

By Senator Aronberg

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1 A bill to be entitled

2 An act relating to public records; amending s. 119.071,
3 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 ch. 401, F.S., and
7 the spouses and children of such emergency medical
8 technicians and paramedics; providing for future
9 legislative review and repeal of the exemption under the
10 Open Government Sunset Review Act; providing a statement
11 of public necessity; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. Paragraph (d) of subsection (4) of section
16 119.071, Florida Statutes, is amended to read:

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

19 (4) AGENCY PERSONNEL INFORMATION.--

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

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

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

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

71 3. The home addresses, telephone numbers, social security
72 numbers, and photographs of current or former United States
73 attorneys and assistant United States attorneys; the home
74 addresses, telephone numbers, social security numbers,
75 photographs, and places of employment of the spouses and children
76 of current or former United States attorneys and assistant United
77 States attorneys; and the names and locations of schools and day
78 care facilities attended by the children of current or former
79 United States attorneys and assistant United States attorneys are
80 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
81 Constitution. This subparagraph is subject to the Open Government
82 Sunset Review Act in accordance with s. 119.15 and shall stand
83 repealed on October 2, 2009, unless reviewed and saved from
84 repeal through reenactment by the Legislature.

85 4. The home addresses, telephone numbers, social security
86 numbers, and photographs of current or former judges of United

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

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

108 6. The home addresses, telephone numbers, places of
109 employment, and photographs of current or former guardians ad
110 litem, as defined in s. 39.820, and the names, home addresses,
111 telephone numbers, and places of employment of the spouses and
112 children of such persons, are exempt from s. 119.07(1) and s.
113 24(a), Art. I of the State Constitution, if the guardian ad litem
114 provides a written statement that the guardian ad litem has made
115 reasonable efforts to protect such information from being

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116 accessible through other means available to the public. This
117 subparagraph is subject to the Open Government Sunset Review Act
118 in accordance with s. 119.15 and shall stand repealed on October
119 2, 2010, unless reviewed and saved from repeal through
120 reenactment by the Legislature.

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

138 8. The home addresses, telephone numbers, social security
139 numbers, and photographs of active or former emergency medical
140 technicians or paramedics certified in compliance with chapter
141 401; the names, home addresses, telephone numbers, social
142 security numbers, photographs, and places of employment of the
143 spouses and children of such emergency medical technicians and
144 paramedics; and the names and locations of schools and day care

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145 facilities attended by children of such emergency medical
146 technicians and paramedics are exempt from subsection (1) and s.
147 24(a), Art. I of the State Constitution. This subparagraph is
148 subject to the Open Government Sunset Review Act in accordance
149 with s. 119.15 and shall stand repealed on October 2, 2013,
150 unless reviewed and saved from repeal through reenactment by the
151 Legislature.

152 9.8. An agency that is the custodian of the personal
153 information specified in subparagraph 1., subparagraph 2.,
154 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
155 6., ~~or~~ subparagraph 7., or subparagraph 8. and that is not the
156 employer of the officer, employee, justice, judge, or other
157 person specified in subparagraph 1., subparagraph 2.,
158 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
159 6., ~~or~~ subparagraph 7., or subparagraph 8. shall maintain the
160 exempt status of the personal information only if the officer,
161 employee, justice, judge, other person, or employing agency of
162 the designated employee submits a written request for maintenance
163 of the exemption to the custodial agency.

164 Section 2. The Legislature finds that the exemption from
165 public-records requirements provided for by this act for the home
166 addresses, telephone numbers, social security numbers, and
167 photographs of active or former emergency medical technicians or
168 paramedics certified in compliance with chapter 401, Florida
169 Statutes; the names, home addresses, telephone numbers, social
170 security numbers, photographs, and places of employment of the
171 spouses and children of such emergency medical technicians and
172 paramedics; and the names and locations of schools and day care
173 facilities attended by children of such emergency medical

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174 technicians and paramedics is a public necessity. This exemption
175 is justified because if such information were not confidential,
176 an emergency medical technician or paramedic or a member or
177 members of his or her family could be harmed or threatened with
178 harm by an individual, or a family member of such individual, who
179 was provided emergency medical care that resulted in a negative
180 outcome. The exemption is further justified because emergency
181 medical technicians and paramedics are subject to the same
182 exposure as law enforcement officers and firefighters, who are
183 protected by an exemption from public-records requirements for
184 personal identifying and location information pertaining to the
185 law enforcement officers, firefighters, and their families.

186 Section 3. This act shall take effect July 1, 2008.