

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fitzenhagen offered the following:

**Amendment (with title amendment)**

Remove lines 75-245 and insert:

d. (I) The home addresses, telephone numbers, social security numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide

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16 prosecutors, or assistant statewide prosecutors are exempt from  
17 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

18 (II) The names of the spouses and children of current or  
19 former state attorneys, assistant state attorneys, statewide  
20 prosecutors, or assistant statewide prosecutors are exempt from  
21 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

22 (III) Sub-sub-subparagraph d.(II) is subject to the Open  
23 Government Sunset Review Act in accordance with s. 119.15, and  
24 shall stand repealed on October 2, 2018, unless reviewed and  
25 saved from repeal through reenactment by the Legislature.

26 e. The home addresses, dates of birth, and telephone  
27 numbers of general magistrates, special magistrates, judges of  
28 compensation claims, administrative law judges of the Division  
29 of Administrative Hearings, and child support enforcement  
30 hearing officers; the home addresses, telephone numbers, dates  
31 of birth, and places of employment of the spouses and children  
32 of general magistrates, special magistrates, judges of  
33 compensation claims, administrative law judges of the Division  
34 of Administrative Hearings, and child support enforcement  
35 hearing officers; and the names and locations of schools and day  
36 care facilities attended by the children of general magistrates,  
37 special magistrates, judges of compensation claims,  
38 administrative law judges of the Division of Administrative  
39 Hearings, and child support enforcement hearing officers are  
40 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
41 Constitution if the general magistrate, special magistrate,  
42 judge of compensation claims, administrative law judge of the  
43 Division of Administrative Hearings, or child support hearing

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44 officer provides a written statement that the general  
45 magistrate, special magistrate, judge of compensation claims,  
46 administrative law judge of the Division of Administrative  
47 Hearings, or child support hearing officer has made reasonable  
48 efforts to protect such information from being accessible  
49 through other means available to the public.

50 f. The home addresses, telephone numbers, dates of birth,  
51 and photographs of current or former human resource, labor  
52 relations, or employee relations directors, assistant directors,  
53 managers, or assistant managers of any local government agency  
54 or water management district whose duties include hiring and  
55 firing employees, labor contract negotiation, administration, or  
56 other personnel-related duties; the names, home addresses,  
57 telephone numbers, dates of birth, and places of employment of  
58 the spouses and children of such personnel; and the names and  
59 locations of schools and day care facilities attended by the  
60 children of such personnel are exempt from s. 119.07(1) and s.  
61 24(a), Art. I of the State Constitution.

62 g. The home addresses, telephone numbers, dates of birth,  
63 and photographs of current or former code enforcement officers;  
64 the names, home addresses, telephone numbers, dates of birth,  
65 and places of employment of the spouses and children of such  
66 personnel; and the names and locations of schools and day care  
67 facilities attended by the children of such personnel are exempt  
68 from s. 119.07(1) and s. 24(a), Art. I of the State  
69 Constitution.

70 h. The home addresses, telephone numbers, places of  
71 employment, dates of birth, and photographs of current or former

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72 guardians ad litem, as defined in s. 39.820; the names, home  
73 addresses, telephone numbers, dates of birth, and places of  
74 employment of the spouses and children of such persons; and the  
75 names and locations of schools and day care facilities attended  
76 by the children of such persons are exempt from s. 119.07(1) and  
77 s. 24(a), Art. I of the State Constitution, if the guardian ad  
78 litem provides a written statement that the guardian ad litem  
79 has made reasonable efforts to protect such information from  
80 being accessible through other means available to the public.

81 i. The home addresses, telephone numbers, dates of birth,  
82 and photographs of current or former juvenile probation  
83 officers, juvenile probation supervisors, detention  
84 superintendents, assistant detention superintendents, juvenile  
85 justice detention officers I and II, juvenile justice detention  
86 officer supervisors, juvenile justice residential officers,  
87 juvenile justice residential officer supervisors I and II,  
88 juvenile justice counselors, juvenile justice counselor  
89 supervisors, human services counselor administrators, senior  
90 human services counselor administrators, rehabilitation  
91 therapists, and social services counselors of the Department of  
92 Juvenile Justice; the names, home addresses, telephone numbers,  
93 dates of birth, and places of employment of spouses and children  
94 of such personnel; and the names and locations of schools and  
95 day care facilities attended by the children of such personnel  
96 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
97 Constitution.

98 j. The home addresses, telephone numbers, dates of birth,  
99 and photographs of current or former public defenders, assistant

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100 public defenders, criminal conflict and civil regional counsel,  
101 and assistant criminal conflict and civil regional counsel; the  
102 home addresses, telephone numbers, dates of birth, and places of  
103 employment of the spouses and children of such defenders or  
104 counsel; and the names and locations of schools and day care  
105 facilities attended by the children of such defenders or counsel  
106 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
107 Constitution.

108 k. The home addresses, telephone numbers, and photographs  
109 of current or former investigators or inspectors of the  
110 Department of Business and Professional Regulation; the names,  
111 home addresses, telephone numbers, and places of employment of  
112 the spouses and children of such current or former investigators  
113 and inspectors; and the names and locations of schools and day  
114 care facilities attended by the children of such current or  
115 former investigators and inspectors are exempt from s. 119.07(1)  
116 and s. 24(a), Art. I of the State Constitution if the  
117 investigator or inspector has made reasonable efforts to protect  
118 such information from being accessible through other means  
119 available to the public. This sub-subparagraph is subject to the  
120 Open Government Sunset Review Act in accordance with s. 119.15  
121 and shall stand repealed on October 2, 2017, unless reviewed and  
122 saved from repeal through reenactment by the Legislature.

123 l. The home addresses and telephone numbers of county tax  
124 collectors; the names, home addresses, telephone numbers, and  
125 places of employment of the spouses and children of such tax  
126 collectors; and the names and locations of schools and day care  
127 facilities attended by the children of such tax collectors are

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128 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
129 Constitution if the county tax collector has made reasonable  
130 efforts to protect such information from being accessible  
131 through other means available to the public. This sub-  
132 subparagraph is subject to the Open Government Sunset Review Act  
133 in accordance with s. 119.15 and shall stand repealed on October  
134 2, 2017, unless reviewed and saved from repeal through  
135 reenactment by the Legislature.

136 3. An agency that is the custodian of the information  
137 specified in subparagraph 2. and that is not the employer of the  
138 officer, employee, justice, judge, or other person specified in  
139 subparagraph 2. shall maintain the exempt status of that  
140 information only if the officer, employee, justice, judge, other  
141 person, or employing agency of the designated employee submits a  
142 written request for maintenance of the exemption to the  
143 custodial agency.

144 4. The exemptions in this paragraph apply to information  
145 held by an agency before, on, or after the effective date of the  
146 exemption.

147 5. This paragraph is subject to the Open Government Sunset  
148 Review Act in accordance with s. 119.15, and shall stand  
149 repealed on October 2, 2017, unless reviewed and saved from  
150 repeal through reenactment by the Legislature.

151 Section 2. (1) The Legislature finds that it is a public  
152 necessity that the names of the spouses and children of active  
153 or former sworn or civilian law enforcement personnel be made  
154 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
155 Article I of the State Constitution. Sworn and civilian law

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156 enforcement personnel in this state perform a variety of  
157 important duties that ensure public safety and welfare and  
158 encourage safe and civil communities. Correctional and  
159 correctional probation officers work with felons, many of whom  
160 have committed violent crimes. Personnel of the Department of  
161 Children and Families whose duties include the investigation of  
162 abuse, neglect, exploitation, fraud, theft, or other criminal  
163 activities, and personnel of the Department of Health, work with  
164 individuals who may be a danger to their own children and  
165 families, as well as the children of others. Personnel of the  
166 Department of Revenue or local governments whose  
167 responsibilities include revenue collection and enforcement or  
168 child support enforcement investigate and bring enforcement  
169 actions against individuals who have failed to pay their lawful  
170 taxes or failed to pay to support their children. As a result of  
171 their duties, these sworn and civilian law enforcement personnel  
172 often come in close contact with individuals who not only may be  
173 a threat to these personnel, but who might seek to take revenge  
174 against them by harming their spouses and children. Permitting  
175 access to the names of the spouses and children of active or  
176 former sworn or civilian law enforcement personnel provides a  
177 means by which individuals who have been investigated, arrested,  
178 interrogated, or incarcerated can identify and cause physical or  
179 emotional harm to these spouses and children. The Legislature  
180 therefore finds that the harm that may result from the release  
181 of the names of spouses and children of such law enforcement  
182 personnel outweighs any public benefit that may be derived from  
183 the disclosure of the information.

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184       (2) The Legislature finds that it is a public necessity  
185 that the names of the spouses and children of current or former  
186 state attorneys, assistant state attorneys, statewide  
187 prosecutors, and assistant statewide prosecutors be made exempt  
188 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of  
189 the State Constitution. State attorneys, assistant state  
190 attorneys, statewide prosecutors, and assistant statewide  
191 prosecutors prosecute individuals who are considered dangerous  
192 and violent. Permitting access to the names of the spouses and  
193 children of current or former state attorneys, assistant state  
194 attorneys, statewide prosecutors, and assistant statewide  
195 prosecutors provides a means by which a criminal defendant or a  
196 friend or family member of such defendant could harm or threaten  
197 with harm these spouses and children. The Legislature therefore  
198 finds that the harm that may result from the release of the  
199 names of spouses and children of such attorneys and prosecutors  
200 outweighs any public benefit that may be derived from the  
201 disclosure of the information.

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**T I T L E   A M E N D M E N T**

205       Remove line 18 and insert:  
206       Sunset Review Act; creating an exemption from public  
207       records requirements for the names of the spouses and  
208       children of current or former state attorneys,  
209       assistant state attorneys, statewide prosecutors, and  
210       assistant statewide prosecutors; providing for future



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211 review and repeal of the exemption under the Open  
212 Government Sunset Review Act; providing a statement of