

By Senator Aronberg

27-665-07

See HB

1 A bill to be entitled

2 An act relating to a public records exemption;

3 amending s. 119.071, F.S.; providing an

4 exemption from public-records requirements for

5 identification and location information of

6 active or former emergency medical technicians

7 or paramedics certified in compliance with

8 chapter 401 and the spouses and children of

9 such emergency medical technicians and

10 paramedics; providing for future review and

11 repeal of the exemption; providing a statement

12 of public necessity; providing an effective

13 date.

14

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

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

18 119.071, Florida Statutes, is amended to read:

19 119.071 General exemptions from inspection or copying

20 of public records.--

21 (4) AGENCY PERSONNEL INFORMATION.--

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

23 security numbers, and photographs of active or former law

24 enforcement personnel, including correctional and correctional

25 probation officers, personnel of the Department of Children

26 and Family Services whose duties include the investigation of

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

28 activities, personnel of the Department of Health whose duties

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

30 and personnel of the Department of Revenue or local

31 governments whose responsibilities include revenue collection

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

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

3 2. The home addresses, telephone numbers, and
4 photographs of current or former human resource, labor
5 relations, or employee relations directors, assistant
6 directors, managers, or assistant managers of any local
7 government agency or water management district whose duties
8 include hiring and firing employees, labor contract
9 negotiation, administration, or other personnel-related
10 duties; the names, home addresses, telephone numbers, and
11 places of employment of the spouses and children of such
12 personnel; and the names and locations of schools and day care
13 facilities attended by the children of such personnel are
14 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
15 Constitution.

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

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

18 5. The home addresses, telephone numbers, and
19 photographs of current or former code enforcement officers;
20 the names, home addresses, telephone numbers, and places of
21 employment of the spouses and children of such personnel; and
22 the names and locations of schools and day care facilities
23 attended by the children of such personnel are exempt from s.
24 119.07(1) and s. 24(a), Art. I of the State Constitution.

25 6. The home addresses, telephone numbers, places of
26 employment, and photographs of current or former guardians ad
27 litem, as defined in s. 39.820, and the names, home addresses,
28 telephone numbers, and places of employment of the spouses and
29 children of such persons, are exempt from s. 119.07(1) and s.
30 24(a), Art. I of the State Constitution, if the guardian ad
31 litem provides a written statement that the guardian ad litem

1 | has made reasonable efforts to protect such information from
2 | being accessible through other means available to the public.
3 | This subparagraph is subject to the Open Government Sunset
4 | Review Act in accordance with s. 119.15 and shall stand
5 | repealed on October 2, 2010, unless reviewed and saved from
6 | repeal through reenactment by the Legislature.

7 | 7. The home addresses, telephone numbers, and
8 | photographs of current or former juvenile probation officers,
9 | juvenile probation supervisors, detention superintendents,
10 | assistant detention superintendents, senior juvenile detention
11 | officers, juvenile detention officer supervisors, juvenile
12 | detention officers, house parents I and II, house parent
13 | supervisors, group treatment leaders, group treatment leader
14 | supervisors, rehabilitation therapists, and social services
15 | counselors of the Department of Juvenile Justice; the names,
16 | home addresses, telephone numbers, and places of employment of
17 | spouses and children of such personnel; and the names and
18 | locations of schools and day care facilities attended by the
19 | children of such personnel are exempt from s. 119.07(1) and s.
20 | 24(a), Art. I of the State Constitution. This subparagraph is
21 | subject to the Open Government Sunset Review Act in accordance
22 | with s. 119.15 and shall stand repealed on October 2, 2011,
23 | unless reviewed and saved from repeal through reenactment by
24 | the Legislature.

25 | 8. The home addresses, telephone numbers, social
26 | security numbers, and photographs of active or former
27 | emergency medical technicians or paramedics certified in
28 | compliance with chapter 401; the names, home addresses,
29 | telephone numbers, social security numbers, photographs, and
30 | places of employment of the spouses and children of such
31 | emergency medical technicians and paramedics; and the names

1 and locations of schools and day care facilities attended by
2 children of such emergency medical technicians and paramedics
3 are exempt from subsection (1) and s. 24(a), Art. I of the
4 State Constitution. This subparagraph is subject to the Open
5 Government Sunset Review Act in accordance with s. 119.15 and
6 shall stand repealed on October 2, 2012, unless reviewed and
7 saved from repeal through reenactment by the Legislature.

8 ~~9.8.~~ An agency that is the custodian of the personal
9 information specified in subparagraph 1., subparagraph 2.,
10 subparagraph 3., subparagraph 4., subparagraph 5.,
11 subparagraph 6., ~~or~~ subparagraph 7., or subparagraph 8. and
12 that is not the employer of the officer, employee, justice,
13 judge, or other person specified in subparagraph 1.,
14 subparagraph 2., subparagraph 3., subparagraph 4.,
15 subparagraph 5., subparagraph 6., ~~or~~ subparagraph 7., or
16 subparagraph 8. shall maintain the exempt status of the
17 personal information only if the officer, employee, justice,
18 judge, other person, or employing agency of the designated
19 employee submits a written request for maintenance of the
20 exemption to the custodial agency.

21 Section 2. The Legislature finds that the exemption
22 from public-records requirements provided for by this act for
23 the home addresses, telephone numbers, social security
24 numbers, and photographs of active or former emergency medical
25 technicians or paramedics certified in compliance with chapter
26 401, Florida Statutes, the names, home addresses, telephone
27 numbers, social security numbers, photographs, and places of
28 employment of the spouses and children of such emergency
29 medical technicians and paramedics, and the names and
30 locations of schools and day care facilities attended by
31 children of such emergency medical technicians and paramedics

1 is a public necessity. This exemption is justified because if
2 such information were not confidential, an emergency medical
3 technician or paramedic or a member or members of his or her
4 family could be harmed or threatened with harm by an
5 individual, or a family member of such individual, who was
6 provided emergency medical care which resulted in a negative
7 outcome. The exemption is further justified because emergency
8 medical technicians and paramedics are subject to the same
9 exposure as law enforcement officers and firefighters, both of
10 which are protected by an exemption from public records
11 requirements for personal identifying and location information
12 pertaining to the law enforcement officers, firefighters, and
13 their families.

14 Section 3. This act shall take effect July 1, 2007.
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