



312804

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
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The Committee on Governmental Oversight and Accountability  
(Articles) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term "telephone



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11 numbers" includes home telephone numbers, personal cellular  
12 telephone numbers, personal pager telephone numbers, and  
13 telephone numbers associated with personal communications  
14 devices.

15 2.a.(I) The home addresses, telephone numbers, social  
16 security numbers, dates of birth, and photographs of active or  
17 former sworn or civilian law enforcement personnel, including  
18 correctional and correctional probation officers, personnel of  
19 the Department of Children and Families whose duties include the  
20 investigation of abuse, neglect, exploitation, fraud, theft, or  
21 other criminal activities, personnel of the Department of Health  
22 whose duties are to support the investigation of child abuse or  
23 neglect, and personnel of the Department of Revenue or local  
24 governments whose responsibilities include revenue collection  
25 and enforcement or child support enforcement; the home  
26 addresses, telephone numbers, social security numbers,  
27 photographs, dates of birth, and places of employment of the  
28 spouses and children of such personnel; and the names and  
29 locations of schools and day care facilities attended by the  
30 children of such personnel are exempt from s. 119.07(1).

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

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38 shall stand repealed on October 2, 2018, unless reviewed and  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



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40 (IV) The home addresses, telephone numbers, dates of birth,  
41 and photographs of current or former nonsworn investigative  
42 personnel of the Department of Financial Services whose duties  
43 include the investigation of fraud, theft, workers' compensation  
44 coverage requirements and compliance, other related criminal  
45 activities, or state regulatory requirement violations; the  
46 names, home addresses, telephone numbers, dates of birth, and  
47 places of employment of the spouses and children of such  
48 personnel; and the names and locations of schools and day care  
49 facilities attended by the children of such personnel are exempt  
50 from s. 119.07(1) and s. 24(a), Art. I of the State  
51 Constitution. This sub-sub-subparagraph is subject to the Open  
52 Government Sunset Review Act in accordance with s. 119.15 and  
53 shall stand repealed on October 2, 2021, unless reviewed and  
54 saved from repeal through reenactment by the Legislature.

55 b. The home addresses, telephone numbers, dates of birth,  
56 and photographs of current or former firefighters certified in  
57 compliance with s. 633.408; the names, home addresses, telephone  
58 numbers, photographs, dates of birth, and places of employment  
59 of the spouses and children of such firefighters; and the names  
60 and locations of schools and day care facilities attended by the  
61 children of such firefighters are exempt from s. 119.07(1) and  
62 s. 24(a), Art. I of the State Constitution. This sub-  
63 subparagraph is subject to the Open Government Sunset Review Act  
64 in accordance with s. 119.15, and shall stand repealed on  
65 October 2, 2022, unless reviewed and saved from repeal through  
66 reenactment by the Legislature.

67 c. The home addresses, dates of birth, and telephone  
68 numbers of current or former justices of the Supreme Court,



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69 district court of appeal judges, circuit court judges, and  
70 county court judges; the home addresses, telephone numbers,  
71 dates of birth, and places of employment of the spouses and  
72 children of current or former justices and judges; and the names  
73 and locations of schools and day care facilities attended by the  
74 children of current or former justices and judges are exempt  
75 from s. 119.07(1).

76 d.(I) The home addresses, telephone numbers, social  
77 security numbers, dates of birth, and photographs of current or  
78 former state attorneys, assistant state attorneys, statewide  
79 prosecutors, or assistant statewide prosecutors; the home  
80 addresses, telephone numbers, social security numbers,  
81 photographs, dates of birth, and places of employment of the  
82 spouses and children of current or former state attorneys,  
83 assistant state attorneys, statewide prosecutors, or assistant  
84 statewide prosecutors; and the names and locations of schools  
85 and day care facilities attended by the children of current or  
86 former state attorneys, assistant state attorneys, statewide  
87 prosecutors, or assistant statewide prosecutors are exempt from  
88 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

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



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98 numbers of general magistrates, special magistrates, judges of  
99 compensation claims, administrative law judges of the Division  
100 of Administrative Hearings, and child support enforcement  
101 hearing officers; the home addresses, telephone numbers, dates  
102 of birth, and places of employment of the spouses and children  
103 of general magistrates, special magistrates, judges of  
104 compensation claims, administrative law judges of the Division  
105 of Administrative Hearings, and child support enforcement  
106 hearing officers; and the names and locations of schools and day  
107 care facilities attended by the children of general magistrates,  
108 special magistrates, judges of compensation claims,  
109 administrative law judges of the Division of Administrative  
110 Hearings, and child support enforcement hearing officers are  
111 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
112 Constitution if the general magistrate, special magistrate,  
113 judge of compensation claims, administrative law judge of the  
114 Division of Administrative Hearings, or child support hearing  
115 officer provides a written statement that the general  
116 magistrate, special magistrate, judge of compensation claims,  
117 administrative law judge of the Division of Administrative  
118 Hearings, or child support hearing officer has made reasonable  
119 efforts to protect such information from being accessible  
120 through other means available to the public.

121 f. The home addresses, telephone numbers, dates of birth,  
122 and photographs of current or former human resource, labor  
123 relations, or employee relations directors, assistant directors,  
124 managers, or assistant managers of any local government agency  
125 or water management district whose duties include hiring and  
126 firing employees, labor contract negotiation, administration, or



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127 other personnel-related duties; the names, home addresses,  
128 telephone numbers, dates of birth, and places of employment of  
129 the spouses and children of such personnel; and the names and  
130 locations of schools and day care facilities attended by the  
131 children of such personnel are exempt from s. 119.07(1) and s.  
132 24(a), Art. I of the State Constitution.

133 g. The home addresses, telephone numbers, dates of birth,  
134 and photographs of current or former code enforcement officers;  
135 the names, home addresses, telephone numbers, dates of birth,  
136 and places of employment of the spouses and children of such  
137 personnel; and the names and locations of schools and day care  
138 facilities attended by the children of such personnel are exempt  
139 from s. 119.07(1) and s. 24(a), Art. I of the State  
140 Constitution.

141 h. The home addresses, telephone numbers, places of  
142 employment, dates of birth, and photographs of current or former  
143 guardians ad litem, as defined in s. 39.820; the names, home  
144 addresses, telephone numbers, dates of birth, and places of  
145 employment of the spouses and children of such persons; and the  
146 names and locations of schools and day care facilities attended  
147 by the children of such persons are exempt from s. 119.07(1) and  
148 s. 24(a), Art. I of the State Constitution, if the guardian ad  
149 litem provides a written statement that the guardian ad litem  
150 has made reasonable efforts to protect such information from  
151 being accessible through other means available to the public.

152 i. The home addresses, telephone numbers, dates of birth,  
153 and photographs of current or former juvenile probation  
154 officers, juvenile probation supervisors, detention  
155 superintendents, assistant detention superintendents, juvenile



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156 justice detention officers I and II, juvenile justice detention  
157 officer supervisors, juvenile justice residential officers,  
158 juvenile justice residential officer supervisors I and II,  
159 juvenile justice counselors, juvenile justice counselor  
160 supervisors, human services counselor administrators, senior  
161 human services counselor administrators, rehabilitation  
162 therapists, and social services counselors of the Department of  
163 Juvenile Justice; the names, home addresses, telephone numbers,  
164 dates of birth, and places of employment of spouses and children  
165 of such personnel; and the names and locations of schools and  
166 day care facilities attended by the children of such personnel  
167 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
168 Constitution.

169 j.(I) The home addresses, telephone numbers, dates of  
170 birth, and photographs of current or former public defenders,  
171 assistant public defenders, criminal conflict and civil regional  
172 counsel, and assistant criminal conflict and civil regional  
173 counsel; the home addresses, telephone numbers, dates of birth,  
174 and places of employment of the spouses and children of such  
175 defenders or counsel; and the names and locations of schools and  
176 day care facilities attended by the children of such defenders  
177 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
178 the State Constitution.

179 (II) The names of the spouses and children of the specified  
180 agency personnel identified in sub-sub-subparagraph (I) are  
181 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
182 Constitution. This sub-sub-subparagraph is subject to the Open  
183 Government Sunset Review Act in accordance with s. 119.15 and  
184 shall stand repealed on October 2, 2019, unless reviewed and



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185 saved from repeal through reenactment by the Legislature.

186 k. The home addresses, telephone numbers, and photographs  
187 of current or former investigators or inspectors of the  
188 Department of Business and Professional Regulation; the names,  
189 home addresses, telephone numbers, and places of employment of  
190 the spouses and children of such current or former investigators  
191 and inspectors; and the names and locations of schools and day  
192 care facilities attended by the children of such current or  
193 former investigators and inspectors are exempt from s. 119.07(1)  
194 and s. 24(a), Art. I of the State Constitution if the  
195 investigator or inspector has made reasonable efforts to protect  
196 such information from being accessible through other means  
197 available to the public. This sub-subparagraph is subject to the  
198 Open Government Sunset Review Act in accordance with s. 119.15  
199 and shall stand repealed on October 2, 2017, unless reviewed and  
200 saved from repeal through reenactment by the Legislature.

201 1. The home addresses and telephone numbers of county tax  
202 collectors; the names, home addresses, telephone numbers, and  
203 places of employment of the spouses and children of such tax  
204 collectors; and the names and locations of schools and day care  
205 facilities attended by the children of such tax collectors are  
206 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
207 Constitution if the county tax collector has made reasonable  
208 efforts to protect such information from being accessible  
209 through other means available to the public. This sub-  
210 subparagraph is subject to the Open Government Sunset Review Act  
211 in accordance with s. 119.15 and shall stand repealed on October  
212 2, 2017, unless reviewed and saved from repeal through  
213 reenactment by the Legislature.





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214 m. The home addresses, telephone numbers, dates of birth,  
215 and photographs of current or former personnel of the Department  
216 of Health whose duties include, or result in, the determination  
217 or adjudication of eligibility for social security disability  
218 benefits, the investigation or prosecution of complaints filed  
219 against health care practitioners, or the inspection of health  
220 care practitioners or health care facilities licensed by the  
221 Department of Health; the names, home addresses, telephone  
222 numbers, dates of birth, and places of employment of the spouses  
223 and children of such personnel; and the names and locations of  
224 schools and day care facilities attended by the children of such  
225 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
226 the State Constitution if the personnel have made reasonable  
227 efforts to protect such information from being accessible  
228 through other means available to the public. This sub-  
229 subparagraph is subject to the Open Government Sunset Review Act  
230 in accordance with s. 119.15 and shall stand repealed on October  
231 2, 2019, unless reviewed and saved from repeal through  
232 reenactment by the Legislature.

233 n. The home addresses, telephone numbers, dates of birth,  
234 and photographs of current or former impaired practitioner  
235 consultants who are retained by an agency or current or former  
236 employees of an impaired practitioner consultant whose duties  
237 result in a determination of a person's skill and safety to  
238 practice a licensed profession; the names, home addresses,  
239 telephone numbers, dates of birth, and places of employment of  
240 the spouses and children of such consultants or their employees;  
241 and the names and locations of schools and day care facilities  
242 attended by the children of such consultants or employees are



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243 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
244 Constitution if a consultant or employee has made reasonable  
245 efforts to protect such information from being accessible  
246 through other means available to the public. This sub-  
247 subparagraph is subject to the Open Government Sunset Review Act  
248 in accordance with s. 119.15 and shall stand repealed on October  
249 2, 2020, unless reviewed and saved from repeal through  
250 reenactment by the Legislature.

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

267       p. The home addresses, telephone numbers, dates of birth,  
268 and photographs of current or former personnel employed in an  
269 agency's office of inspector general or internal audit  
270 department whose duties include auditing or investigating waste,  
271 fraud, abuse, theft, exploitation, or other activities that



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272 could lead to criminal prosecution or administrative discipline;  
273 the names, home addresses, telephone numbers, dates of birth,  
274 and places of employment of spouses and children of such  
275 personnel; and the names and locations of schools and day care  
276 facilities attended by the children of such personnel are exempt  
277 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
278 if the personnel have made reasonable efforts to protect such  
279 information from being accessible through other means available  
280 to the public. This sub-subparagraph is subject to the Open  
281 Government Sunset Review Act in accordance with s. 119.15 and  
282 shall stand repealed on October 2, 2021, unless reviewed and  
283 saved from repeal through reenactment by the Legislature.

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

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

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

300 Section 2. (1) The Legislature finds that it is a public



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301 necessity to expand the exemption from public records  
302 requirements currently applicable to the home addresses,  
303 telephone numbers, dates of birth, and photographs of  
304 firefighters certified under s. 633.408, Florida Statutes; the  
305 home addresses, telephone numbers, photographs, dates of birth,  
306 and places of employment of the spouses and children of such  
307 firefighters; and the names and locations of schools and day  
308 care facilities attended by the children of such firefighters to  
309 also include former firefighters and their spouses and children.  
310 The personal identifying and location information of other  
311 former first responders, such as former law enforcement  
312 officers, and their family members, are currently exempt from  
313 public records requirements. Firefighters often respond to  
314 serious emergency situations, ranging from domestic violence to  
315 homicide, and the release of personal identifying and location  
316 information may place former firefighters and their family  
317 members in danger of serious physical or emotional harm by  
318 hostile individuals. This danger continues after a firefighter  
319 leaves employment.

320 (2) The Legislature also finds that it is a public  
321 necessity to exempt the names of the spouses and children of  
322 current and former firefighters from public records  
323 requirements. A disgruntled individual may seek revenge against  
324 a firefighter by targeting his or her the spouse or child.  
325 Releasing the names of a spouses and children makes it easier to  
326 locate and target them for acts of revenge.

327 (3) The Legislature finds that it is a public necessity to  
328 exempt the personal identifying and location information of  
329 current and former firefighters, and their spouses and children,



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330 including the names of their spouses and children, from s.  
331 24(a), Article I of the State Constitution in order to prevent  
332 disclosure of information that can be used to identify or locate  
333 current and former firefighters and their spouses and children.  
334 It is in the public interest to fully protect these governmental  
335 employees and their families and ensure that their identifying  
336 and location information is exempt from public disclosure when  
337 it is held by an entity in the executive, legislative, or  
338 judicial branch of government.

339 (4) The harm that may result from the release of personal  
340 identifying and location information of current and former  
341 firefighters and their families, as well as the names of the  
342 spouses and children of current and former firefighters,  
343 outweighs any public benefit that may be derived from the  
344 disclosure of such information. Therefore, the Legislature finds  
345 that it is a public necessity that the home addresses, telephone  
346 numbers, dates of birth, and photographs of current or former  
347 firefighters certified under s. 633.408, Florida Statutes; the  
348 names, home addresses, telephone numbers, photographs, dates of  
349 birth, and places of employment of the spouses and children of  
350 such firefighters; and the names and locations of schools and  
351 day care facilities attended by the children of such  
352 firefighters be made exempt from s. 119.07(1), Florida Statutes,  
353 and s. 24(a), Article I of the State Constitution.

354 Section 3. This act shall take effect October 1, 2017.

356 ===== T I T L E A M E N D M E N T =====

357 And the title is amended as follows:

358 Delete everything before the enacting clause



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359 and insert:

360                                   A bill to be entitled  
361           An act relating to public records; amending s.  
362           119.071, F.S.; expanding an exemption from public  
363           records requirements for the personal identifying and  
364           location information of certain firefighters and their  
365           spouses and children to include the personal  
366           identifying and location information of former  
367           firefighters and their spouses and children, and the  
368           names of spouses and children of current and former  
369           firefighters; specifying the application of s. 24(a),  
370           Article I of the State Constitution to the exemption;  
371           providing for future legislative review and repeal of  
372           the exemption; providing a statement of public  
373           necessity; providing an effective date.