

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 certain identifying
5 information related to active or former sworn or
6 civilian law enforcement personnel and other specified
7 agency personnel; providing an exemption from public
8 records requirements for certain identifying
9 information related to current and former state
10 attorneys, assistant state attorneys, statewide
11 prosecutors, and assistant statewide prosecutors and
12 their parents, siblings, or cohabitants; providing an
13 exemption from public records requirements for certain
14 identifying information related to current or former
15 public defenders, assistant public defenders, criminal
16 conflict and civil regional counsel, and assistant
17 criminal conflict and civil regional counsel and their
18 parents, siblings, or cohabitants; providing for
19 future legislative review and repeal of the
20 exemptions; providing a statement of public necessity;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Paragraph (d) of subsection (4) of section
26 119.071, Florida Statutes, is amended to read:

27 | 119.071 General exemptions from inspection or copying of
28 | public records.—

29 | (4) AGENCY PERSONNEL INFORMATION.—

30 | (d)1. For purposes of this paragraph, the term "telephone
31 | numbers" includes home telephone numbers, personal cellular
32 | telephone numbers, personal pager telephone numbers, and
33 | telephone numbers associated with personal communications
34 | devices.

35 | 2.a.(I) The home addresses, telephone numbers, social
36 | security numbers, dates of birth, and photographs of active or
37 | former sworn or civilian law enforcement personnel, including
38 | correctional and correctional probation officers, personnel of
39 | the Department of Children and Families whose duties include the
40 | investigation of abuse, neglect, exploitation, fraud, theft, or
41 | other criminal activities, personnel of the Department of Health
42 | whose duties are to support the investigation of child abuse or
43 | neglect, and personnel of the Department of Revenue or local
44 | governments whose responsibilities include revenue collection
45 | and enforcement or child support enforcement; the home
46 | addresses, telephone numbers, social security numbers,
47 | photographs, dates of birth, and places of employment of the
48 | spouses and children of such personnel; and the names and
49 | locations of schools and day care facilities attended by the
50 | children of such personnel are exempt from s. 119.07(1).

51 | (II) The names of the spouses and children of active or
52 | former sworn or civilian law enforcement personnel and the other

53 specified agency personnel identified in sub-sub-subparagraph
54 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the
55 State Constitution.

56 ~~(III)~~ This sub-sub-subparagraph ~~(II)~~ is subject to the
57 Open Government Sunset Review Act in accordance with s. 119.15~~7~~
58 and shall stand repealed on October 2, 2018, unless reviewed and
59 saved from repeal through reenactment by the Legislature.

60 (III) The residential addresses other than home addresses,
61 including former residences, of active or former sworn or
62 civilian law enforcement personnel and the other specified
63 agency personnel identified in sub-sub-subparagraph (I),
64 including residences in which such personnel frequently reside,
65 and the e-mail addresses, driver license numbers, license plate
66 numbers, and banking and financial information of such personnel
67 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
68 Constitution. This sub-sub-subparagraph is subject to the Open
69 Government Sunset Review Act in accordance with s. 119.15 and
70 shall stand repealed on October 2, 2020, unless reviewed and
71 saved from repeal through reenactment by the Legislature.

72 b. The home addresses, telephone numbers, dates of birth,
73 and photographs of firefighters certified in compliance with s.
74 633.408; the home addresses, telephone numbers, photographs,
75 dates of birth, and places of employment of the spouses and
76 children of such firefighters; and the names and locations of
77 schools and day care facilities attended by the children of such
78 firefighters are exempt from s. 119.07(1).

79 c. The home addresses, dates of birth, and telephone
80 numbers of current or former justices of the Supreme Court,
81 district court of appeal judges, circuit court judges, and
82 county court judges; the home addresses, telephone numbers,
83 dates of birth, and places of employment of the spouses and
84 children of current or former justices and judges; and the names
85 and locations of schools and day care facilities attended by the
86 children of current or former justices and judges are exempt
87 from s. 119.07(1).

88 d.(I) The home addresses, telephone numbers, social
89 security numbers, dates of birth, and photographs of current or
90 former state attorneys, assistant state attorneys, statewide
91 prosecutors, or assistant statewide prosecutors; the home
92 addresses, telephone numbers, social security numbers,
93 photographs, dates of birth, and places of employment of the
94 spouses and children of current or former state attorneys,
95 assistant state attorneys, statewide prosecutors, or assistant
96 statewide prosecutors; and the names and locations of schools
97 and day care facilities attended by the children of current or
98 former state attorneys, assistant state attorneys, statewide
99 prosecutors, or assistant statewide prosecutors are exempt from
100 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

109 (IV) The residential addresses other than home addresses,
 110 including former residences, of current or former state
 111 attorneys, assistant state attorneys, statewide prosecutors, or
 112 assistant statewide prosecutors, including residences in which
 113 such current or former state attorneys, assistant state
 114 attorneys, statewide prosecutors, or assistant statewide
 115 prosecutors frequently reside, and the e-mail addresses, driver
 116 license numbers, license plate numbers, and banking and
 117 financial information of such current or former state attorneys,
 118 assistant state attorneys, statewide prosecutors, or assistant
 119 statewide prosecutors; and the home addresses, telephone
 120 numbers, social security numbers, photographs, dates of birth,
 121 and places of employment of the parents, siblings, and
 122 cohabitants of current or former state attorneys, assistant
 123 state attorneys, statewide prosecutors, or assistant statewide
 124 prosecutors, are exempt from s. 119.07(1) and s. 24(a), Art. I
 125 of the State Constitution. This sub-sub-subparagraph is subject
 126 to the Open Government Sunset Review Act in accordance with s.
 127 119.15 and shall stand repealed on October 2, 2020, unless
 128 reviewed and saved from repeal through reenactment by the
 129 Legislature.

130 e. The home addresses, dates of birth, and telephone

131 numbers of general magistrates, special magistrates, judges of
132 compensation claims, administrative law judges of the Division
133 of Administrative Hearings, and child support enforcement
134 hearing officers; the home addresses, telephone numbers, dates
135 of birth, and places of employment of the spouses and children
136 of general magistrates, special magistrates, judges of
137 compensation claims, administrative law judges of the Division
138 of Administrative Hearings, and child support enforcement
139 hearing officers; and the names and locations of schools and day
140 care facilities attended by the children of general magistrates,
141 special magistrates, judges of compensation claims,
142 administrative law judges of the Division of Administrative
143 Hearings, and child support enforcement hearing officers are
144 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
145 Constitution if the general magistrate, special magistrate,
146 judge of compensation claims, administrative law judge of the
147 Division of Administrative Hearings, or child support hearing
148 officer provides a written statement that the general
149 magistrate, special magistrate, judge of compensation claims,
150 administrative law judge of the Division of Administrative
151 Hearings, or child support hearing officer has made reasonable
152 efforts to protect such information from being accessible
153 through other means available to the public.

154 f. The home addresses, telephone numbers, dates of birth,
155 and photographs of current or former human resource, labor
156 relations, or employee relations directors, assistant directors,

157 managers, or assistant managers of any local government agency
158 or water management district whose duties include hiring and
159 firing employees, labor contract negotiation, administration, or
160 other personnel-related duties; the names, home addresses,
161 telephone numbers, dates of birth, and places of employment of
162 the spouses and children of such personnel; and the names and
163 locations of schools and day care facilities attended by the
164 children of such personnel are exempt from s. 119.07(1) and s.
165 24(a), Art. I of the State Constitution.

166 g. The home addresses, telephone numbers, dates of birth,
167 and photographs of current or former code enforcement officers;
168 the names, home addresses, telephone numbers, dates of birth,
169 and places of employment of the spouses and children of such
170 personnel; and the names and locations of schools and day care
171 facilities attended by the children of such personnel are exempt
172 from s. 119.07(1) and s. 24(a), Art. I of the State
173 Constitution.

174 h. The home addresses, telephone numbers, places of
175 employment, dates of birth, and photographs of current or former
176 guardians ad litem, as defined in s. 39.820; the names, home
177 addresses, telephone numbers, dates of birth, and places of
178 employment of the spouses and children of such persons; and the
179 names and locations of schools and day care facilities attended
180 by the children of such persons are exempt from s. 119.07(1) and
181 s. 24(a), Art. I of the State Constitution, if the guardian ad
182 litem provides a written statement that the guardian ad litem

183 has made reasonable efforts to protect such information from
184 being accessible through other means available to the public.

185 i. The home addresses, telephone numbers, dates of birth,
186 and photographs of current or former juvenile probation
187 officers, juvenile probation supervisors, detention
188 superintendents, assistant detention superintendents, juvenile
189 justice detention officers I and II, juvenile justice detention
190 officer supervisors, juvenile justice residential officers,
191 juvenile justice residential officer supervisors I and II,
192 juvenile justice counselors, juvenile justice counselor
193 supervisors, human services counselor administrators, senior
194 human services counselor administrators, rehabilitation
195 therapists, and social services counselors of the Department of
196 Juvenile Justice; the names, home addresses, telephone numbers,
197 dates of birth, and places of employment of spouses and children
198 of such personnel; and the names and locations of schools and
199 day care facilities attended by the children of such personnel
200 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
201 Constitution.

202 j.(I) The home addresses, telephone numbers, dates of
203 birth, and photographs of current or former public defenders,
204 assistant public defenders, criminal conflict and civil regional
205 counsel, and assistant criminal conflict and civil regional
206 counsel; the home addresses, telephone numbers, dates of birth,
207 and places of employment of the spouses and children of such
208 defenders or counsel; and the names and locations of schools and

209 day care facilities attended by the children of such defenders
 210 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 211 the State Constitution.

212 (II) The names of the spouses and children of the
 213 specified agency personnel identified in sub-sub-subparagraph
 214 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the
 215 State Constitution. This sub-sub-subparagraph is subject to the
 216 Open Government Sunset Review Act in accordance with s. 119.15
 217 and shall stand repealed on October 2, 2019, unless reviewed and
 218 saved from repeal through reenactment by the Legislature.

219 (III) The residential addresses other than home addresses,
 220 including former residences, of current or former public
 221 defenders, assistant public defenders, criminal conflict and
 222 civil regional counsel, and assistant criminal conflict and
 223 civil regional counsel, including residences in which such
 224 current or former public defenders, assistant public defenders,
 225 criminal conflict and civil regional counsel, and assistant
 226 criminal conflict and civil regional counsel frequently reside,
 227 and the e-mail addresses, driver license numbers, license plate
 228 numbers, and banking and financial information of such current
 229 or former public defenders, assistant public defenders, criminal
 230 conflict and civil regional counsel, and assistant criminal
 231 conflict and civil regional counsel; and the home addresses,
 232 telephone numbers, social security numbers, photographs, dates
 233 of birth, and places of employment of the parents, siblings, and
 234 cohabitants of current or former public defenders, assistant

235 public defenders, criminal conflict and civil regional counsel,
236 and assistant criminal conflict and civil regional counsel, are
237 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
238 Constitution. This sub-sub-subparagraph is subject to the Open
239 Government Sunset Review Act in accordance with s. 119.15 and
240 shall stand repealed on October 2, 2020, unless reviewed and
241 saved from repeal through reenactment by the Legislature.

242 k. The home addresses, telephone numbers, and photographs
243 of current or former investigators or inspectors of the
244 Department of Business and Professional Regulation; the names,
245 home addresses, telephone numbers, and places of employment of
246 the spouses and children of such current or former investigators
247 and inspectors; and the names and locations of schools and day
248 care facilities attended by the children of such current or
249 former investigators and inspectors are exempt from s. 119.07(1)
250 and s. 24(a), Art. I of the State Constitution if the
251 investigator or inspector has made reasonable efforts to protect
252 such information from being accessible through other means
253 available to the public. This sub-subparagraph is subject to the
254 Open Government Sunset Review Act in accordance with s. 119.15
255 and shall stand repealed on October 2, 2017, unless reviewed and
256 saved from repeal through reenactment by the Legislature.

257 l. The home addresses and telephone numbers of county tax
258 collectors; the names, home addresses, telephone numbers, and
259 places of employment of the spouses and children of such tax
260 collectors; and the names and locations of schools and day care

261 facilities attended by the children of such tax collectors are
262 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
263 Constitution if the county tax collector has made reasonable
264 efforts to protect such information from being accessible
265 through other means available to the public. This sub-
266 subparagraph is subject to the Open Government Sunset Review Act
267 in accordance with s. 119.15 and shall stand repealed on October
268 2, 2017, unless reviewed and saved from repeal through
269 reenactment by the Legislature.

270 m. The home addresses, telephone numbers, dates of birth,
271 and photographs of current or former personnel of the Department
272 of Health whose duties include, or result in, the determination
273 or adjudication of eligibility for social security disability
274 benefits, the investigation or prosecution of complaints filed
275 against health care practitioners, or the inspection of health
276 care practitioners or health care facilities licensed by the
277 Department of Health; the names, home addresses, telephone
278 numbers, dates of birth, and places of employment of the spouses
279 and children of such personnel; and the names and locations of
280 schools and day care facilities attended by the children of such
281 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
282 the State Constitution if the personnel have made reasonable
283 efforts to protect such information from being accessible
284 through other means available to the public. This sub-
285 subparagraph is subject to the Open Government Sunset Review Act
286 in accordance with s. 119.15 and shall stand repealed on October

287 2, 2019, unless reviewed and saved from repeal through
288 reenactment by the Legislature.

289 3. An agency that is the custodian of the information
290 specified in subparagraph 2. and that is not the employer of the
291 officer, employee, justice, judge, or other person specified in
292 subparagraph 2. shall maintain the exempt status of that
293 information only if the officer, employee, justice, judge, other
294 person, or employing agency of the designated employee submits a
295 written request for maintenance of the exemption to the
296 custodial agency.

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

300 5. Except as otherwise expressly provided in this
301 paragraph, this paragraph is subject to the Open Government
302 Sunset Review Act in accordance with s. 119.15, and shall stand
303 repealed on October 2, 2017, unless reviewed and saved from
304 repeal through reenactment by the Legislature.

305 Section 2. (1) The Legislature finds that it is a public
306 necessity that the residential addresses, e-mail addresses,
307 driver license numbers, license plate numbers, and banking and
308 financial information of active or former sworn or civilian law
309 enforcement personnel and other specified agency personnel be
310 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
311 Article I of the State Constitution. The Legislature finds that
312 the release of such identifying and location information could

313 place such personnel in danger of being physically and
314 emotionally harmed or being stalked by a defendant or other
315 person. The Legislature finds that the harm that may result from
316 the release of such identifying and location information
317 outweighs any public benefit that may be derived from the
318 disclosure of the information.

319 (2) The Legislature finds that it is a public necessity
320 that the residential addresses, e-mail addresses, driver license
321 numbers, license plate numbers, and banking and financial
322 information of current or former state attorneys, assistant
323 state attorneys, statewide prosecutors, and assistant statewide
324 prosecutors be made exempt from s. 119.07(1), Florida Statutes,
325 and s. 24(a), Article I of the State Constitution. The
326 Legislature further finds that it is a public necessity that the
327 home addresses, telephone numbers, social security numbers,
328 photographs, dates of birth, and places of employment of the
329 parents, siblings, and cohabitants of such persons be made
330 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
331 Article I of the State Constitution. The Legislature finds that
332 the release of such identifying and location information could
333 place the person, or a parent, sibling, or cohabitant of the
334 person, in danger of being physically and emotionally harmed or
335 being stalked by a defendant or other person. The Legislature
336 finds that the harm that may result from the release of such
337 identifying and location information outweighs any public
338 benefit that may be derived from the disclosure of the

339 information.

340 (3) The Legislature finds that it is a public necessity
341 that the residential addresses, e-mail addresses, driver license
342 numbers, license plate numbers, and banking and financial
343 information of current or former public defenders, assistant
344 public defenders, criminal conflict and civil regional counsel,
345 and assistant criminal conflict and civil regional counsel be
346 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
347 Article I of the State Constitution. The Legislature further
348 finds that it is a public necessity that the home addresses,
349 telephone numbers, social security numbers, photographs, dates
350 of birth, and places of employment of the parents, siblings, and
351 cohabitants of such persons be made exempt from s. 119.07(1),
352 Florida Statutes, and s. 24(a), Article I of the State
353 Constitution. The Legislature finds that the release of such
354 identifying and location information could place the person, or
355 a parent, sibling, or cohabitant of the person, in danger of
356 being physically and emotionally harmed or being stalked by a
357 defendant or other person. The Legislature finds that the harm
358 that may result from the release of such identifying and
359 location information outweighs any public benefit that may be
360 derived from the disclosure of the information.

361 Section 3. This act shall take effect July 1, 2015.