

By Senator Rich

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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, telephone numbers,
5 and certain other specified information concerning general
6 magistrates, child support enforcement hearing officers,
7 and the spouses, children, and grandchildren of specified
8 judicial officials; providing for future legislative
9 review and repeal of the exemption under the Open
10 Government Sunset Review Act; providing a statement of
11 public necessity; providing an effective date.

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

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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

34-02535-08

2008766__

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, general magistrates, and child support
44 enforcement hearing officers; the home addresses, telephone
45 numbers, and places of employment of the spouses, ~~and~~ children,
46 and grandchildren of justices, ~~and~~ judges, general magistrates,
47 and child support enforcement hearing officers; and the names and
48 locations of schools and day care facilities attended by the
49 children and grandchildren of justices, ~~and~~ judges, general
50 magistrates, and child support enforcement hearing officers are
51 exempt from s. 119.07(1). The home addresses, telephone numbers,
52 social security numbers, and photographs of current or former
53 state attorneys, assistant state attorneys, statewide
54 prosecutors, or assistant statewide prosecutors; the home
55 addresses, telephone numbers, social security numbers,
56 photographs, and places of employment of the spouses and children
57 of current or former state attorneys, assistant state attorneys,
58 statewide prosecutors, or assistant statewide prosecutors; and

34-02535-08

2008766__

59 | the names and locations of schools and day care facilities
60 | attended by the children of current or former state attorneys,
61 | assistant state attorneys, statewide prosecutors, or assistant
62 | statewide prosecutors are exempt from s. 119.07(1) and s. 24(a),
63 | Art. I of the State Constitution.

64 | 2. The home addresses, telephone numbers, and photographs
65 | of current or former human resource, labor relations, or employee
66 | relations directors, assistant directors, managers, or assistant
67 | managers of any local government agency or water management
68 | district whose duties include hiring and firing employees, labor
69 | contract negotiation, administration, or other personnel-related
70 | duties; the names, home addresses, telephone numbers, and places
71 | of employment of the spouses and children of such personnel; and
72 | the names and locations of schools and day care facilities
73 | attended by the children of such personnel are exempt from s.
74 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

34-02535-08

2008766__

87 repealed on October 2, 2009, unless reviewed and saved from
88 repeal through reenactment by the Legislature.

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

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

112 6. The home addresses, telephone numbers, places of
113 employment, and photographs of current or former guardians ad
114 litem, as defined in s. 39.820, and the names, home addresses,
115 telephone numbers, and places of employment of the spouses and

34-02535-08

2008766__

116 children of such persons, are exempt from s. 119.07(1) and s.
117 24(a), Art. I of the State Constitution, if the guardian ad litem
118 provides a written statement that the guardian ad litem has made
119 reasonable efforts to protect such information from being
120 accessible through other means available to the public. This
121 subparagraph is subject to the Open Government Sunset Review Act
122 in accordance with s. 119.15 and shall stand repealed on October
123 2, 2010, unless reviewed and saved from repeal through
124 reenactment by the Legislature.

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

142 8. An agency that is the custodian of the personal
143 information specified in subparagraph 1., subparagraph 2.,
144 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph

34-02535-08

2008766__

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

153 Section 2. The amendments made by section 1 of this act are
154 subject to the Open Government Sunset Review Act in accordance
155 with s. 119.15, Florida Statutes, and shall stand repealed on
156 October 2, 2013, unless reviewed and saved from repeal through
157 reenactment by the Legislature.

158 Section 3. The Legislature finds that it is a public
159 necessity that the home address and telephone numbers of general
160 magistrates and child support enforcement hearing officers be
161 made confidential and exempt from disclosure. The Legislature
162 also finds that it is a public necessity that the home address,
163 telephone numbers, places of employment, and the names and
164 locations of schools and child care facilities of the children
165 and grandchildren of the justices of the Supreme Court, district
166 court of appeal judges, circuit court judges, county court
167 judges, general magistrates, and child support enforcement
168 hearing officers be made confidential and exempt from disclosure.
169 Release of the information might place such judicial officials,
170 and their family members, in danger of physical and emotional
171 harm from disgruntled criminal defendants or litigants.
172 Therefore, the harm that would result from the release of the
173 information outweighs any public benefit that might result from

34-02535-08

2008766__

174 | disclosure of the information.

175 | Section 4. This act shall take effect July 1, 2008.