

HB 375

2007

1 A bill to be entitled

2 An act relating to a public records exemption; amending s.  
3 119.071, F.S.; providing an exemption from public records  
4 requirements for identification and location information  
5 of active or former emergency medical technicians or  
6 paramedics certified in compliance with chapter 401 and  
7 the spouses and children of such emergency medical  
8 technicians and paramedics; providing for future review  
9 and repeal of the exemption; providing a statement of  
10 public necessity; providing an effective date.

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

13  
14 Section 1. Paragraph (d) of subsection (4) of section  
15 119.071, Florida Statutes, is amended to read:

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

18 (4) AGENCY PERSONNEL INFORMATION.--

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

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

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

60 2. The home addresses, telephone numbers, and photographs  
61 of current or former human resource, labor relations, or  
62 employee relations directors, assistant directors, managers, or  
63 assistant managers of any local government agency or water  
64 management district whose duties include hiring and firing  
65 employees, labor contract negotiation, administration, or other  
66 personnel-related duties; the names, home addresses, telephone  
67 numbers, and places of employment of the spouses and children of  
68 such personnel; and the names and locations of schools and day  
69 care facilities attended by the children of such personnel are  
70 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
71 Constitution.

72 3. The home addresses, telephone numbers, social security  
73 numbers, and photographs of current or former United States  
74 attorneys and assistant United States attorneys; the home  
75 addresses, telephone numbers, social security numbers,  
76 photographs, and places of employment of the spouses and  
77 children of current or former United States attorneys and  
78 assistant United States attorneys; and the names and locations  
79 of schools and day care facilities attended by the children of  
80 current or former United States attorneys and assistant United  
81 States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.  
82 I of the State Constitution. This subparagraph is subject to the  
83 Open Government Sunset Review Act in accordance with s. 119.15

HB 375

2007

84 and shall stand repealed on October 2, 2009, unless reviewed and  
85 saved from repeal through reenactment by the Legislature.

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

103 5. The home addresses, telephone numbers, and photographs  
104 of current or former code enforcement officers; the names, home  
105 addresses, telephone numbers, and places of employment of the  
106 spouses and children of such personnel; and the names and  
107 locations of schools and day care facilities attended by the  
108 children of such personnel are exempt from s. 119.07(1) and s.  
109 24(a), Art. I of the State Constitution.

110 6. The home addresses, telephone numbers, places of  
111 employment, and photographs of current or former guardians ad

HB 375

2007

112 litem, as defined in s. 39.820, and the names, home addresses,  
113 telephone numbers, and places of employment of the spouses and  
114 children of such persons, are exempt from s. 119.07(1) and s.  
115 24(a), Art. I of the State Constitution, if the guardian ad  
116 litem provides a written statement that the guardian ad litem  
117 has made reasonable efforts to protect such information from  
118 being accessible through other means available to the public.  
119 This subparagraph is subject to the Open Government Sunset  
120 Review Act in accordance with s. 119.15 and shall stand repealed  
121 on October 2, 2010, unless reviewed and saved from repeal  
122 through reenactment by the Legislature.

123 7. The home addresses, telephone numbers, and photographs  
124 of current or former juvenile probation officers, juvenile  
125 probation supervisors, detention superintendents, assistant  
126 detention superintendents, senior juvenile detention officers,  
127 juvenile detention officer supervisors, juvenile detention  
128 officers, house parents I and II, house parent supervisors,  
129 group treatment leaders, group treatment leader supervisors,  
130 rehabilitation therapists, and social services counselors of the  
131 Department of Juvenile Justice; the names, home addresses,  
132 telephone numbers, and places of employment of spouses and  
133 children of such personnel; and the names and locations of  
134 schools and day care facilities attended by the children of such  
135 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
136 the State Constitution. This subparagraph is subject to the Open  
137 Government Sunset Review Act in accordance with s. 119.15 and  
138 shall stand repealed on October 2, 2011, unless reviewed and  
139 saved from repeal through reenactment by the Legislature.

140       8. The home addresses, telephone numbers, social security  
 141 numbers, and photographs of active or former emergency medical  
 142 technicians or paramedics certified in compliance with chapter  
 143 401; the names, home addresses, telephone numbers, social  
 144 security numbers, photographs, and places of employment of the  
 145 spouses and children of such emergency medical technicians and  
 146 paramedics; and the names and locations of schools and day care  
 147 facilities attended by children of such emergency medical  
 148 technicians and paramedics are exempt from subsection (1) and s.  
 149 24(a), Art. I of the State Constitution. This subparagraph is  
 150 subject to the Open Government Sunset Review Act in accordance  
 151 with s. 119.15 and shall stand repealed on October 2, 2012,  
 152 unless reviewed and saved from repeal through reenactment by the  
 153 Legislature.

154       ~~9.8.~~ An agency that is the custodian of the personal  
 155 information specified in subparagraph 1., subparagraph 2.,  
 156 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
 157 6., ~~or~~ subparagraph 7., or subparagraph 8. and that is not the  
 158 employer of the officer, employee, justice, judge, or other  
 159 person specified in subparagraph 1., subparagraph 2.,  
 160 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
 161 6., ~~or~~ subparagraph 7., or subparagraph 8. shall maintain the  
 162 exempt status of the personal information only if the officer,  
 163 employee, justice, judge, other person, or employing agency of  
 164 the designated employee submits a written request for  
 165 maintenance of the exemption to the custodial agency.

166       Section 2. The Legislature finds that the exemption from  
 167 public records requirements provided for by this act for the

HB 375

2007

168 home addresses, telephone numbers, social security numbers, and  
169 photographs of active or former emergency medical technicians or  
170 paramedics certified in compliance with chapter 401, Florida  
171 Statutes, the names, home addresses, telephone numbers, social  
172 security numbers, photographs, and places of employment of the  
173 spouses and children of such emergency medical technicians and  
174 paramedics, and the names and locations of schools and day care  
175 facilities attended by children of such emergency medical  
176 technicians and paramedics is a public necessity. This exemption  
177 is justified because if such information were not confidential,  
178 an emergency medical technician or paramedic or a member or  
179 members of his or her family could be harmed or threatened with  
180 harm by an individual, or a family member of such individual,  
181 who was provided emergency medical care which resulted in a  
182 negative outcome. The exemption is further justified because  
183 emergency medical technicians and paramedics are subject to the  
184 same exposure as law enforcement officers and firefighters, both  
185 of which are protected by an exemption from public records  
186 requirements for personal identifying and location information  
187 pertaining to the law enforcement officers, firefighters, and  
188 their families.

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