

FOR CONSIDERATION By the Committee on Criminal Justice

591-00130-11

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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 certain records relating to current and former  
6 employees of the Department of Juvenile Justice and  
7 their family members, including juvenile probation  
8 officers and supervisors, detention and assistant  
9 detention superintendents, senior juvenile detention  
10 officers, juvenile detention officers and supervisors,  
11 house parents and supervisors, group treatment leaders  
12 and supervisors, rehabilitation therapists, and social  
13 services counselors; saving the exemption from repeal  
14 under the Open Government Sunset Review Act; removing  
15 the scheduled repeal of the exemption; providing an  
16 effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Paragraph (d) of subsection (4) of section  
21 119.071, Florida Statutes, is amended to read:

22 119.071 General exemptions from inspection or copying of  
23 public records.—

24 (4) AGENCY PERSONNEL INFORMATION.—

25 (d)1.a. The home addresses, telephone numbers, social  
26 security numbers, and photographs of active or former law  
27 enforcement personnel, including correctional and correctional  
28 probation officers, personnel of the Department of Children and  
29 Family Services whose duties include the investigation of abuse,

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30 neglect, exploitation, fraud, theft, or other criminal  
31 activities, personnel of the Department of Health whose duties  
32 are to support the investigation of child abuse or neglect, and  
33 personnel of the Department of Revenue or local governments  
34 whose responsibilities include revenue collection and  
35 enforcement or child support enforcement; the home addresses,  
36 telephone numbers, social security numbers, photographs, and  
37 places of employment of the spouses and children of such  
38 personnel; and the names and locations of schools and day care  
39 facilities attended by the children of such personnel are exempt  
40 from s. 119.07(1).

41 b. The home addresses, telephone numbers, and photographs  
42 of firefighters certified in compliance with s. 633.35; the home  
43 addresses, telephone numbers, photographs, and places of  
44 employment of the spouses and children of such firefighters; and  
45 the names and locations of schools and day care facilities  
46 attended by the children of such firefighters are exempt from s.  
47 119.07(1).

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

55 d. The home addresses, telephone numbers, social security  
56 numbers, and photographs of current or former state attorneys,  
57 assistant state attorneys, statewide prosecutors, or assistant  
58 statewide prosecutors; the home addresses, telephone numbers,

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59 social security numbers, photographs, and places of employment  
60 of the spouses and children of current or former state  
61 attorneys, assistant state attorneys, statewide prosecutors, or  
62 assistant statewide prosecutors; and the names and locations of  
63 schools and day care facilities attended by the children of  
64 current or former state attorneys, assistant state attorneys,  
65 statewide prosecutors, or assistant statewide prosecutors are  
66 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
67 Constitution.

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

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88 Administrative Hearings, or child support hearing officer has  
89 made reasonable efforts to protect such information from being  
90 accessible through other means available to the public. This  
91 sub-subparagraph is subject to the Open Government Sunset Review  
92 Act in accordance with s. 119.15, and shall stand repealed on  
93 October 2, 2013, unless reviewed and saved from repeal through  
94 reenactment by the Legislature.

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

107 g. The home addresses, telephone numbers, and photographs  
108 of current or former code enforcement officers; the names, home  
109 addresses, telephone numbers, and places of employment of the  
110 spouses and children of such personnel; and the names and  
111 locations of schools and day care facilities attended by the  
112 children of such personnel are exempt from s. 119.07(1) and s.  
113 24(a), Art. I of the State Constitution.

114 h. The home addresses, telephone numbers, places of  
115 employment, and photographs of current or former guardians ad  
116 litem, as defined in s. 39.820; the names, home addresses,

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117 telephone numbers, and places of employment of the spouses and  
118 children of such persons; and the names and locations of schools  
119 and day care facilities attended by the children of such persons  
120 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
121 Constitution, if the guardian ad litem provides a written  
122 statement that the guardian ad litem has made reasonable efforts  
123 to protect such information from being accessible through other  
124 means available to the public. This sub-subparagraph is subject  
125 to the Open Government Sunset Review Act in accordance with s.  
126 119.15 and shall stand repealed on October 2, 2015, unless  
127 reviewed and saved from repeal through reenactment by the  
128 Legislature.

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