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1  
2 An act relating to public records; amending s. 119.071,  
3 F.S.; creating exemptions from public-records requirements  
4 for the home addresses and telephone numbers of general  
5 magistrates, special magistrates, judges of compensation  
6 claims, administrative law judges of the Division of  
7 Administrative Hearings, and child support enforcement  
8 hearing officers, the home addresses, telephone numbers,  
9 and places of employment of the spouses and children of  
10 general magistrates, special magistrates, judges of  
11 compensation claims, administrative law judges of the  
12 Division of Administrative Hearings, and child support  
13 enforcement hearing officers, and the names and locations  
14 of schools and day care facilities attended by the  
15 children of general magistrates, special magistrates,  
16 judges of compensation claims, administrative law judges  
17 of the Division of Administrative Hearings, and child  
18 support enforcement hearing officers; requiring reasonable  
19 efforts by the magistrates, judges, and hearing officers  
20 to prevent access through other means; providing for  
21 legislative review and repeal of the exemptions; providing  
22 a statement of public necessity; providing an effective  
23 date.

24  
25 Be It Enacted by the Legislature of the State of Florida:

26  
27 Section 1. Paragraph (d) of subsection (4) of section  
28 119.071, Florida Statutes, is amended to read:

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29           119.071 General exemptions from inspection or copying of  
30 public records.--

31           (4) AGENCY PERSONNEL INFORMATION.--

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

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58 facilities attended by the children of justices and judges are  
59 exempt from s. 119.07(1). The home addresses, telephone numbers,  
60 social security numbers, and photographs of current or former  
61 state attorneys, assistant state attorneys, statewide  
62 prosecutors, or assistant statewide prosecutors; the home  
63 addresses, telephone numbers, social security numbers,  
64 photographs, and places of employment of the spouses and children  
65 of current or former state attorneys, assistant state attorneys,  
66 statewide prosecutors, or assistant statewide prosecutors; and  
67 the names and locations of schools and day care facilities  
68 attended by the children of current or former state attorneys,  
69 assistant state attorneys, statewide prosecutors, or assistant  
70 statewide prosecutors are exempt from s. 119.07(1) and s. 24(a),  
71 Art. I of the State Constitution.

72 b. The home addresses and telephone numbers of general  
73 magistrates, special magistrates, judges of compensation claims,  
74 administrative law judges of the Division of Administrative  
75 Hearings, and child support enforcement hearing officers; the  
76 home addresses, telephone numbers, and places of employment of  
77 the spouses and children of general magistrates, special  
78 magistrates, judges of compensation claims, administrative law  
79 judges of the Division of Administrative Hearings, and child  
80 support enforcement hearing officers; and the names and locations  
81 of schools and day care facilities attended by the children of  
82 general magistrates, special magistrates, judges of compensation  
83 claims, administrative law judges of the Division of  
84 Administrative Hearings, and child support enforcement hearing  
85 officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
86 State Constitution if the general magistrate, special magistrate,

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87 judge of compensation claims, administrative law judge of the  
88 Division of Administrative Hearings, or child support hearing  
89 officer provides a written statement that the general magistrate,  
90 special magistrate, judge of compensation claims, administrative  
91 law judge of the Division of Administrative Hearings, or child  
92 support hearing officer has made reasonable efforts to protect  
93 such information from being accessible through other means  
94 available to the public. This sub-subparagraph is subject to the  
95 Open Government Sunset Review Act in accordance with s. 119.15,  
96 and shall stand repealed on October 2, 2013, unless reviewed and  
97 saved from repeal through reenactment by the Legislature.

98 2. The home addresses, telephone numbers, and photographs  
99 of current or former human resource, labor relations, or employee  
100 relations directors, assistant directors, managers, or assistant  
101 managers of any local government agency or water management  
102 district whose duties include hiring and firing employees, labor  
103 contract negotiation, administration, or other personnel-related  
104 duties; the names, home addresses, telephone numbers, and places  
105 of employment of the spouses and children of such personnel; and  
106 the names and locations of schools and day care facilities  
107 attended by the children of such personnel are exempt from s.  
108 119.07(1) and s. 24(a), Art. I of the State Constitution.

109 3. The home addresses, telephone numbers, social security  
110 numbers, and photographs of current or former United States  
111 attorneys and assistant United States attorneys; the home  
112 addresses, telephone numbers, social security numbers,  
113 photographs, and places of employment of the spouses and children  
114 of current or former United States attorneys and assistant United  
115 States attorneys; and the names and locations of schools and day

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116 care facilities attended by the children of current or former  
117 United States attorneys and assistant United States attorneys are  
118 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
119 Constitution. This subparagraph is subject to the Open Government  
120 Sunset Review Act in accordance with s. 119.15 and shall stand  
121 repealed on October 2, 2009, unless reviewed and saved from  
122 repeal through reenactment by the Legislature.

123 4. The home addresses, telephone numbers, social security  
124 numbers, and photographs of current or former judges of United  
125 States Courts of Appeal, United States district judges, and  
126 United States magistrate judges; the home addresses, telephone  
127 numbers, social security numbers, photographs, and places of  
128 employment of the spouses and children of current or former  
129 judges of United States Courts of Appeal, United States district  
130 judges, and United States magistrate judges; and the names and  
131 locations of schools and day care facilities attended by the  
132 children of current or former judges of United States Courts of  
133 Appeal, United States district judges, and United States  
134 magistrate judges are exempt from s. 119.07(1) and s. 24(a), Art.  
135 I of the State Constitution. This subparagraph is subject to the  
136 Open Government Sunset Review Act in accordance with s. 119.15  
137 and shall stand repealed on October 2, 2009, unless reviewed and  
138 saved from repeal through reenactment by the Legislature.

139 5. The home addresses, telephone numbers, and photographs  
140 of current or former code enforcement officers; the names, home  
141 addresses, telephone numbers, and places of employment of the  
142 spouses and children of such personnel; and the names and  
143 locations of schools and day care facilities attended by the

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144 children of such personnel are exempt from s. 119.07(1) and s.  
145 24(a), Art. I of the State Constitution.

146 6. The home addresses, telephone numbers, places of  
147 employment, and photographs of current or former guardians ad  
148 litem, as defined in s. 39.820, and the names, home addresses,  
149 telephone numbers, and places of employment of the spouses and  
150 children of such persons, are exempt from s. 119.07(1) and s.  
151 24(a), Art. I of the State Constitution, if the guardian ad litem  
152 provides a written statement that the guardian ad litem has made  
153 reasonable efforts to protect such information from being  
154 accessible through other means available to the public. This  
155 subparagraph is subject to the Open Government Sunset Review Act  
156 in accordance with s. 119.15 and shall stand repealed on October  
157 2, 2010, unless reviewed and saved from repeal through  
158 reenactment by the Legislature.

159 7. The home addresses, telephone numbers, and photographs  
160 of current or former juvenile probation officers, juvenile  
161 probation supervisors, detention superintendents, assistant  
162 detention superintendents, senior juvenile detention officers,  
163 juvenile detention officer supervisors, juvenile detention  
164 officers, house parents I and II, house parent supervisors, group  
165 treatment leaders, group treatment leader supervisors,  
166 rehabilitation therapists, and social services counselors of the  
167 Department of Juvenile Justice; the names, home addresses,  
168 telephone numbers, and places of employment of spouses and  
169 children of such personnel; and the names and locations of  
170 schools and day care facilities attended by the children of such  
171 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
172 the State Constitution. This subparagraph is subject to the Open

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173 Government Sunset Review Act in accordance with s. 119.15 and  
174 shall stand repealed on October 2, 2011, unless reviewed and  
175 saved from repeal through reenactment by the Legislature.

176 8. An agency that is the custodian of the personal  
177 information specified in subparagraph 1., subparagraph 2.,  
178 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
179 6., or subparagraph 7. and that is not the employer of the  
180 officer, employee, justice, judge, or other person specified in  
181 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph  
182 4., subparagraph 5., subparagraph 6., or subparagraph 7. shall  
183 maintain the exempt status of the personal information only if  
184 the officer, employee, justice, judge, other person, or employing  
185 agency of the designated employee submits a written request for  
186 maintenance of the exemption to the custodial agency.

187 Section 2. The Legislature finds that it is a public  
188 necessity that the home addresses and telephone numbers of  
189 general magistrates, special magistrates, judges of compensation  
190 claims, administrative law judges of the Division of  
191 Administrative Hearings, and child support enforcement hearing  
192 officers be made exempt from public-records requirements. The  
193 Legislature also finds that it is a public necessity that the  
194 home addresses, telephone numbers, and places of employment of  
195 the spouses and children of general magistrates, special  
196 magistrates, judges of compensation claims, administrative law  
197 judges of the Division of Administrative Hearings, and child  
198 support enforcement hearing officers be made exempt from public-  
199 records requirements. The Legislature also finds that it is a  
200 public necessity that the names and locations of schools and day  
201 care facilities attended by the children of general magistrates,

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202 special magistrates, judges of compensation claims,  
203 administrative law judges of the Division of Administrative  
204 Hearings, and child support enforcement hearing officers be made  
205 exempt from public-records requirements. The Legislature finds  
206 that these exemptions shall be subject to the general magistrate,  
207 special magistrate, judge of compensation claims, administrative  
208 law judge of the Division of Administrative Hearings, or child  
209 support hearing officer providing a written statement that the  
210 general magistrate, special magistrate, judge of compensation  
211 claims, administrative law judge of the Division of  
212 Administrative Hearings, or child support hearing officer has  
213 made reasonable efforts to protect such information from being  
214 accessible through other means available to the public. Release  
215 of such identifying and location information might place such  
216 officials and their family members in danger of physical and  
217 emotional harm from disgruntled criminal defendants or litigants.  
218 Therefore, the harm that might result from the release of the  
219 information outweighs any public benefit that could be derived  
220 from disclosure of the information.

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