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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., which
4 provides an exemption from public records requirements for
5 identification and location information of current or
6 former guardians ad litem and the spouses and children of
7 guardians ad litem; expanding the public records exemption
8 to include the names and locations of schools or day care
9 facilities attended by the children of current or former
10 guardians ad litem; providing for future legislative
11 review and repeal of the exemption; providing a statement
12 of public necessity; providing an effective date.

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

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16 Section 1. Paragraph (d) of subsection (4) of section
17 119.071, Florida Statutes, is amended to read:

18 119.071 General exemptions from inspection or copying of
19 public records.—

20 (4) AGENCY PERSONNEL INFORMATION.—

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

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

37 | b. The home addresses, telephone numbers, and photographs
38 | of firefighters certified in compliance with s. 633.35; the home
39 | addresses, telephone numbers, photographs, and places of
40 | employment of the spouses and children of such firefighters; and
41 | the names and locations of schools and day care facilities
42 | attended by the children of such firefighters are exempt from s.
43 | 119.07(1).

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

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

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

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

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

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

103 g. 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 h. 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~~ and the names, home addresses,

113 telephone numbers, and places of employment of the spouses and
 114 children of such persons; and the names and locations of schools
 115 and day care facilities attended by the children of such
 116 persons, are exempt from s. 119.07(1) and s. 24(a), Art. I of
 117 the State Constitution, if the guardian ad litem provides a
 118 written statement that the guardian ad litem has made reasonable
 119 efforts to protect such information from being accessible
 120 through other means available to the public. This sub-
 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, 2015 ~~2010~~, unless reviewed and saved from repeal through
 124 reenactment by the Legislature.

125 i. 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,
 131 group 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 sub-subparagraph is subject to the
 139 Open Government Sunset Review Act in accordance with s. 119.15
 140 and shall stand repealed on October 2, 2011, unless reviewed and

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141 saved from repeal through reenactment by the Legislature.

142 2. An agency that is the custodian of the information
143 specified in subparagraph 1. and that is not the employer of the
144 officer, employee, justice, judge, or other person specified in
145 subparagraph 1. shall maintain the exempt status of that
146 information only if the officer, employee, justice, judge, other
147 person, or employing agency of the designated employee submits a
148 written request for maintenance of the exemption to the
149 custodial agency.

150 Section 2. The Legislature finds that it is a public
151 necessity that the names and locations of schools and day care
152 facilities attended by the children of current or former
153 guardians ad litem be made exempt from public records
154 requirements. Guardians ad litem provide a valuable service to
155 the community. They interact with victims of child abuse and
156 neglect and, at times, the perpetrators of that abuse or
157 neglect. The capacity in which they work or volunteer their time
158 does not always create good will. Different persons may be
159 disgruntled with the testimony, report, or recommendation made
160 by guardians ad litem. The testimony of guardians ad litem could
161 create a safety risk. Thus, the children of guardians ad litem
162 could become a potential target for acts of revenge. If the name
163 and location of schools or day care facilities attended by the
164 children of such persons were made available, the safety and
165 welfare of the children of the guardians ad litem could be
166 seriously jeopardized. Accordingly, it is a public necessity
167 that such information be made exempt from public disclosure.

168 Section 3. This act shall take effect upon becoming a law.