

1 A bill to be entitled
 2 An act relating to public records; amending s. 119.071,
 3 F.S.; creating an exemption from public records
 4 requirements for the home addresses and telephone numbers
 5 of general magistrates and child support enforcement
 6 hearing officers, the home addresses, telephone numbers,
 7 and places of employment of the spouses, children, and
 8 grandchildren of general magistrates and child support
 9 enforcement hearing officers and the grandchildren of
 10 justices of the Supreme Court, district court of appeal
 11 judges, circuit court judges, and county court judges, and
 12 the names and locations of schools and day care facilities
 13 attended by the children and grandchildren of general
 14 magistrates and child support enforcement hearing officers
 15 and the grandchildren of justices of the Supreme Court,
 16 district court of appeal judges, circuit court judges, and
 17 county court judges; providing for review and repeal of
 18 the exemption; providing a statement of public necessity;
 19 providing an effective date.

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

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 23 Section 1. Paragraph (d) of subsection (4) of section
 24 119.071, Florida Statutes, is amended to read:

25 119.071 General exemptions from inspection or copying of
 26 public records.--

27 (4) AGENCY PERSONNEL INFORMATION.--

28 (d)1. The home addresses, telephone numbers, social
29 security numbers, and photographs of active or former law
30 enforcement personnel, including correctional and correctional
31 probation officers, personnel of the Department of Children and
32 Family Services whose duties include the investigation of abuse,
33 neglect, exploitation, fraud, theft, or other criminal
34 activities, personnel of the Department of Health whose duties
35 are to support the investigation of child abuse or neglect, and
36 personnel of the Department of Revenue or local governments
37 whose responsibilities include revenue collection and
38 enforcement or child support enforcement; the home addresses,
39 telephone numbers, social security numbers, photographs, and
40 places of employment of the spouses and children of such
41 personnel; and the names and locations of schools and day care
42 facilities attended by the children of such personnel are exempt
43 from s. 119.07(1). The home addresses, telephone numbers, and
44 photographs of firefighters certified in compliance with s.
45 633.35; the home addresses, telephone numbers, photographs, and
46 places of employment of the spouses and children of such
47 firefighters; and the names and locations of schools and day
48 care facilities attended by the children of such firefighters
49 are exempt from s. 119.07(1). The home addresses and telephone
50 numbers of justices of the Supreme Court, district court of
51 appeal judges, circuit court judges, ~~and~~ county court judges,
52 general magistrates, and child support enforcement hearing
53 officers; the home addresses, telephone numbers, and places of
54 employment of the spouses, ~~and~~ children, and grandchildren of
55 justices, ~~and~~ judges, general magistrates, and child support

56 enforcement hearing officers; and the names and locations of
57 schools and day care facilities attended by the children and
58 grandchildren of justices, and judges, general magistrates, and
59 child support enforcement hearing officers are exempt from s.
60 119.07(1) and s. 24(a), Art. I of the State Constitution. The
61 home addresses, telephone numbers, social security numbers, and
62 photographs of current or former state attorneys, assistant
63 state attorneys, statewide prosecutors, or assistant statewide
64 prosecutors; the home addresses, telephone numbers, social
65 security numbers, photographs, and places of employment of the
66 spouses and children of current or former state attorneys,
67 assistant state attorneys, statewide prosecutors, or assistant
68 statewide prosecutors; and the names and locations of schools
69 and day care facilities attended by the children of current or
70 former state attorneys, assistant state attorneys, statewide
71 prosecutors, or assistant statewide prosecutors are exempt from
72 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
73 This subparagraph is subject to the Open Government Sunset
74 Review Act in accordance with s. 119.15 and shall stand repealed
75 on October 2, 2013, unless reviewed and saved from repeal
76 through reenactment by the Legislature.

77 2. The home addresses, telephone numbers, and photographs
78 of current or former human resource, labor relations, or
79 employee relations directors, assistant directors, managers, or
80 assistant managers of any local government agency or water
81 management district whose duties include hiring and firing
82 employees, labor contract negotiation, administration, or other
83 personnel-related duties; the names, home addresses, telephone

84 numbers, and places of employment of the spouses and children of
85 such personnel; and the names and locations of schools and day
86 care facilities attended by the children of such personnel are
87 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
88 Constitution.

89 3. The home addresses, telephone numbers, social security
90 numbers, and photographs of current or former United States
91 attorneys and assistant United States attorneys; the home
92 addresses, 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, 2009, unless reviewed and
102 saved from repeal through reenactment by the Legislature.

103 4. The home addresses, telephone numbers, social security
104 numbers, and photographs of current or former judges of United
105 States Courts of Appeal, United States district judges, and
106 United States magistrate judges; the home addresses, telephone
107 numbers, social security numbers, photographs, and places of
108 employment of the spouses and children of current or former
109 judges of United States Courts of Appeal, United States district
110 judges, and United States magistrate judges; and the names and
111 locations of schools and day care facilities attended by the

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

120 5. The home addresses, telephone numbers, and photographs
121 of current or former code enforcement officers; the names, home
122 addresses, telephone numbers, and places of employment of the
123 spouses and children of such personnel; and the names and
124 locations of schools and day care facilities attended by the
125 children of such personnel are exempt from s. 119.07(1) and s.
126 24(a), Art. I of the State Constitution.

127 6. The home addresses, telephone numbers, places of
128 employment, and photographs of current or former guardians ad
129 litem, as defined in s. 39.820, and the names, home addresses,
130 telephone numbers, and places of employment of the spouses and
131 children of such persons, are exempt from s. 119.07(1) and s.
132 24(a), Art. I of the State Constitution, if the guardian ad
133 litem provides a written statement that the guardian ad litem
134 has made reasonable efforts to protect such information from
135 being accessible through other means available to the public.
136 This subparagraph is subject to the Open Government Sunset
137 Review Act in accordance with s. 119.15 and shall stand repealed
138 on October 2, 2010, unless reviewed and saved from repeal
139 through reenactment by the Legislature.

140 7. The home addresses, telephone numbers, and photographs
141 of current or former juvenile probation officers, juvenile
142 probation supervisors, detention superintendents, assistant
143 detention superintendents, senior juvenile detention officers,
144 juvenile detention officer supervisors, juvenile detention
145 officers, house parents I and II, house parent supervisors,
146 group treatment leaders, group treatment leader supervisors,
147 rehabilitation therapists, and social services counselors of the
148 Department of Juvenile Justice; the names, home addresses,
149 telephone numbers, and places of employment of spouses and
150 children of such personnel; and the names and locations of
151 schools and day care facilities attended by the children of such
152 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
153 the State Constitution. This subparagraph is subject to the Open
154 Government Sunset Review Act in accordance with s. 119.15 and
155 shall stand repealed on October 2, 2011, unless reviewed and
156 saved from repeal through reenactment by the Legislature.

157 8. An agency that is the custodian of the personal
158 information specified in subparagraph 1., subparagraph 2.,
159 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
160 6., or subparagraph 7. and that is not the employer of the
161 officer, employee, justice, judge, general magistrate, or other
162 person specified in subparagraph 1., subparagraph 2.,
163 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
164 6., or subparagraph 7. shall maintain the exempt status of the
165 personal information only if the officer, employee, justice,
166 judge, general magistrate, other person, or employing agency of

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167 the designated employee submits a written request for
168 maintenance of the exemption to the custodial agency.

169 Section 2. The Legislature finds that it is a public
170 necessity that the home addresses and telephone numbers of
171 general magistrates and child support enforcement hearing
172 officers be made confidential and exempt from public records
173 requirements. The Legislature also finds that it is a public
174 necessity that the home addresses, telephone numbers, and places
175 of employment of the spouses, children, and grandchildren of
176 general magistrates and child support enforcement hearing
177 officers and the grandchildren of justices of the Supreme Court,
178 district court of appeal judges, circuit court judges, and
179 county court judges be made confidential and exempt from public
180 records requirements. The Legislature also finds that it is a
181 public necessity that the names and locations of schools and day
182 care facilities attended by the children and grandchildren of
183 general magistrates and child support enforcement hearing
184 officers and the grandchildren of justices of the Supreme Court,
185 district court of appeal judges, circuit court judges, and
186 county court judges be made confidential and exempt from public
187 records requirements. Release of such identifying and location
188 information might place such judicial officials and their family
189 members in danger of physical and emotional harm from
190 disgruntled criminal defendants or litigants. Therefore, the
191 harm that might result from the release of the information
192 outweighs any public benefit that could be derived from
193 disclosure of the information.

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