

**By** the Committees on Governmental Oversight and Accountability;  
and Criminal Justice; and Senator Latvala

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

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

21  
22       Section 1. Paragraph (d) of subsection (4) of section  
23      119.071, Florida Statutes, is amended to read:

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

26       (4) AGENCY PERSONNEL INFORMATION.—

27       (d)1. For purposes of this paragraph, the term "telephone  
28      numbers" includes home telephone numbers, personal cellular  
29      telephone numbers, personal pager telephone numbers, and

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30 telephone numbers associated with personal communications  
31 devices.

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

48 (II) The names of the spouses and children of active or  
49 former sworn or civilian law enforcement personnel and the other  
50 specified agency personnel identified in sub-sub-subparagraph  
51 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
52 State Constitution.

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

57 (IV) Residential addresses, personal e-mail addresses,  
58 license plate numbers, and banking and financial information of

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59 active or former sworn or civilian law enforcement personnel and  
60 the other specified agency personnel identified in sub-sub-  
61 subparagraph (I) and the home addresses, telephone numbers,  
62 photographs, dates of birth, and places of employment of the  
63 parents, siblings, and cohabitants of active or former sworn or  
64 civilian law enforcement personnel and the other specified  
65 agency personnel identified in sub-sub-subparagraph (I) are  
66 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
67 Constitution. The exemptions in this sub-sub-subparagraph apply  
68 to information held by an agency before, on, or after the  
69 effective date of the exemption. This sub-sub-subparagraph is  
70 subject to the Open Government Sunset Review Act in accordance  
71 with s. 119.15 and shall stand repealed on October 2, 2020,  
72 unless reviewed and saved from repeal through reenactment by the  
73 Legislature.

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

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

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88 children of current or former justices and judges are exempt  
89 from s. 119.07(1).

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

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

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

111 (IV) Residential addresses, personal e-mail addresses,  
112 license plate numbers, and banking and financial information of  
113 current or former state attorneys, assistant state attorneys,  
114 statewide prosecutors, or assistant statewide prosecutors and  
115 the home addresses, telephone numbers, photographs, dates of  
116 birth, and places of employment of the parents, siblings, and

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117 cohabitants of current or former state attorneys, assistant  
118 state attorneys, statewide prosecutors, or assistant statewide  
119 prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of  
120 the State Constitution. The exemptions in this sub-sub-  
121 subparagraph apply to information held by an agency before, on,  
122 or after the effective date of the exemption. This sub-sub-  
123 subparagraph is subject to the Open Government Sunset Review Act  
124 in accordance with s. 119.15 and shall stand repealed on October  
125 2, 2020, unless reviewed and saved from repeal through  
126 reenactment by the Legislature.

127 e. The home addresses, dates of birth, and telephone  
128 numbers of general magistrates, special magistrates, judges of  
129 compensation claims, administrative law judges of the Division  
130 of Administrative Hearings, and child support enforcement  
131 hearing officers; the home addresses, telephone numbers, dates  
132 of birth, and places of employment of the spouses and children  
133 of general magistrates, special magistrates, judges of  
134 compensation claims, administrative law judges of the Division  
135 of Administrative Hearings, and child support enforcement  
136 hearing officers; and the names and locations of schools and day  
137 care facilities attended by the children of general magistrates,  
138 special magistrates, judges of compensation claims,  
139 administrative law judges of the Division of Administrative  
140 Hearings, and child support enforcement hearing officers are  
141 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
142 Constitution if the general magistrate, special magistrate,  
143 judge of compensation claims, administrative law judge of the  
144 Division of Administrative Hearings, or child support hearing  
145 officer provides a written statement that the general

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146 magistrate, special magistrate, judge of compensation claims,  
147 administrative law judge of the Division of Administrative  
148 Hearings, or child support hearing officer has made reasonable  
149 efforts to protect such information from being accessible  
150 through other means available to the public.

151 f. The home addresses, telephone numbers, dates of birth,  
152 and photographs of current or former human resource, labor  
153 relations, or employee relations directors, assistant directors,  
154 managers, or assistant managers of any local government agency  
155 or water management district whose duties include hiring and  
156 firing employees, labor contract negotiation, administration, or  
157 other personnel-related duties; the names, home addresses,  
158 telephone numbers, dates of birth, and places of employment of  
159 the spouses and children of such personnel; and the names and  
160 locations of schools and day care facilities attended by the  
161 children of such personnel are exempt from s. 119.07(1) and s.  
162 24(a), Art. I of the State Constitution.

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

171 h. The home addresses, telephone numbers, places of  
172 employment, dates of birth, and photographs of current or former  
173 guardians ad litem, as defined in s. 39.820; the names, home  
174 addresses, telephone numbers, dates of birth, and places of

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175 employment of the spouses and children of such persons; and the  
176 names and locations of schools and day care facilities attended  
177 by the children of such persons are exempt from s. 119.07(1) and  
178 s. 24(a), Art. I of the State Constitution, if the guardian ad  
179 litem provides a written statement that the guardian ad litem  
180 has made reasonable efforts to protect such information from  
181 being accessible through other means available to the public.

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

199 j.(I) The home addresses, telephone numbers, dates of  
200 birth, and photographs of current or former public defenders,  
201 assistant public defenders, criminal conflict and civil regional  
202 counsel, ~~and~~ assistant criminal conflict and civil regional  
203 counsel, capital collateral regional counsel, and assistant

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204 capital collateral regional counsel; the home addresses,  
205 telephone numbers, dates of birth, and places of employment of  
206 the spouses and children of such defenders or counsel; and the  
207 names and locations of schools and day care facilities attended  
208 by the children of such defenders or counsel are exempt from s.  
209 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
210 sub-sub-subparagraph is subject to the Open Government Sunset  
211 Review Act in accordance with s. 119.15 and shall stand repealed  
212 on October 2, 2020, unless reviewed and saved from repeal  
213 through reenactment by the Legislature.

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

221 (III) Residential addresses, personal e-mail addresses,  
222 license plate numbers, and banking and financial information of  
223 current or former public defenders, assistant public defenders,  
224 criminal conflict and civil regional counsel, assistant criminal  
225 conflict and civil regional counsel, capital collateral regional  
226 counsel, and assistant capital collateral regional counsel, and  
227 the home addresses, telephone numbers, photographs, dates of  
228 birth, and places of employment of the parents, siblings, and  
229 cohabitants of current or former public defenders, assistant  
230 public defenders, criminal conflict and civil regional counsel,  
231 assistant criminal conflict and civil regional counsel, capital  
232 collateral regional counsel, and assistant capital collateral



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233 regional counsel are exempt from s. 119.07(1) and s. 24(a), Art.  
234 I of the State Constitution. The exemptions in this sub-sub-  
235 subparagraph apply to information held by an agency before, on,  
236 or after the effective date of the exemption. This sub-sub-  
237 subparagraph is subject to the Open Government Sunset Review Act  
238 in accordance with s. 119.15 and shall stand repealed on October  
239 2, 2020, unless reviewed and saved from repeal through  
240 reenactment by the Legislature.

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

256 1. The home addresses and telephone numbers of county tax  
257 collectors; the names, home addresses, telephone numbers, and  
258 places of employment of the spouses and children of such tax  
259 collectors; and the names and locations of schools and day care  
260 facilities attended by the children of such tax collectors are  
261 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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262 Constitution if the county tax collector has made reasonable  
263 efforts to protect such information from being accessible  
264 through other means available to the public. This sub-  
265 subparagraph is subject to the Open Government Sunset Review Act  
266 in accordance with s. 119.15 and shall stand repealed on October  
267 2, 2017, unless reviewed and saved from repeal through  
268 reenactment by the Legislature.

269 m. The home addresses, telephone numbers, dates of birth,  
270 and photographs of current or former personnel of the Department  
271 of Health whose duties include, or result in, the determination  
272 or adjudication of eligibility for social security disability  
273 benefits, the investigation or prosecution of complaints filed  
274 against health care practitioners, or the inspection of health  
275 care practitioners or health care facilities licensed by the  
276 Department of Health; the names, home addresses, telephone  
277 numbers, dates of birth, and places of employment of the spouses  
278 and children of such personnel; and the names and locations of  
279 schools and day care facilities attended by the children of such  
280 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
281 the State Constitution if the personnel have made reasonable  
282 efforts to protect such information from being accessible  
283 through other means available to the public. This sub-  
284 subparagraph is subject to the Open Government Sunset Review Act  
285 in accordance with s. 119.15 and shall stand repealed on October  
286 2, 2019, unless reviewed and saved from repeal through  
287 reenactment by the Legislature.

288 3. An agency that is the custodian of the information  
289 specified in subparagraph 2. and that is not the employer of the  
290 officer, employee, justice, judge, or other person specified in

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291 subparagraph 2. shall maintain the exempt status of that  
292 information only if the officer, employee, justice, judge, other  
293 person, or employing agency of the designated employee submits a  
294 written request for maintenance of the exemption to the  
295 custodial agency.

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

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

304 Section 2. (1) The Legislature finds that it is a public  
305 necessity that the home addresses, telephone numbers, dates of  
306 birth, and photographs of current or former capital collateral  
307 regional counsel and assistant capital collateral regional  
308 counsel be exempt from s. 119.07(1), Florida Statutes, and s.  
309 24(a), Article I of the State Constitution. The Legislature  
310 finds that current or former capital collateral regional counsel  
311 and assistant capital collateral regional counsel are entitled  
312 to the same protections that are afforded to public defenders,  
313 assistant public defenders, criminal conflict and civil regional  
314 counsel, and assistant criminal conflict and civil regional  
315 counsel. The public disclosure of the information places current  
316 or former capital collateral regional counsel and assistant  
317 capital collateral regional counsel in danger of physical and  
318 emotional harm from disgruntled individuals who have contentious  
319 reactions to actions carried out by such counsel.

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320       (2) The Legislature also finds that it is a public  
321 necessity that the residential addresses, personal e-mail  
322 addresses, license plate numbers, and banking and financial  
323 information of active or former sworn or civilian law  
324 enforcement personnel, including correctional and correctional  
325 probation officers, personnel of the Department of Children and  
326 Families whose duties include the investigation of abuse,  
327 neglect, exploitation, fraud, theft, or other criminal  
328 activities, personnel of the Department of Health whose duties  
329 are to support the investigation of child abuse or neglect,  
330 personnel of the Department of Revenue or local governments  
331 whose responsibilities include revenue collection and  
332 enforcement or child support enforcement, current or former  
333 state attorneys, assistant state attorneys, statewide  
334 prosecutors, assistant statewide prosecutors, public defenders,  
335 assistant public defenders, criminal conflict and civil regional  
336 counsel, assistant criminal conflict and civil regional counsel,  
337 capital collateral regional counsel, and assistant capital  
338 collateral regional counsel be made exempt from s. 119.07(1),  
339 Florida Statutes, and s. 24(a), Article I of the State  
340 Constitution. The Legislature further finds that it is a public  
341 necessity that the home addresses, telephone numbers,  
342 photographs, dates of birth, and places of employment of the  
343 parents, siblings, and cohabitants of such persons be made  
344 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
345 Article I of the State Constitution. The Legislature finds that  
346 the release of such identifying and location information places  
347 the person, or a parent, sibling, or cohabitant of the person,  
348 in danger of being physically and emotionally harmed or being

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349 stalked by a defendant or other person. The Legislature finds  
350 that the harm that may result from the release of such  
351 identifying and location information outweighs any public  
352 benefit that may be derived from the disclosure of the  
353 information.

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