

1 A bill to be entitled
 2 An act relating to a public records exemption; amending s.
 3 119.071, 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 chapter 401 and
 7 the spouses and children of such emergency medical
 8 technicians and paramedics; providing for future review
 9 and repeal of the exemption; providing a statement of
 10 public necessity; providing an effective date.

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

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

16 119.071 General exemptions from inspection or copying of
 17 public records.--

18 (4) AGENCY PERSONNEL INFORMATION.--

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

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

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

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

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

84 and shall stand repealed on October 2, 2009, unless reviewed and
85 saved from repeal through reenactment by the Legislature.

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

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

110 6. The home addresses, telephone numbers, places of
111 employment, and photographs of current or former guardians ad

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

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

140 8. The home addresses, telephone numbers, and photographs
141 of active or former emergency medical technicians or paramedics
142 certified in compliance with chapter 401; the names, home
143 addresses, telephone numbers, and places of employment of the
144 spouses and children of such emergency medical technicians and
145 paramedics; and the names and locations of schools and day care
146 facilities attended by children of such emergency medical
147 technicians and paramedics are exempt from s. 119.07(1) and s.
148 24(a), Art. I of the State Constitution. This subparagraph is
149 subject to the Open Government Sunset Review Act in accordance
150 with s. 119.15 and shall stand repealed on October 2, 2013,
151 unless reviewed and saved from repeal through reenactment by the
152 Legislature.

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

165 Section 2. The Legislature finds that the exemption from
166 public records requirements provided for by this act for the
167 home addresses, telephone numbers, and photographs of active or

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168 former emergency medical technicians or paramedics certified in
169 compliance with chapter 401, Florida Statutes, the names, home
170 addresses, telephone numbers, 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
174 technicians and paramedics is a public necessity. This exemption
175 is justified because if such information were not exempt, an
176 emergency medical technician or paramedic or a member or members
177 of his or her family could be harmed or threatened with harm by
178 an individual, or a family member of such individual, who was
179 provided emergency medical care which 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, both of
183 which are protected by an exemption from public records
184 requirements for personal identifying and location information
185 pertaining to the law enforcement officers, firefighters, and
186 their families.

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