



580164

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1/AD/2R

.

03/01/2012 11:32 AM

.

.

Senator Hays moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(4) AGENCY PERSONNEL INFORMATION.—

(d)1.a. The home addresses, telephone numbers, social
security numbers, and photographs of active or former law
enforcement personnel, including correctional and correctional
probation officers, personnel of the Department of Children and



580164

14 Family Services whose duties include the investigation of abuse,
15 neglect, exploitation, fraud, theft, or other criminal
16 activities, personnel of the Department of Health whose duties
17 are to support the investigation of child abuse or neglect, and
18 personnel of the Department of Revenue or local governments
19 whose responsibilities include revenue collection and
20 enforcement or child support enforcement; the home addresses,
21 telephone numbers, social security numbers, photographs, and
22 places of employment of the spouses and children of such
23 personnel; and the names and locations of schools and day care
24 facilities attended by the children of such personnel are exempt
25 from s. 119.07(1).

26 b. The home addresses, telephone numbers, and photographs
27 of firefighters certified in compliance with s. 633.35; the home
28 addresses, telephone numbers, photographs, and places of
29 employment of the spouses and children of such firefighters; and
30 the names and locations of schools and day care facilities
31 attended by the children of such firefighters are exempt from s.
32 119.07(1).

33 c. The home addresses and telephone numbers of justices of
34 the Supreme Court, district court of appeal judges, circuit
35 court judges, and county court judges; the home addresses,
36 telephone numbers, and places of employment of the spouses and
37 children of justices and judges; and the names and locations of
38 schools and day care facilities attended by the children of
39 justices and judges are exempt from s. 119.07(1).

40 d. The home addresses, telephone numbers, social security
41 numbers, and photographs of current or former state attorneys,
42 assistant state attorneys, statewide prosecutors, or assistant



580164

43 statewide prosecutors; the home addresses, telephone numbers,
44 social security numbers, photographs, and places of employment
45 of the spouses and children of current or former state
46 attorneys, assistant state attorneys, statewide prosecutors, or
47 assistant statewide prosecutors; and the names and locations of
48 schools and day care facilities attended by the children of
49 current or former state attorneys, assistant state attorneys,
50 statewide prosecutors, or assistant statewide prosecutors are
51 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
52 Constitution.

53 e. The home addresses and telephone numbers of general
54 magistrates, special magistrates, judges of compensation claims,
55 administrative law judges of the Division of Administrative
56 Hearings, and child support enforcement hearing officers; the
57 home addresses, telephone numbers, and places of employment of
58 the spouses and children of general magistrates, special
59 magistrates, judges of compensation claims, administrative law
60 judges of the Division of Administrative Hearings, and child
61 support enforcement hearing officers; and the names and
62 locations of schools and day care facilities attended by the
63 children of general magistrates, special magistrates, judges of
64 compensation claims, administrative law judges of the Division
65 of Administrative Hearings, and child support enforcement
66 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
67 I of the State Constitution if the general magistrate, special
68 magistrate, judge of compensation claims, administrative law
69 judge of the Division of Administrative Hearings, or child
70 support hearing officer provides a written statement that the
71 general magistrate, special magistrate, judge of compensation



580164

72 claims, administrative law judge of the Division of
73 Administrative Hearings, or child support hearing officer has
74 made reasonable efforts to protect such information from being
75 accessible through other means available to the public. This
76 sub-subparagraph is subject to the Open Government Sunset Review
77 Act in accordance with s. 119.15, and shall stand repealed on
78 October 2, 2013, unless reviewed and saved from repeal through
79 reenactment by the Legislature.

80 f. The home addresses, telephone numbers, and photographs
81 of current or former human resource, labor relations, or
82 employee relations directors, assistant directors, managers, or
83 assistant managers of any local government agency or water
84 management district whose duties include hiring and firing
85 employees, labor contract negotiation, administration, or other
86 personnel-related duties; the names, home addresses, telephone
87 numbers, and places of employment of the spouses and children of
88 such personnel; and the names and locations of schools and day
89 care facilities attended by the children of such personnel are
90 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
91 Constitution.

92 g. The home addresses, telephone numbers, and photographs
93 of current or former code enforcement officers; the names, home
94 addresses, telephone numbers, and places of employment of the
95 spouses and children of such personnel; and the names and
96 locations of schools and day care facilities attended by the
97 children of such personnel are exempt from s. 119.07(1) and s.
98 24(a), Art. I of the State Constitution.

99 h. The home addresses, telephone numbers, places of
100 employment, and photographs of current or former guardians ad



580164

101 litem, as defined in s. 39.820; the names, home addresses,
102 telephone numbers, and places of employment of the spouses and
103 children of such persons; and the names and locations of schools
104 and day care facilities attended by the children of such persons
105 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
106 Constitution, if the guardian ad litem provides a written
107 statement that the guardian ad litem has made reasonable efforts
108 to protect such information from being accessible through other
109 means available to the public. This sub-subparagraph is subject
110 to the Open Government Sunset Review Act in accordance with s.
111 119.15 and shall stand repealed on October 2, 2015, unless
112 reviewed and saved from repeal through reenactment by the
113 Legislature.

114 i. The home addresses, telephone numbers, and photographs
115 of current or former juvenile probation officers, juvenile
116 probation supervisors, detention superintendents, assistant
117 detention superintendents, juvenile justice detention officers I
118 and II, juvenile justice detention officer supervisors, juvenile
119 justice residential officers, juvenile justice residential
120 officer supervisors I and II, juvenile justice counselors,
121 juvenile justice counselor supervisors, human services counselor
122 administrators, senior human services counselor administrators,
123 rehabilitation therapists, and social services counselors of the
124 Department of Juvenile Justice; the names, home addresses,
125 telephone numbers, and places of employment of spouses and
126 children of such personnel; and the names and locations of
127 schools and day care facilities attended by the children of such
128 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
129 the State Constitution.



580164

130 j. The home addresses, telephone numbers, and photographs
131 of current or former public defenders, assistant public
132 defenders, criminal conflict and civil regional counsel, and
133 assistant criminal conflict and civil regional counsel; the home
134 addresses, telephone numbers, and places of employment of the
135 spouses and children of such defenders or counsel; and the names
136 and locations of schools and day care facilities attended by the
137 children of such defenders or counsel are exempt from s.
138 119.07(1) and s. 24(a), Art. I of the State Constitution. This
139 sub-subparagraph is subject to the Open Government Sunset Review
140 Act in accordance with s. 119.15 and shall stand repealed on
141 October 2, 2015, unless reviewed and saved from repeal through
142 reenactment by the Legislature.

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

158 l. The home addresses and telephone numbers of county tax



580164

159 collectors; the names, home addresses, telephone numbers, and
160 places of employment of the spouses and children of such tax
161 collectors; and the names and locations of schools and day care
162 facilities attended by the children of such tax collectors are
163 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
164 Constitution if the county tax collector has made reasonable
165 efforts to protect such information from being accessible
166 through other means available to the public. This sub-
167 paragraph is subject to the Open Government Sunset Review Act
168 in accordance with s. 119.15 and shall stand repealed on October
169 2, 2017, unless reviewed and saved from repeal through
170 reenactment by the Legislature.

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

179 Section 2. The Legislature finds that it is a public
180 necessity that the home addresses and telephone numbers of
181 county tax collectors, the names, home addresses, telephone
182 numbers, and places of employment of the spouses and children of
183 such tax collectors, and the names and locations of schools and
184 day care facilities attended by the children of such tax
185 collectors be made exempt from public record requirements. It is
186 also the finding of the Legislature that it is a public
187 necessity that the home addresses, telephone numbers, and



580164

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

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

211
212 ===== T I T L E A M E N D M E N T =====

213 And the title is amended as follows:

214 Delete everything before the enacting clause
215 and insert:

216 A bill to be entitled



580164

217 An act relating to public records; amending s.
218 119.071, F.S.; providing an exemption from public
219 records requirements for personal identifying and
220 location information of current and former
221 investigators and inspectors of the Department of
222 Business and Professional Regulation and the spouses
223 and children of such investigators and inspectors;
224 providing a condition to the exemption; providing for
225 future review and repeal of the exemption; providing
226 an exemption from public record requirements for
227 personal identifying and location information of
228 county tax collectors and the spouses and children of
229 such tax collectors; providing a condition to the
230 exemption; providing for future review and repeal of
231 the exemption; providing a statement of public
232 necessity; providing an effective date.