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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2016	.	
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The Committee on Governmental Oversight and Accountability
(Latvala) recommended the following:

Senate Amendment

Delete lines 50 - 287

and insert:

(IV) The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the



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11 names, home addresses, telephone numbers, dates of birth, and
12 places of employment of the spouses and children of such
13 personnel; and the names and locations of schools and day care
14 facilities attended by the children of such personnel are exempt
15 from s. 119.07(1) and s. 24(a), Art. I of the State
16 Constitution. This sub-sub-subparagraph is subject to the Open
17 Government Sunset Review Act in accordance with s. 119.15 and
18 shall stand repealed on October 2, 2021, unless reviewed and
19 saved from repeal through reenactment by the Legislature.

20 b. The home addresses, telephone numbers, dates of birth,
21 and photographs of firefighters certified in compliance with s.
22 633.408; the home addresses, telephone numbers, photographs,
23 dates of birth, and places of employment of the spouses and
24 children of such firefighters; and the names and locations of
25 schools and day care facilities attended by the children of such
26 firefighters are exempt from s. 119.07(1).

27 c. The home addresses, dates of birth, and telephone
28 numbers of current or former justices of the Supreme Court,
29 district court of appeal judges, circuit court judges, and
30 county court judges; the home addresses, telephone numbers,
31 dates of birth, and places of employment of the spouses and
32 children of current or former justices and judges; and the names
33 and locations of schools and day care facilities attended by the
34 children of current or former justices and judges are exempt
35 from s. 119.07(1).

36 d.(I) The home addresses, telephone numbers, social
37 security numbers, dates of birth, and photographs of current or
38 former state attorneys, assistant state attorneys, statewide
39 prosecutors, or assistant statewide prosecutors; the home



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

49 (II) The names of the spouses and children of current or
50 former state attorneys, assistant state attorneys, statewide
51 prosecutors, or assistant statewide prosecutors are exempt from
52 s. 119.07(1) and s. 24(a), Art. I of the 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 e. The home addresses, dates of birth, and telephone
58 numbers of general magistrates, special magistrates, judges of
59 compensation claims, administrative law judges of the Division
60 of Administrative Hearings, and child support enforcement
61 hearing officers; the home addresses, telephone numbers, dates
62 of birth, and places of employment of the spouses and children
63 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; and the names and locations of schools and day
67 care facilities attended by the children of general magistrates,
68 special magistrates, judges of compensation claims,



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69 administrative law judges of the Division of Administrative
70 Hearings, and child support enforcement hearing officers are
71 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
72 Constitution if the general magistrate, special magistrate,
73 judge of compensation claims, administrative law judge of the
74 Division of Administrative Hearings, or child support hearing
75 officer provides a written statement that the general
76 magistrate, special magistrate, judge of compensation claims,
77 administrative law judge of the Division of Administrative
78 Hearings, or child support hearing officer has made reasonable
79 efforts to protect such information from being accessible
80 through other means available to the public.

81 f. The home addresses, telephone numbers, dates of birth,
82 and photographs of current or former human resource, labor
83 relations, or employee relations directors, assistant directors,
84 managers, or assistant managers of any local government agency
85 or water management district whose duties include hiring and
86 firing employees, labor contract negotiation, administration, or
87 other personnel-related duties; the names, home addresses,
88 telephone numbers, dates of birth, and places of employment of
89 the spouses and children of such personnel; and the names and
90 locations of schools and day care facilities attended by the
91 children of such personnel are exempt from s. 119.07(1) and s.
92 24(a), Art. I of the State Constitution.

93 g. The home addresses, telephone numbers, dates of birth,
94 and photographs of current or former code enforcement officers;
95 the names, home addresses, telephone numbers, dates of birth,
96 and places of employment of the spouses and children of such
97 personnel; and the names and locations of schools and day care



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98 facilities attended by the children of such personnel are exempt
99 from s. 119.07(1) and s. 24(a), Art. I of the State
100 Constitution.

101 h. The home addresses, telephone numbers, places of
102 employment, dates of birth, and photographs of current or former
103 guardians ad litem, as defined in s. 39.820; the names, home
104 addresses, telephone numbers, dates of birth, and places of
105 employment of the spouses and children of such persons; and the
106 names and locations of schools and day care facilities attended
107 by the children of such persons are exempt from s. 119.07(1) and
108 s. 24(a), Art. I of the State Constitution, if the guardian ad
109 litem provides a written statement that the guardian ad litem
110 has made reasonable efforts to protect such information from
111 being accessible through other means available to the public.

112 i. The home addresses, telephone numbers, dates of birth,
113 and photographs of current or former juvenile probation
114 officers, juvenile probation supervisors, detention
115 superintendents, assistant detention superintendents, juvenile
116 justice detention officers I and II, juvenile justice detention
117 officer supervisors, juvenile justice residential officers,
118 juvenile justice residential officer supervisors I and II,
119 juvenile justice counselors, juvenile justice counselor
120 supervisors, human services counselor administrators, senior
121 human services counselor administrators, rehabilitation
122 therapists, and social services counselors of the Department of
123 Juvenile Justice; the names, home addresses, telephone numbers,
124 dates of birth, and places of employment of spouses and children
125 of such personnel; and the names and locations of schools and
126 day care facilities attended by the children of such personnel



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127 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
128 Constitution.

129 j.(I) The home addresses, telephone numbers, dates of
130 birth, and photographs of current or former public defenders,
131 assistant public defenders, criminal conflict and civil regional
132 counsel, and assistant criminal conflict and civil regional
133 counsel; the home addresses, telephone numbers, dates of birth,
134 and places of employment of the spouses and children of such
135 defenders or counsel; and the names and locations of schools and
136 day care facilities attended by the children of such defenders
137 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of
138 the State Constitution.

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

146 k. The home addresses, telephone numbers, and photographs
147 of current or former investigators or inspectors of the
148 Department of Business and Professional Regulation; the names,
149 home addresses, telephone numbers, and places of employment of
150 the spouses and children of such current or former investigators
151 and inspectors; and the names and locations of schools and day
152 care facilities attended by the children of such current or
153 former investigators and inspectors are exempt from s. 119.07(1)
154 and s. 24(a), Art. I of the State Constitution if the
155 investigator or inspector has made reasonable efforts to protect



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156 such information from being accessible through other means
157 available to the public. This sub-subparagraph is subject to the
158 Open Government Sunset Review Act in accordance with s. 119.15
159 and shall stand repealed on October 2, 2017, unless reviewed and
160 saved from repeal through reenactment by the Legislature.

161 1. The home addresses and telephone numbers of county tax
162 collectors; the names, home addresses, telephone numbers, and
163 places of employment of the spouses and children of such tax
164 collectors; and the names and locations of schools and day care
165 facilities attended by the children of such tax collectors are
166 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
167 Constitution if the county tax collector has made reasonable
168 efforts to protect such information from being accessible
169 through other means available to the public. This sub-
170 subparagraph is subject to the Open Government Sunset Review Act
171 in accordance with s. 119.15 and shall stand repealed on October
172 2, 2017, unless reviewed and saved from repeal through
173 reenactment by the Legislature.

174 m. The home addresses, telephone numbers, dates of birth,
175 and photographs of current or former personnel of the Department
176 of Health whose duties include, or result in, the determination
177 or adjudication of eligibility for social security disability
178 benefits, the investigation or prosecution of complaints filed
179 against health care practitioners, or the inspection of health
180 care practitioners or health care facilities licensed by the
181 Department of Health; the names, home addresses, telephone
182 numbers, dates of birth, and places of employment of the spouses
183 and children of such personnel; and the names and locations of
184 schools and day care facilities attended by the children of such



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185 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
186 the State Constitution if the personnel have made reasonable
187 efforts to protect such information from being accessible
188 through other means available to the public. This sub-
189 subparagraph is subject to the Open Government Sunset Review Act
190 in accordance with s. 119.15 and shall stand repealed on October
191 2, 2019, unless reviewed and saved from repeal through
192 reenactment by the Legislature.

193 n. The home addresses, telephone numbers, dates of birth,
194 and photographs of current or former impaired practitioner
195 consultants who are retained by an agency or current or former
196 employees of an impaired practitioner consultant whose duties
197 result in a determination of a person's skill and safety to
198 practice a licensed profession; the names, home addresses,
199 telephone numbers, dates of birth, and places of employment of
200 the spouses and children of such consultants or their employees;
201 and the names and locations of schools and day care facilities
202 attended by the children of such consultants or employees are
203 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
204 Constitution if a consultant or employee has made reasonable
205 efforts to protect such information from being accessible
206 through other means available to the public. This sub-
207 subparagraph is subject to the Open Government Sunset Review Act
208 in accordance with s. 119.15 and shall stand repealed on October
209 2, 2020, unless reviewed and saved from repeal through
210 reenactment by the Legislature.

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



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214 subparagraph 2. shall maintain the exempt status of that
215 information only if the officer, employee, justice, judge, other
216 person, or employing agency of the designated employee submits a
217 written request for maintenance of the exemption to the
218 custodial agency.

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

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

227 Section 2. The Legislature finds that it is a public
228 necessity to exempt from public records requirements the home
229 addresses, telephone numbers, dates of birth, and photographs of
230 current or former nonsworn investigative personnel of the
231 Department of Financial Services whose duties include the
232 investigation of fraud, theft, workers' compensation coverage
233 requirements and compliance, other related criminal activities,
234 or state regulatory requirement violations; the names, home
235 addresses, telephone numbers, dates of birth, and places of
236 employment of the spouses and children of such personnel; and
237 the names and locations of schools and day care facilities
238 attended by the children of such personnel. The efforts of such
239 personnel can lead to arrests and prosecutions for crimes up to
240 and including first degree felony violations and can also result
241 in the loss of commerce and property, the assessment of monetary
242 finances, or the suspension or loss of professional licenses. The



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243 department has documented numerous instances of personnel who
244 have been threatened and who have feared repercussions as a
245 result of carrying out their duties. These threats have included
246 weapons being brandished, verbal threats made to harm them or
247 their family members, harassment, and intimidation. The
248 Legislature