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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2017	.	
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	.	

The Committee on Children, Families, and Elder Affairs
(Passidomo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 744.21031, Florida Statutes, is created
to read:

744.21031 Public records exemption.—The home addresses,
telephone numbers, dates of birth, places of employment, and
photographs of current or former public guardians; the names,
home addresses, telephone numbers, dates of birth, and places of



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11 employment of the spouses and children of such persons; and the
12 names and locations of schools and day care facilities attended
13 by the children of such persons are exempt from s. 119.07(1) and
14 s. 24(a), Art. I of the State Constitution. An agency that is
15 the custodian of information specified in this section shall
16 maintain the exempt status of that information only if the
17 current or former public guardian submits a written request for
18 maintenance of the exemption to the custodial agency. The
19 exemption in this section applies to information held by an
20 agency before, on, or after the effective date of the exemption.
21 This section is subject to the Open Government Sunset Review Act
22 in accordance with s. 119.15 and shall stand repealed on October
23 2, 2022, unless reviewed and saved from repeal through
24 reenactment by the Legislature.

25 Section 2. (1) The Legislature finds that it is a public
26 necessity that the following identifying and location
27 information be exempt from s. 119.07(1), Florida Statutes, and
28 s. 24(a), Article I of the State Constitution:

29 (a) The home addresses, telephone numbers, dates of birth,
30 places of employment, and photographs of current or former
31 public guardians;

32 (b) The names, home addresses, telephone numbers, dates of
33 birth, and places of employment of spouses and children of such
34 guardians; and

35 (c) The names and locations of schools and day care
36 facilities attended by the children of such guardians.

37 (2) The Legislature finds that the release of such
38 identifying and location information might place current or
39 former public guardians and their family members in danger of



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40 physical and emotional harm from disgruntled individuals who may
41 react inappropriately to actions taken by the public guardians.
42 Public guardians provide a valuable service to the community by
43 helping some of the state's most vulnerable residents. Public
44 guardians help those who lack a willing and qualified family
45 member or friend and do not have the income or assets to pay a
46 professional guardian. Despite the value of this service,
47 however, some persons may become disgruntled with the assistance
48 provided or the decisions a public guardian makes, which may
49 result in a guardian or the guardian's family members becoming
50 potential targets for an act of revenge. The risk continues
51 after a public guardian concludes his or her service because a
52 disgruntled individual may wait to commit an act of revenge
53 until the guardian concludes his or her service. The harm that
54 may result from the release of such personal identifying and
55 location information outweighs any public benefit that may be
56 derived from the disclosure of the information.

57 Section 3. This act shall take effect July 1, 2017.

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete everything before the enacting clause
62 and insert:

63 A bill to be entitled
64 An act relating to public records; creating s.
65 744.21031, F.S.; providing an exemption from public
66 records requirements for certain identifying and
67 location information of current or former public
68 guardians and the spouses and children thereof;



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69 providing for retroactive application; providing for
70 future legislative review and repeal of the exemption;
71 providing a statement of public necessity; providing
72 an effective date.