



606448

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
3/11/2008	.	
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1 The Committee on Judiciary (Deutch) recommended the following  
2 **amendment:**

**Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause  
6 and insert:

7 Section 1. Paragraph (d) of subsection (4) of section  
8 119.071, Florida Statutes, is amended to read:

9 119.071 General exemptions from inspection or copying of  
10 public records.--

11 (4) AGENCY PERSONNEL INFORMATION.--

12 (d)1.a. The home addresses, telephone numbers, social  
13 security numbers, and photographs of active or former law  
14 enforcement personnel, including correctional and correctional  
15 probation officers, personnel of the Department of Children and

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16 Family Services whose duties include the investigation of abuse,  
17 neglect, exploitation, fraud, theft, or other criminal  
18 activities, personnel of the Department of Health whose duties  
19 are to support the investigation of child abuse or neglect, and  
20 personnel of the Department of Revenue or local governments  
21 whose responsibilities include revenue collection and  
22 enforcement or child support enforcement; the home addresses,  
23 telephone numbers, social security numbers, photographs, and  
24 places of employment of the spouses and children of such  
25 personnel; and the names and locations of schools and day care  
26 facilities attended by the children of such personnel are exempt  
27 from s. 119.07(1). The home addresses, telephone numbers, and  
28 photographs of firefighters certified in compliance with s.  
29 633.35; the home addresses, telephone numbers, photographs, and  
30 places of employment of the spouses and children of such  
31 firefighters; and the names and locations of schools and day  
32 care facilities attended by the children of such firefighters  
33 are exempt from s. 119.07(1). The home addresses and telephone  
34 numbers of justices of the Supreme Court, district court of  
35 appeal judges, circuit court judges, and county court judges;  
36 the home addresses, telephone numbers, and places of employment  
37 of the spouses and children of justices and judges; and the  
38 names and locations of schools and day care facilities attended  
39 by the children of justices and judges are exempt from s.  
40 119.07(1). The home addresses, telephone numbers, social  
41 security numbers, and photographs of current or former state  
42 attorneys, assistant state attorneys, statewide prosecutors, or  
43 assistant statewide prosecutors; the home addresses, telephone

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44 numbers, social security numbers, photographs, and places of  
45 employment of the spouses and children of current or former  
46 state attorneys, assistant state attorneys, statewide  
47 prosecutors, or assistant statewide prosecutors; and the names  
48 and locations of schools and day care facilities attended by the  
49 children of current or former state attorneys, assistant state  
50 attorneys, statewide prosecutors, or assistant statewide  
51 prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of  
52 the State Constitution.

53 b. The home addresses, telephone numbers, and places of  
54 employment of grandchildren of justices and judges and the names  
55 and locations of schools and day care facilities attended by the  
56 grandchildren of justices and judges are exempt from s.  
57 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
58 sub-subparagraph is subject to the Open Government Sunset Review  
59 Act in accordance with s. 119.15 and shall stand repealed on  
60 October 2, 2013, unless reviewed and saved from repeal through  
61 reenactment by the Legislature.

62 c. The home addresses and telephone numbers of general  
63 magistrates, special magistrates, and child support enforcement  
64 hearing officers; the home addresses, telephone numbers, and  
65 places of employment of the spouses, children, and grandchildren  
66 of general magistrates, special magistrates, and child support  
67 enforcement hearing officers; and the names and locations of  
68 schools and day care facilities attended by the children and  
69 grandchildren of general magistrates, special magistrates, and  
70 child support enforcement hearing officers are exempt from  
71 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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72 This sub-subparagraph is subject to the Open Government Sunset  
73 Review Act in accordance with s. 119.15 and shall stand repealed  
74 on October 2, 2013, unless reviewed and saved from repeal  
75 through reenactment by the Legislature.

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

90 4. The home addresses, telephone numbers, social security  
91 numbers, and photographs of current or former judges of United  
92 States Courts of Appeal, United States district judges, and  
93 United States magistrate judges; the home addresses, telephone  
94 numbers, social security numbers, photographs, and places of  
95 employment of the spouses and children of current or former  
96 judges of United States Courts of Appeal, United States district  
97 judges, and United States magistrate judges; and the names and  
98 locations of schools and day care facilities attended by the  
99 children of current or former judges of United States Courts of

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100 Appeal, United States district judges, and United States  
101 magistrate judges are exempt from s. 119.07(1) and s. 24(a),  
102 Art. I of the State Constitution. This subparagraph is subject  
103 to the Open Government Sunset Review Act in accordance with s.  
104 119.15 and shall stand repealed on October 2, 2009, unless  
105 reviewed and saved from repeal through reenactment by the  
106 Legislature.

107         5. The home addresses, telephone numbers, and photographs  
108 of current or former code enforcement officers; the names, home  
109 addresses, telephone numbers, and places of employment of the  
110 spouses and children of such personnel; and the names and  
111 locations of schools and day care facilities attended by the  
112 children of such personnel are exempt from s. 119.07(1) and s.  
113 24(a), Art. I of the State Constitution.

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

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

144           8. An agency that is the custodian of the personal  
145 information specified in subparagraph 1., subparagraph 2.,  
146 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
147 6., or subparagraph 7. and that is not the employer of the  
148 officer, employee, justice, judge, or other person specified in  
149 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph  
150 4., subparagraph 5., subparagraph 6., or subparagraph 7. shall  
151 maintain the exempt status of the personal information only if  
152 the officer, employee, justice, judge, other person, or  
153 employing agency of the designated employee submits a written

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154 request for maintenance of the exemption to the custodial  
155 agency.

156       Section 2. The Legislature finds that it is a public  
157 necessity that the home addresses and telephone numbers of  
158 general magistrates, special magistrates, and child support  
159 enforcement hearing officers be made exempt from public records  
160 requirements. The Legislature also finds that it is a public  
161 necessity that the home addresses, telephone numbers, and places  
162 of employment of the spouses, children, and grandchildren of  
163 general magistrates, special magistrates, and child support  
164 enforcement hearing officers and the grandchildren of justices  
165 of the Supreme Court, district court of appeal judges, circuit  
166 court judges, and county court judges be made exempt from public  
167 records requirements. The Legislature also finds that it is a  
168 public necessity that the names and locations of schools and day  
169 care facilities attended by the children and grandchildren of  
170 general magistrates, special magistrates, and child support  
171 enforcement hearing officers and the grandchildren of justices  
172 of the Supreme Court, district court of appeal judges, circuit  
173 court judges, and county court judges be made exempt from public  
174 records requirements. Release of such identifying and location  
175 information might place such officials and their family members  
176 in danger of physical and emotional harm from disgruntled  
177 criminal defendants or litigants. Therefore, the harm that might  
178 result from the release of the information outweighs any public  
179 benefit that could be derived from disclosure of the  
180 information.

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



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to public records; amending s. 119.071,  
F.S.; creating exemptions from public records requirements  
for the home addresses and telephone numbers of general  
magistrates, special magistrates, and child support  
enforcement hearing officers; the home addresses,  
telephone numbers, and places of employment of the  
spouses, children, and grandchildren of general  
magistrates, special magistrates, and child support  
enforcement hearing officers and the grandchildren of  
justices of the Supreme Court, district court of appeal  
judges, circuit court judges, and county court judges; and  
the names and locations of schools and day care facilities  
attended by the children and grandchildren of general  
magistrates, special magistrates, and child support  
enforcement hearing officers and the grandchildren of  
justices of the Supreme Court, district court of appeal  
judges, circuit court judges, and county court judges;  
providing for review and repeal of the exemptions;  
providing a statement of public necessity; providing an  
effective date.