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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 specified personnel of county
6 tax collectors and the spouses and children of such
7 personnel; providing for future review and repeal of
8 the exemption; providing an exemption from public
9 records requirements for personal identifying and
10 location information of current and former
11 investigators and inspectors of the Department of
12 Business and Professional Regulation and the spouses
13 and children of such investigators and inspectors;
14 providing a condition to the exemption; providing for
15 future review and repeal of the exemption; providing a
16 statement of public necessity; providing an effective
17 date.

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

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21 Section 1. Paragraph (d) of subsection (4) of section
22 119.071, Florida Statutes, is amended to read:

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

25 (4) AGENCY PERSONNEL INFORMATION.—

26 (d)1.a. The home addresses, telephone numbers, social
27 security numbers, and photographs of active or former law
28 enforcement personnel, including correctional and correctional

29 | probation officers, personnel of the Department of Children and
30 | Family Services whose duties include the investigation of abuse,
31 | neglect, exploitation, fraud, theft, or other criminal
32 | activities, personnel of the Department of Health whose duties
33 | are to support the investigation of child abuse or neglect, and
34 | personnel of the Department of Revenue, county tax collectors,
35 | or local governments whose responsibilities include revenue
36 | collection and enforcement or child support enforcement; the
37 | home addresses, telephone numbers, social security numbers,
38 | photographs, and places of employment of the spouses and
39 | children of such personnel; and the names and locations of
40 | schools and day care facilities attended by the children of such
41 | personnel are exempt from s. 119.07(1). This sub-subparagraph is
42 | subject to the Open Government Sunset Review Act in accordance
43 | with s. 119.15 and shall stand repealed on October 2, 2017,
44 | unless reviewed and saved from repeal through reenactment by the
45 | Legislature.

46 | b. The home addresses, telephone numbers, and photographs
47 | of firefighters certified in compliance with s. 633.35; the home
48 | addresses, telephone numbers, photographs, and places of
49 | employment of the spouses and children of such firefighters; and
50 | the names and locations of schools and day care facilities
51 | attended by the children of such firefighters are exempt from s.
52 | 119.07(1).

53 | c. The home addresses and telephone numbers of justices of
54 | the Supreme Court, district court of appeal judges, circuit
55 | court judges, and county court judges; the home addresses,
56 | telephone numbers, and places of employment of the spouses and

57 | children of justices and judges; and the names and locations of
58 | schools and day care facilities attended by the children of
59 | justices and judges are exempt from s. 119.07(1).

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

73 | e. The home addresses and telephone numbers of general
74 | magistrates, special magistrates, judges of compensation claims,
75 | administrative law judges of the Division of Administrative
76 | Hearings, and child support enforcement hearing officers; the
77 | home addresses, telephone numbers, and places of employment of
78 | the spouses and children of general magistrates, special
79 | magistrates, judges of compensation claims, administrative law
80 | judges of the Division of Administrative Hearings, and child
81 | support enforcement hearing officers; and the names and
82 | locations of schools and day care facilities attended by the
83 | children of general magistrates, special magistrates, judges of
84 | compensation claims, administrative law judges of the Division

85 of Administrative Hearings, and child support enforcement
86 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
87 I of the State Constitution if the general magistrate, special
88 magistrate, judge of compensation claims, administrative law
89 judge of the Division of Administrative Hearings, or child
90 support hearing officer provides a written statement that the
91 general magistrate, special magistrate, judge of compensation
92 claims, administrative law judge of the Division of
93 Administrative Hearings, or child support hearing officer has
94 made reasonable efforts to protect such information from being
95 accessible through other means available to the public. This
96 sub-subparagraph is subject to the Open Government Sunset Review
97 Act in accordance with s. 119.15, and shall stand repealed on
98 October 2, 2013, unless reviewed and saved from repeal through
99 reenactment by the Legislature.

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

112 g. The home addresses, telephone numbers, and photographs

113 of current or former code enforcement officers; the names, home
114 addresses, telephone numbers, and places of employment of the
115 spouses and children of such personnel; and the names and
116 locations of schools and day care facilities attended by the
117 children of such personnel are exempt from s. 119.07(1) and s.
118 24(a), Art. I of the State Constitution.

119 h. The home addresses, telephone numbers, places of
120 employment, and photographs of current or former guardians ad
121 litem, as defined in s. 39.820; the names, home addresses,
122 telephone numbers, and places of employment of the spouses and
123 children of such persons; and the names and locations of schools
124 and day care facilities attended by the children of such persons
125 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
126 Constitution, if the guardian ad litem provides a written
127 statement that the guardian ad litem has made reasonable efforts
128 to protect such information from being accessible through other
129 means available to the public. This sub-subparagraph is subject
130 to the Open Government Sunset Review Act in accordance with s.
131 119.15 and shall stand repealed on October 2, 2015, unless
132 reviewed and saved from repeal through reenactment by the
133 Legislature.

134 i. The home addresses, telephone numbers, and photographs
135 of current or former juvenile probation officers, juvenile
136 probation supervisors, detention superintendents, assistant
137 detention superintendents, juvenile justice detention officers I
138 and II, juvenile justice detention officer supervisors, juvenile
139 justice residential officers, juvenile justice residential
140 officer supervisors I and II, juvenile justice counselors,

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141 juvenile justice counselor supervisors, human services counselor
142 administrators, senior human services counselor administrators,
143 rehabilitation therapists, and social services counselors of the
144 Department of Juvenile Justice; the names, home addresses,
145 telephone numbers, and places of employment of spouses and
146 children of such personnel; and the names and locations of
147 schools and day care facilities attended by the children of such
148 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
149 the State Constitution.

150 j. The home addresses, telephone numbers, and photographs
151 of current or former public defenders, assistant public
152 defenders, criminal conflict and civil regional counsel, and
153 assistant criminal conflict and civil regional counsel; the home
154 addresses, telephone numbers, and places of employment of the
155 spouses and children of such defenders or counsel; and the names
156 and locations of schools and day care facilities attended by the
157 children of such defenders or counsel are exempt from s.
158 119.07(1) and s. 24(a), Art. I of the State Constitution. This
159 sub-subparagraph is subject to the Open Government Sunset Review
160 Act in accordance with s. 119.15 and shall stand repealed on
161 October 2, 2015, unless reviewed and saved from repeal through
162 reenactment by the Legislature.

163 k. The home addresses, telephone numbers, and photographs
164 of current or former investigators or inspectors of the
165 Department of Business and Professional Regulation; the names,
166 home addresses, telephone numbers, and places of employment of
167 the spouses and children of such current or former investigators
168 and inspectors; and the names and locations of schools and day

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169 care facilities attended by the children of such current or
170 former investigators and inspectors are exempt from s. 119.07(1)
171 and s. 24(a), Art. I of the State Constitution if the
172 investigator or inspector has made reasonable efforts to protect
173 such information from being accessible through other means
174 available to the public. This sub-subparagraph is subject to the
175 Open Government Sunset Review Act in accordance with s. 119.15
176 and shall stand repealed on October 2, 2017, unless reviewed and
177 saved from repeal through reenactment by the Legislature.

178 2. An agency that is the custodian of the information
179 specified in subparagraph 1. and that is not the employer of the
180 officer, employee, justice, judge, or other person specified in
181 subparagraph 1. shall maintain the exempt status of that
182 information only if the officer, employee, justice, judge, other
183 person, or employing agency of the designated employee submits a
184 written request for maintenance of the exemption to the
185 custodial agency.

186 Section 2. The Legislature finds that it is a public
187 necessity that the home addresses, telephone numbers, and
188 photographs of personnel of county tax collectors whose
189 responsibilities include revenue collection and enforcement or
190 child support enforcement, the names, home addresses, telephone
191 numbers, and places of employment of the spouses and children of
192 such personnel, and the names and locations of schools and day
193 care facilities attended by the children of such personnel be
194 made exempt from public records requirements. It is also the
195 finding of the Legislature that it is a public necessity that
196 the home addresses, telephone numbers, and photographs of

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197 current and former investigators and inspectors of the
198 Department of Business and Professional Regulation, the names,
199 home addresses, telephone numbers, and places of employment of
200 the spouses and children of such current or former investigators
201 and inspectors, and the names and locations of schools and day
202 care facilities attended by the children of such current or
203 former investigators and inspectors be made exempt from public
204 records requirements. The Legislature finds that the release of
205 such identifying and location information might place personnel
206 of county tax collectors and investigators and inspectors of the
207 Department of Business and Professional Regulation and their
208 family members in danger of physical and emotional harm from
209 disgruntled individuals who have contentious reactions to
210 revenue collection or enforcement actions or child support
211 enforcement actions of a county tax collector, or whose business
212 or professional practices have come under the scrutiny of
213 investigators and inspectors of the Department of Business and
214 Professional Regulation. The Legislature further finds that the
215 harm that may result from the release of such personal
216 identifying and location information outweighs any public
217 benefit that may be derived from the disclosure of the
218 information.

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