

2016592e1

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 the personal identifying and  
5     location information of certain nonsworn investigative  
6     personnel of the Department of Financial Services and  
7     the names and personal identifying and location  
8     information of the spouses and children of such  
9     personnel; providing an exemption from public records  
10    requirements for certain identifying and location  
11    information of current or former emergency medical  
12    technicians or paramedics certified under ch. 401,  
13    F.S., and the spouses and children of such emergency  
14    medical technicians or paramedics, under specified  
15    circumstances; providing for future review and repeal  
16    of the exemptions; providing statements of public  
17    necessity; providing an effective date.

18  
19    Be It Enacted by the Legislature of the State of Florida:

20  
21           Section 1. Paragraph (d) of subsection (4) of section  
22    119.071, Florida Statutes, is amended to read:

23           119.071 General exemptions from inspection or copying of  
24    public records.—

25           (4) AGENCY PERSONNEL INFORMATION.—

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

2016592e1

30 devices.

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

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

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

56 (IV) The home addresses, telephone numbers, dates of birth,  
57 and photographs of current or former nonsworn investigative  
58 personnel of the Department of Financial Services whose duties

2016592e1

59 include the investigation of fraud, theft, workers' compensation  
60 coverage requirements and compliance, other related criminal  
61 activities, or state regulatory requirement violations; the  
62 names, home addresses, telephone numbers, dates of birth, and  
63 places of employment of the spouses and children of such  
64 personnel; and the names and locations of schools and day care  
65 facilities attended by the children of such personnel are exempt  
66 from s. 119.07(1) and s. 24(a), Art. I of the State  
67 Constitution. This sub-sub-subparagraph is subject to the Open  
68 Government Sunset Review Act in accordance with s. 119.15 and  
69 shall stand repealed on October 2, 2021, unless reviewed and  
70 saved from repeal through reenactment by the Legislature.

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

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

87       d.(I) The home addresses, telephone numbers, social

2016592e1

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

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

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

108 e. The home addresses, dates of birth, and telephone  
109 numbers of general magistrates, special magistrates, judges of  
110 compensation claims, administrative law judges of the Division  
111 of Administrative Hearings, and child support enforcement  
112 hearing officers; the home addresses, telephone numbers, dates  
113 of birth, and places of employment of the spouses and children  
114 of general magistrates, special magistrates, judges of  
115 compensation claims, administrative law judges of the Division  
116 of Administrative Hearings, and child support enforcement

2016592e1

117 hearing officers; and the names and locations of schools and day  
118 care facilities attended by the children of general magistrates,  
119 special magistrates, judges of compensation claims,  
120 administrative law judges of the Division of Administrative  
121 Hearings, and child support enforcement hearing officers are  
122 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
123 Constitution if the general magistrate, special magistrate,  
124 judge of compensation claims, administrative law judge of the  
125 Division of Administrative Hearings, or child support hearing  
126 officer provides a written statement that the general  
127 magistrate, special magistrate, judge of compensation claims,  
128 administrative law judge of the Division of Administrative  
129 Hearings, or child support hearing officer has made reasonable  
130 efforts to protect such information from being accessible  
131 through other means available to the public.

132 f. The home addresses, telephone numbers, dates of birth,  
133 and photographs of current or former human resource, labor  
134 relations, or employee relations directors, assistant directors,  
135 managers, or assistant managers of any local government agency  
136 or water management district whose duties include hiring and  
137 firing employees, labor contract negotiation, administration, or  
138 other personnel-related duties; the names, home addresses,  
139 telephone numbers, dates of birth, and places of employment of  
140 the spouses and children of such personnel; and the names and  
141 locations of schools and day care facilities attended by the  
142 children of such personnel are exempt from s. 119.07(1) and s.  
143 24(a), Art. I of the State Constitution.

144 g. The home addresses, telephone numbers, dates of birth,  
145 and photographs of current or former code enforcement officers;

2016592e1

146 the names, home addresses, telephone numbers, dates of birth,  
147 and places of employment of the spouses and children of such  
148 personnel; and the names and locations of schools and day care  
149 facilities attended by the children of such personnel are exempt  
150 from s. 119.07(1) and s. 24(a), Art. I of the State  
151 Constitution.

152 h. The home addresses, telephone numbers, places of  
153 employment, dates of birth, and photographs of current or former  
154 guardians ad litem, as defined in s. 39.820; the names, home  
155 addresses, telephone numbers, dates of birth, and places of  
156 employment of the spouses and children of such persons; and the  
157 names and locations of schools and day care facilities attended  
158 by the children of such persons are exempt from s. 119.07(1) and  
159 s. 24(a), Art. I of the State Constitution, if the guardian ad  
160 litem provides a written statement that the guardian ad litem  
161 has made reasonable efforts to protect such information from  
162 being accessible through other means available to the public.

163 i. The home addresses, telephone numbers, dates of birth,  
164 and photographs of current or former juvenile probation  
165 officers, juvenile probation supervisors, detention  
166 superintendents, assistant detention superintendents, juvenile  
167 justice detention officers I and II, juvenile justice detention  
168 officer supervisors, juvenile justice residential officers,  
169 juvenile justice residential officer supervisors I and II,  
170 juvenile justice counselors, juvenile justice counselor  
171 supervisors, human services counselor administrators, senior  
172 human services counselor administrators, rehabilitation  
173 therapists, and social services counselors of the Department of  
174 Juvenile Justice; the names, home addresses, telephone numbers,

2016592e1

175 dates of birth, and places of employment of spouses and children  
176 of such personnel; and the names and locations of schools and  
177 day care facilities attended by the children of such personnel  
178 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
179 Constitution.

180 j.(I) The home addresses, telephone numbers, dates of  
181 birth, and photographs of current or former public defenders,  
182 assistant public defenders, criminal conflict and civil regional  
183 counsel, and assistant criminal conflict and civil regional  
184 counsel; the home addresses, telephone numbers, dates of birth,  
185 and places of employment of the spouses and children of such  
186 defenders or counsel; and the names and locations of schools and  
187 day care facilities attended by the children of such defenders  
188 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
189 the State Constitution.

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

197 k. The home addresses, telephone numbers, and photographs  
198 of current or former investigators or inspectors of the  
199 Department of Business and Professional Regulation; the names,  
200 home addresses, telephone numbers, and places of employment of  
201 the spouses and children of such current or former investigators  
202 and inspectors; and the names and locations of schools and day  
203 care facilities attended by the children of such current or

2016592e1

204 former investigators and inspectors are exempt from s. 119.07(1)  
205 and s. 24(a), Art. I of the State Constitution if the  
206 investigator or inspector has made reasonable efforts to protect  
207 such information from being accessible through other means  
208 available to the public. This sub-subparagraph is subject to the  
209 Open Government Sunset Review Act in accordance with s. 119.15  
210 and shall stand repealed on October 2, 2017, unless reviewed and  
211 saved from repeal through reenactment by the Legislature.

212 1. The home addresses and telephone numbers of county tax  
213 collectors; the names, home addresses, telephone numbers, and  
214 places of employment of the spouses and children of such tax  
215 collectors; and the names and locations of schools and day care  
216 facilities attended by the children of such tax collectors are  
217 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
218 Constitution if the county tax collector has made reasonable  
219 efforts to protect such information from being accessible  
220 through other means available to the public. This sub-  
221 subparagraph is subject to the Open Government Sunset Review Act  
222 in accordance with s. 119.15 and shall stand repealed on October  
223 2, 2017, unless reviewed and saved from repeal through  
224 reenactment by the Legislature.

225 m. The home addresses, telephone numbers, dates of birth,  
226 and photographs of current or former personnel of the Department  
227 of Health whose duties include, or result in, the determination  
228 or adjudication of eligibility for social security disability  
229 benefits, the investigation or prosecution of complaints filed  
230 against health care practitioners, or the inspection of health  
231 care practitioners or health care facilities licensed by the  
232 Department of Health; the names, home addresses, telephone



2016592e1

233 numbers, dates of birth, and places of employment of the spouses  
234 and children of such personnel; and the names and locations of  
235 schools and day care facilities attended by the children of such  
236 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
237 the State Constitution if the personnel have made reasonable  
238 efforts to protect such information from being accessible  
239 through other means available to the public. This sub-  
240 subparagraph is subject to the Open Government Sunset Review Act  
241 in accordance with s. 119.15 and shall stand repealed on October  
242 2, 2019, unless reviewed and saved from repeal through  
243 reenactment by the Legislature.

244 n. The home addresses, telephone numbers, dates of birth,  
245 and photographs of current or former impaired practitioner  
246 consultants who are retained by an agency or current or former  
247 employees of an impaired practitioner consultant whose duties  
248 result in a determination of a person's skill and safety to  
249 practice a licensed profession; the names, home addresses,  
250 telephone numbers, dates of birth, and places of employment of  
251 the spouses and children of such consultants or their employees;  
252 and the names and locations of schools and day care facilities  
253 attended by the children of such consultants or employees are  
254 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
255 Constitution if a consultant or employee has made reasonable  
256 efforts to protect such information from being accessible  
257 through other means available to the public. This sub-  
258 subparagraph is subject to the Open Government Sunset Review Act  
259 in accordance with s. 119.15 and shall stand repealed on October  
260 2, 2020, unless reviewed and saved from repeal through  
261 reenactment by the Legislature.

2016592e1

262       o. The home addresses, telephone numbers, dates of birth,  
263 and photographs of current or former emergency medical  
264 technicians or paramedics certified under chapter 401; the  
265 names, home addresses, telephone numbers, dates of birth, and  
266 places of employment of the spouses and children of such  
267 emergency medical technicians or paramedics; and the names and  
268 locations of schools and day care facilities attended by the  
269 children of such emergency medical technicians or paramedics are  
270 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
271 Constitution if the emergency medical technicians or paramedics  
272 have made reasonable efforts to protect such information from  
273 being accessible through other means available to the public.  
274 This sub-subparagraph is subject to the Open Government Sunset  
275 Review Act in accordance with s. 119.15 and shall stand repealed  
276 on October 2, 2021, unless reviewed and saved from repeal  
277 through reenactment by the Legislature.

278       3. An agency that is the custodian of the information  
279 specified in subparagraph 2. and that is not the employer of the  
280 officer, employee, justice, judge, or other person specified in  
281 subparagraph 2. shall maintain the exempt status of that  
282 information only if the officer, employee, justice, judge, other  
283 person, or employing agency of the designated employee submits a  
284 written request for maintenance of the exemption to the  
285 custodial agency.

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

289       5. Except as otherwise expressly provided in this  
290 paragraph, this paragraph is subject to the Open Government

2016592e1

291 Sunset Review Act in accordance with s. 119.15, and shall stand  
292 repealed on October 2, 2017, unless reviewed and saved from  
293 repeal through reenactment by the Legislature.

294       Section 2. The Legislature finds that it is a public  
295 necessity to exempt from public records requirements the home  
296 addresses, telephone numbers, dates of birth, and photographs of  
297 current or former nonsworn investigative personnel of the  
298 Department of Financial Services whose duties include the  
299 investigation of fraud, theft, workers' compensation coverage  
300 requirements and compliance, other related criminal activities,  
301 or state regulatory requirement violations; the names, home  
302 addresses, telephone numbers, dates of birth, and places of  
303 employment of the spouses and children of such personnel; and  
304 the names and locations of schools and day care facilities  
305 attended by the children of such personnel. The efforts of such  
306 personnel can lead to arrests and prosecutions for crimes up to  
307 and including first degree felony violations and can also result  
308 in the loss of commerce and property, the assessment of monetary  
309 finances, or the suspension or loss of professional licenses. The  
310 department has documented numerous instances of personnel who  
311 have been threatened and who have feared repercussions as a  
312 result of carrying out their duties. These threats have included  
313 weapons being brandished, verbal threats made to harm them or  
314 their family members, harassment, and intimidation. The  
315 Legislature finds that the release of such personal identifying  
316 and location information might place these nonsworn  
317 investigative personnel of the department and their family  
318 members in danger of physical and emotional harm from  
319 disgruntled individuals who have contentious reactions to

2016592e1

320 actions taken by such personnel, or whose business or  
321 professional practices have come under the scrutiny of such  
322 personnel. The Legislature further finds that the harm that may  
323 result from the release of such personal identifying and  
324 location information outweighs any public benefit that may be  
325 derived from the disclosure of the information.

326       Section 3. The Legislature finds that it is a public  
327 necessity that the home addresses, telephone numbers, dates of  
328 birth, and photographs of current or former emergency medical  
329 technicians or paramedics certified under chapter 401, Florida  
330 Statutes; that the names, home addresses, telephone numbers, and  
331 places of employment of the spouses and children of such  
332 emergency medical technicians or paramedics; and that the names  
333 and locations of schools and day care facilities attended by the  
334 children of such emergency medical technicians or paramedics be  
335 exempt from public records requirements if the emergency medical  
336 technicians or paramedics have made reasonable efforts to  
337 protect such information from being accessible through other  
338 means available to the public. Emergency medical technicians or  
339 paramedics are public safety officers whose duties as first  
340 responders to accidents and life-threatening events often place  
341 them in traumatic circumstances in which loss of life and severe  
342 bodily injuries have occurred. They often deal with violent,  
343 angry, or mentally unstable individuals. As a result, the  
344 Legislature finds that release of identifying and location  
345 information of emergency medical technicians or paramedics  
346 certified under chapter 401, Florida Statutes, or the spouses  
347 and children of such emergency medical technicians or  
348 paramedics, could place them in danger of being physically or

2016592e1

349 emotionally harmed or stalked by a person who has a hostile  
350 reaction to his or her encounter with such emergency medical  
351 technicians or paramedics. The Legislature further finds that  
352 the harm that may result from the release of such identifying  
353 and location information outweighs any public benefit that may  
354 be derived from the disclosure of the information.

355 Section 4. This act shall take effect upon becoming a law.