

By the Committees on Governmental Oversight and Accountability;
and Criminal Justice

585-02923-11

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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
5 for identification and location information of certain
6 current and former employees of the Department of
7 Juvenile Justice and their family members; revising
8 the job classifications specified in the exemption to
9 reflect those classifications used by the department;
10 removing the scheduled repeal of the exemption;
11 providing an effective date.

12
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
29 whose responsibilities include revenue collection and

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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

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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

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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; the names, home addresses,
112 telephone numbers, and places of employment of the spouses and
113 children of such persons; and the names and locations of schools
114 and day care facilities attended by the children of such persons
115 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
116 Constitution, if the guardian ad litem provides a written

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117 statement that the guardian ad litem has made reasonable efforts
118 to protect such information from being accessible through other
119 means available to the public. This sub-subparagraph is subject
120 to the Open Government Sunset Review Act in accordance with s.
121 119.15 and shall stand repealed on October 2, 2015, unless
122 reviewed and saved from repeal through reenactment by the
123 Legislature.

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

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146 j. The home addresses, telephone numbers, and photographs
147 of current or former public defenders, assistant public
148 defenders, criminal conflict and civil regional counsel, and
149 assistant criminal conflict and civil regional counsel; the home
150 addresses, telephone numbers, and places of employment of the
151 spouses and children of such defenders or counsel; and the names
152 and locations of schools and day care facilities attended by the
153 children of such defenders or counsel are exempt from s.

154 119.07(1) and s. 24(a), Art. I of the State Constitution. This
155 sub-subparagraph is subject to the Open Government Sunset Review
156 Act in accordance with s. 119.15 and shall stand repealed on
157 October 2, 2015, unless reviewed and saved from repeal through
158 reenactment by the Legislature.

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

167 Section 2. This act shall take effect October 1, 2011.