

1                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.071, F.S.; providing an exemption from public  
 4           records requirements for personal identifying and  
 5           location information of current and former  
 6           investigators and inspectors of the Department of  
 7           Business and Professional Regulation and the spouses  
 8           and children of such investigators and inspectors;  
 9           providing a condition to the exemption; providing for  
 10          future review and repeal of the exemption; providing a  
 11          statement of public necessity; providing an effective  
 12          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; the names, home addresses,

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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 persons  
116 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
117 Constitution, if the guardian ad litem provides a written  
118 statement that the guardian ad litem has made reasonable efforts  
119 to protect such information from being accessible through other  
120 means available to the public. This sub-subparagraph is subject  
121 to the Open Government Sunset Review Act in accordance with s.  
122 119.15 and shall stand repealed on October 2, 2015, unless  
123 reviewed and saved from repeal through reenactment by the  
124 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, juvenile justice detention officers I  
129 and II, juvenile justice detention officer supervisors, juvenile  
130 justice residential officers, juvenile justice residential  
131 officer supervisors I and II, juvenile justice counselors,  
132 juvenile justice counselor supervisors, human services counselor  
133 administrators, senior human services counselor administrators,  
134 rehabilitation therapists, and social services counselors of the  
135 Department of Juvenile Justice; the names, home addresses,  
136 telephone numbers, and places of employment of spouses and  
137 children of such personnel; and the names and locations of  
138 schools and day care facilities attended by the children of such  
139 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
140 the State Constitution.

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

154           k. The home addresses, telephone numbers, and photographs  
155 of current or former investigators or inspectors of the  
156 Department of Business and Professional Regulation; the names,  
157 home addresses, telephone numbers, and places of employment of  
158 the spouses and children of such current or former investigators  
159 and inspectors; and the names and locations of schools and day  
160 care facilities attended by the children of such current or  
161 former investigators and inspectors are exempt from s. 119.07(1)  
162 and s. 24(a), Art. I of the State Constitution if the  
163 investigator or inspector has made reasonable efforts to protect  
164 such information from being accessible through other means  
165 available to the public. This sub-subparagraph is subject to the  
166 Open Government Sunset Review Act in accordance with s. 119.15  
167 and shall stand repealed on October 2, 2017, unless reviewed and  
168 saved from repeal through reenactment by the Legislature.

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169           2. An agency that is the custodian of the information  
170 specified in subparagraph 1. and that is not the employer of the  
171 officer, employee, justice, judge, or other person specified in  
172 subparagraph 1. shall maintain the exempt status of that  
173 information only if the officer, employee, justice, judge, other  
174 person, or employing agency of the designated employee submits a  
175 written request for maintenance of the exemption to the  
176 custodial agency.

177           Section 2. The Legislature finds that it is a public  
178 necessity that the home addresses, telephone numbers, and  
179 photographs of current and former investigators and inspectors  
180 of the Department of Business and Professional Regulation, the  
181 names, home addresses, telephone numbers, and places of  
182 employment of the spouses and children of such current or former  
183 investigators and inspectors, and the names and locations of  
184 schools and day care facilities attended by the children of such  
185 current or former investigators and inspectors be made exempt  
186 from public records requirements. The Legislature finds that the  
187 release of such identifying and location information might place  
188 the department's investigators and inspectors and their family  
189 members in danger of physical and emotional harm from  
190 disgruntled individuals whose business or professional practice  
191 have come under the scrutiny of investigators and inspectors of  
192 the department. The Legislature further finds that the harm that  
193 may result from the release of such personal identifying and  
194 location information outweighs any public benefit that may be  
195 derived from the disclosure of the information.

196           Section 3. This act shall take effect July 1, 2012.