser's records using
175 the parcel identification number, the name of the owner is
176 revealed, although the actual street address is not. However,
177 because the location of the home by parcel identification number
178 can be revealed by maps also available on the Internet in the
179 county property appraiser's records, the actual street address
180 of a person can easily be determined. With such information
181 readily available and with little expertise, a person could
182 learn the home addresses of protected state agency personnel
183 that were intended to remain confidential, thus endangering
184 their safety. By expanding the current public records exemption
185 for state agency personnel to include the parcel identification
186 number of property owned by agency personnel, a person would be
187 prevented from learning the home address of protected agency
188 personnel by performing a search in this manner.

189 Section 3. For the purpose of incorporating the amendment
190 made by this act to section 119.071, Florida Statutes, in a
191 reference thereto, section 409.2577, Florida Statutes, is
192 reenacted to read:

193 409.2577 Parent locator service.--The department shall
194 establish a parent locator service to assist in locating parents
195 who have deserted their children and other persons liable for
196 support of dependent children. The department shall use all

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197 sources of information available, including the Federal Parent
198 Locator Service, and may request and shall receive information
199 from the records of any person or the state or any of its
200 political subdivisions or any officer thereof. Any agency as
201 defined in s. 120.52, any political subdivision, and any other
202 person shall, upon request, provide the department any
203 information relating to location, salary, insurance, social
204 security, income tax, and employment history necessary to locate
205 parents who owe or potentially owe a duty of support pursuant to
206 Title IV-D of the Social Security Act. This provision shall
207 expressly take precedence over any other statutory nondisclosure
208 provision which limits the ability of an agency to disclose such
209 information, except that law enforcement information as provided
210 in s. 119.071(4)(d) is not required to be disclosed, and except
211 that confidential taxpayer information possessed by the
212 Department of Revenue shall be disclosed only to the extent
213 authorized in s. 213.053(15). Nothing in this section requires
214 the disclosure of information if such disclosure is prohibited
215 by federal law. Information gathered or used by the parent
216 locator service is confidential and exempt from the provisions
217 of s. 119.07(1). Additionally, the department is authorized to
218 collect any additional information directly bearing on the
219 identity and whereabouts of a person owing or asserted to be
220 owing an obligation of support for a dependent child. The
221 department shall, upon request, make information available only
222 to public officials and agencies of this state; political
223 subdivisions of this state, including any agency thereof
224 providing child support enforcement services to non-Title IV-D

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225 clients; the custodial parent, legal guardian, attorney, or
226 agent of the child; and other states seeking to locate parents
227 who have deserted their children and other persons liable for
228 support of dependents, for the sole purpose of establishing,
229 modifying, or enforcing their liability for support, and shall
230 make such information available to the Department of Children
231 and Family Services for the purpose of diligent search
232 activities pursuant to chapter 39. If the department has
233 reasonable evidence of domestic violence or child abuse and the
234 disclosure of information could be harmful to the custodial
235 parent or the child of such parent, the child support program
236 director or designee shall notify the Department of Children and
237 Family Services and the Secretary of the United States
238 Department of Health and Human Services of this evidence. Such
239 evidence is sufficient grounds for the department to disapprove
240 an application for location services.

241 Section 4. This act shall take effect July 1, 2006.