

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 and former public defenders,  
 6           assistant public defenders, criminal conflict and civil  
 7           regional counsel, and assistant criminal conflict and  
 8           civil regional counsel, and the spouses and children  
 9           thereof; providing for future legislative review and  
 10          repeal of the exemption; providing a statement of public  
 11          necessity; providing an effective date.

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 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.a. 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

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29 whose responsibilities include revenue collection and  
30 enforcement or child support enforcement; the home addresses,  
31 telephone numbers, social security numbers, photographs, and  
32 places of employment of the spouses and children of such  
33 personnel; and the names and locations of schools and day care  
34 facilities attended by the children of such personnel are exempt  
35 from s. 119.07(1).

36 b. The home addresses, telephone numbers, and photographs  
37 of firefighters certified in compliance with s. 633.35; the home  
38 addresses, telephone numbers, photographs, and places of  
39 employment of the spouses and children of such firefighters; and  
40 the names and locations of schools and day care facilities  
41 attended by the children of such firefighters are exempt from s.  
42 119.07(1).

43 c. The home addresses and telephone numbers of justices of  
44 the Supreme Court, district court of appeal judges, circuit  
45 court judges, and county court judges; the home addresses,  
46 telephone numbers, and places of employment of the spouses and  
47 children of justices and judges; and the names and locations of  
48 schools and day care facilities attended by the children of  
49 justices and judges are exempt from s. 119.07(1).

50 d. The home addresses, telephone numbers, social security  
51 numbers, and photographs of current or former state attorneys,  
52 assistant state attorneys, statewide prosecutors, or assistant  
53 statewide prosecutors; the home addresses, telephone numbers,  
54 social security numbers, photographs, and places of employment  
55 of the spouses and children of current or former state  
56 attorneys, assistant state attorneys, statewide prosecutors, or

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

63 | e. The home addresses and telephone numbers of general  
64 | magistrates, special magistrates, judges of compensation claims,  
65 | administrative law judges of the Division of Administrative  
66 | Hearings, and child support enforcement hearing officers; the  
67 | home addresses, telephone numbers, and places of employment of  
68 | the spouses and children of general magistrates, special  
69 | magistrates, judges of compensation claims, administrative law  
70 | judges of the Division of Administrative Hearings, and child  
71 | support enforcement hearing officers; and the names and  
72 | locations of schools and day care facilities attended by the  
73 | children of general magistrates, special magistrates, judges of  
74 | compensation claims, administrative law judges of the Division  
75 | of Administrative Hearings, and child support enforcement  
76 | hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.  
77 | I of the State Constitution if the general magistrate, special  
78 | magistrate, judge of compensation claims, administrative law  
79 | judge of the Division of Administrative Hearings, or child  
80 | support hearing officer provides a written statement that the  
81 | general magistrate, special magistrate, judge of compensation  
82 | claims, administrative law judge of the Division of  
83 | Administrative Hearings, or child support hearing officer has  
84 | made reasonable efforts to protect such information from being

85 accessible through other means available to the public. This  
86 sub-subparagraph is subject to the Open Government Sunset Review  
87 Act in accordance with s. 119.15, and shall stand repealed on  
88 October 2, 2013, unless reviewed and saved from repeal through  
89 reenactment by the Legislature.

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

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

109 h. The home addresses, telephone numbers, places of  
110 employment, and photographs of current or former guardians ad  
111 litem, as defined in s. 39.820, and the names, home addresses,  
112 telephone numbers, and places of employment of the spouses and

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

122 i. The home addresses, telephone numbers, and photographs  
123 of current or former juvenile probation officers, juvenile  
124 probation supervisors, detention superintendents, assistant  
125 detention superintendents, senior juvenile detention officers,  
126 juvenile detention officer supervisors, juvenile detention  
127 officers, house parents I and II, house parent supervisors,  
128 group treatment leaders, group treatment leader supervisors,  
129 rehabilitation therapists, and social services counselors of the  
130 Department of Juvenile Justice; the names, home addresses,  
131 telephone numbers, and places of employment of spouses and  
132 children of such personnel; and the names and locations of  
133 schools and day care facilities attended by the children of such  
134 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
135 the State Constitution. This sub-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, 2011, unless reviewed and  
138 saved from repeal through reenactment by the Legislature.

139 j. The home addresses, telephone numbers, and photographs  
140 of current or former public defenders, assistant public

141 defenders, criminal conflict and civil regional counsel, and  
 142 assistant criminal conflict and civil regional counsel; the  
 143 names, home addresses, telephone numbers, social security  
 144 numbers, photographs, and places of employment of the spouses  
 145 and children of current or former public defenders, assistant  
 146 public defenders, criminal conflict and civil regional counsel,  
 147 and assistant criminal conflict and civil regional counsel; and  
 148 the names and locations of schools and day care facilities  
 149 attended by the children of current or former public defenders,  
 150 assistant public defenders, criminal conflict and civil regional  
 151 counsel, and assistant criminal conflict and civil regional  
 152 counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
 153 State Constitution. This sub-subparagraph is subject to the Open  
 154 Government Sunset Review Act in accordance with s. 119.15 and  
 155 shall stand repealed on October 2, 2015, unless reviewed and  
 156 saved from repeal through reenactment by the Legislature.

157         2. An agency that is the custodian of the information  
 158 specified in subparagraph 1. and that is not the employer of the  
 159 officer, employee, justice, judge, or other person specified in  
 160 subparagraph 1. shall maintain the exempt status of that  
 161 information only if the officer, employee, justice, judge, other  
 162 person, or employing agency of the designated employee submits a  
 163 written request for maintenance of the exemption to the  
 164 custodial agency.

165         Section 2. The Legislature finds that it is a public  
 166 necessity to exempt personal identifying and location  
 167 information relating to current and former public defenders,  
 168 assistant public defenders, criminal conflict and civil regional

169 counsel, and assistant criminal conflict and civil regional  
170 counsel, and the spouses and children thereof, from disclosure  
171 under the public records laws of the state. In the course of  
172 representing defendants in criminal prosecutions, these  
173 attorneys routinely interact with individuals who have criminal  
174 records or are currently engaged in, or suspected of, criminal  
175 activity. These attorneys also interact with the victims of  
176 crimes. In addition, criminal conflict and civil regional  
177 counsel and their assistants also provide representation in  
178 sensitive civil matters, such as those in which a person's  
179 parental rights may be terminated based on allegations of  
180 perpetrating abuse and neglect against a child. By providing  
181 legal representation in criminal and civil matters, these  
182 attorneys provide a valuable service. However, individuals may  
183 become disgruntled by the proceedings or the outcome of a  
184 criminal or civil case, which could result in these attorneys  
185 and their families becoming targets for acts of violence.  
186 Disclosure of the information protected by the public records  
187 exemption created by this act would jeopardize the safety of  
188 these attorneys and their families. Therefore, it is the finding  
189 of the Legislature that it is a public necessity to exempt from  
190 disclosure the home addresses, telephone numbers, and  
191 photographs of current or former public defenders, assistant  
192 public defenders, criminal conflict and civil regional counsel,  
193 and assistant criminal conflict and civil regional counsel; the  
194 names, home addresses, telephone numbers, social security  
195 numbers, photographs, and places of employment of the spouses  
196 and children of current or former public defenders, assistant

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197 public defenders, criminal conflict and civil regional counsel,  
198 and assistant criminal conflict and civil regional counsel; and  
199 the names and locations of schools and day care facilities  
200 attended by the children of current or former public defenders,  
201 assistant public defenders, criminal conflict and civil regional  
202 counsel, and assistant criminal conflict and civil regional  
203 counsel.

204 Section 3. This act shall take effect July 1, 2010.