

1 A bill to be entitled
 2 An act relating to public records; amending s. 119.071,
 3 F.S.; providing an exemption from public records
 4 requirements for personal identifying and location
 5 information of current or former investigators and
 6 inspectors of the Department of Business and Professional
 7 Regulation and the spouses and children of such current or
 8 former investigators and inspectors; providing for 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.a. 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 b. The home addresses and telephone numbers of general
61 magistrates, special magistrates, judges of compensation claims,
62 administrative law judges of the Division of Administrative
63 Hearings, and child support enforcement hearing officers; the
64 home addresses, telephone numbers, and places of employment of
65 the spouses and children of general magistrates, special
66 magistrates, judges of compensation claims, administrative law
67 judges of the Division of Administrative Hearings, and child
68 support enforcement hearing officers; and the names and
69 locations of schools and day care facilities attended by the
70 children of general magistrates, special magistrates, judges of
71 compensation claims, administrative law judges of the Division
72 of Administrative Hearings, and child support enforcement
73 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
74 I of the State Constitution if the general magistrate, special
75 magistrate, judge of compensation claims, administrative law
76 judge of the Division of Administrative Hearings, or child
77 support hearing officer provides a written statement that the
78 general magistrate, special magistrate, judge of compensation
79 claims, administrative law judge of the Division of
80 Administrative Hearings, or child support hearing officer has
81 made reasonable efforts to protect such information from being
82 accessible through other means available to the public. This
83 sub-subparagraph is subject to the Open Government Sunset Review
84 Act in accordance with s. 119.15, and shall stand repealed on

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85 | October 2, 2013, unless reviewed and saved from repeal through
86 | reenactment by the Legislature.

87 | 2. The home addresses, telephone numbers, and photographs
88 | of current or former human resource, labor relations, or
89 | employee relations directors, assistant directors, managers, or
90 | assistant managers of any local government agency or water
91 | management district whose duties include hiring and firing
92 | employees, labor contract negotiation, administration, or other
93 | personnel-related duties; the names, home addresses, telephone
94 | numbers, and places of employment of the spouses and children of
95 | such personnel; and the names and locations of schools and day
96 | care facilities attended by the children of such personnel are
97 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State
98 | Constitution.

99 | 3. The home addresses, telephone numbers, social security
100 | numbers, and photographs of current or former United States
101 | attorneys and assistant United States attorneys; the home
102 | addresses, telephone numbers, social security numbers,
103 | photographs, and places of employment of the spouses and
104 | children of current or former United States attorneys and
105 | assistant United States attorneys; and the names and locations
106 | of schools and day care facilities attended by the children of
107 | current or former United States attorneys and assistant United
108 | States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.
109 | I of the State Constitution. This subparagraph is subject to the
110 | Open Government Sunset Review Act in accordance with s. 119.15
111 | and shall stand repealed on October 2, 2009, unless reviewed and
112 | saved from repeal through reenactment by the Legislature.

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

130 5. The home addresses, telephone numbers, and photographs
131 of current or former code enforcement officers; the names, home
132 addresses, telephone numbers, and places of employment of the
133 spouses and children of such personnel; and the names and
134 locations of schools and day care facilities attended by the
135 children of such personnel are exempt from s. 119.07(1) and s.
136 24(a), Art. I of the State Constitution.

137 6. The home addresses, telephone numbers, places of
138 employment, and photographs of current or former guardians ad
139 litem, as defined in s. 39.820, and the names, home addresses,
140 telephone numbers, and places of employment of the spouses and

141 children of such persons, are exempt from s. 119.07(1) and s.
142 24(a), Art. I of the State Constitution, if the guardian ad
143 litem provides a written statement that the guardian ad litem
144 has made reasonable efforts to protect such information from
145 being accessible through other means available to the public.
146 This subparagraph is subject to the Open Government Sunset
147 Review Act in accordance with s. 119.15 and shall stand repealed
148 on October 2, 2010, unless reviewed and saved from repeal
149 through reenactment by the Legislature.

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

167 8. The home addresses, telephone numbers, and photographs
168 of current or former investigators and inspectors of the

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169 Department of Business and Professional Regulation; the names,
170 home addresses, telephone numbers, and places of employment of
171 the spouses and children of such current or former investigators
172 and inspectors; and the names and locations of schools and day
173 care facilities attended by the children of such current or
174 former investigators and inspectors are exempt from s. 119.07(1)
175 and s. 24(a), Art. I of the State Constitution. This
176 subparagraph is subject to the Open Government Sunset Review Act
177 in accordance with s. 119.15 and shall stand repealed on October
178 2, 2014, unless reviewed and saved from repeal through
179 reenactment by the Legislature.

180 ~~9.8.~~ An agency that is the custodian of the personal
181 information specified in subparagraph 1., subparagraph 2.,
182 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
183 6., ~~or~~ subparagraph 7., or subparagraph 8. and that is not the
184 employer of the officer, employee, justice, judge, or other
185 person specified in subparagraph 1., subparagraph 2.,
186 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
187 6., ~~or~~ subparagraph 7., or subparagraph 8. shall maintain the
188 exempt status of the personal information only if the officer,
189 employee, justice, judge, other person, or employing agency of
190 the designated employee submits a written request for
191 maintenance of the exemption to the custodial agency.

192 Section 2. It is the finding of the Legislature that it is
193 a public necessity that the home addresses, telephone numbers,
194 and photographs of current or former investigators and
195 inspectors of the Department of Business and Professional
196 Regulation, the names, home addresses, telephone numbers, and

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197 places of employment of the spouses and children of such current
198 or former investigators and inspectors, and the names and
199 locations of schools and day care facilities attended by the
200 children of such current or former investigators and inspectors
201 be made exempt from public records requirements. The Legislature
202 finds that the release of such identifying and location
203 information might place the department's investigators and
204 inspectors and their family members in danger of physical and
205 emotional harm from disgruntled individuals whose business or
206 professional practices have come under the scrutiny of
207 investigators or inspectors of the department. It is also the
208 finding of the Legislature that the harm that might result from
209 the release of such personal identifying and location
210 information outweighs any public benefit that could be derived
211 from the disclosure of the information.

212 Section 3. This act shall take effect July 1, 2009.