

ENROLLED

HB 243

2017 Legislature

1  
 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 Office of Financial Regulation and  
 7 the names and personal identifying and location  
 8 information of the spouses and children of such  
 9 personnel; providing for future review and repeal of  
 10 the exemption; providing a statement of public  
 11 necessity; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15 Section 1. Paragraph (d) of subsection (4) of section  
 16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying of  
 18 public records.—

19 (4) AGENCY PERSONNEL INFORMATION.—

20 (d)1. For purposes of this paragraph, the term "telephone  
 21 numbers" includes home telephone numbers, personal cellular  
 22 telephone numbers, personal pager telephone numbers, and  
 23 telephone numbers associated with personal communications  
 24 devices.

25 2.a.(I) The home addresses, telephone numbers, social

ENROLLED

HB 243

2017 Legislature

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

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

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48 shall stand repealed on October 2, 2018, unless reviewed and  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

50 (IV) The home addresses, telephone numbers, dates of

ENROLLED

HB 243

2017 Legislature

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

65 |       (V) The home addresses, telephone numbers, dates of birth,  
66 | and photographs of current or former nonsworn investigative  
67 | personnel of the Office of Financial Regulation's Bureau of  
68 | Financial Investigations whose duties include the investigation  
69 | of fraud, theft, other related criminal activities, or state  
70 | regulatory requirement violations; the names, home addresses,  
71 | telephone numbers, dates of birth, and places of employment of  
72 | the spouses and children of such personnel; and the names and  
73 | locations of schools and day care facilities attended by the  
74 | children of such personnel are exempt from s. 119.07(1) and s.  
75 | 24(a), Art. I of the State Constitution. This sub-sub-

ENROLLED

HB 243

2017 Legislature

76 | subparagraph is subject to the Open Government Sunset Review Act  
77 | in accordance with s. 119.15 and shall stand repealed on October  
78 | 2, 2022, unless reviewed and saved from repeal through  
79 | reenactment by the Legislature.

80 |       b. The home addresses, telephone numbers, dates of birth,  
81 | and photographs of firefighters certified in compliance with s.  
82 | 633.408; the home addresses, telephone numbers, photographs,  
83 | dates of birth, and places of employment of the spouses and  
84 | children of such firefighters; and the names and locations of  
85 | schools and day care facilities attended by the children of such  
86 | firefighters are exempt from s. 119.07(1).

87 |       c. The home addresses, dates of birth, and telephone  
88 | numbers of current or former justices of the Supreme Court,  
89 | district court of appeal judges, circuit court judges, and  
90 | county court judges; the home addresses, telephone numbers,  
91 | dates of birth, and places of employment of the spouses and  
92 | children of current or former justices and judges; and the names  
93 | and locations of schools and day care facilities attended by the  
94 | children of current or former justices and judges are exempt  
95 | from s. 119.07(1).

96 |       d.(I) The home addresses, telephone numbers, social  
97 | security numbers, dates of birth, and photographs of current or  
98 | former state attorneys, assistant state attorneys, statewide  
99 | prosecutors, or assistant statewide prosecutors; the home  
100 | addresses, telephone numbers, social security numbers,

ENROLLED

HB 243

2017 Legislature

101 | photographs, dates of birth, and places of employment of the  
102 | spouses and children of current or former state attorneys,  
103 | assistant state attorneys, statewide prosecutors, or assistant  
104 | statewide prosecutors; and the names and locations of schools  
105 | and day care facilities attended by the children of current or  
106 | former state attorneys, assistant state attorneys, statewide  
107 | prosecutors, or assistant statewide prosecutors are exempt from  
108 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

109 | (II) The names of the spouses and children of current or  
110 | former state attorneys, assistant state attorneys, statewide  
111 | prosecutors, or assistant statewide prosecutors are exempt from  
112 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

117 | e. The home addresses, dates of birth, and telephone  
118 | numbers of general magistrates, special magistrates, judges of  
119 | compensation claims, administrative law judges of the Division  
120 | of Administrative Hearings, and child support enforcement  
121 | hearing officers; the home addresses, telephone numbers, dates  
122 | of birth, and places of employment of the spouses and children  
123 | of general magistrates, special magistrates, judges of  
124 | compensation claims, administrative law judges of the Division  
125 | of Administrative Hearings, and child support enforcement

ENROLLED

HB 243

2017 Legislature

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

141 f. The home addresses, telephone numbers, dates of birth,  
142 and photographs of current or former human resource, labor  
143 relations, or employee relations directors, assistant directors,  
144 managers, or assistant managers of any local government agency  
145 or water management district whose duties include hiring and  
146 firing employees, labor contract negotiation, administration, or  
147 other personnel-related duties; the names, home addresses,  
148 telephone numbers, dates of birth, and places of employment of  
149 the spouses and children of such personnel; and the names and  
150 locations of schools and day care facilities attended by the

ENROLLED

HB 243

2017 Legislature

151 children of such personnel are exempt from s. 119.07(1) and s.  
152 24(a), Art. I of the State Constitution.

153 g. The home addresses, telephone numbers, dates of birth,  
154 and photographs of current or former code enforcement officers;  
155 the names, home addresses, telephone numbers, dates of birth,  
156 and places of employment of the spouses and children of such  
157 personnel; and the names and locations of schools and day care  
158 facilities attended by the children of such personnel are exempt  
159 from s. 119.07(1) and s. 24(a), Art. I of the State  
160 Constitution.

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

172 i. The home addresses, telephone numbers, dates of birth,  
173 and photographs of current or former juvenile probation  
174 officers, juvenile probation supervisors, detention  
175 superintendents, assistant detention superintendents, juvenile

ENROLLED

HB 243

2017 Legislature

176 justice detention officers I and II, juvenile justice detention  
177 officer supervisors, juvenile justice residential officers,  
178 juvenile justice residential officer supervisors I and II,  
179 juvenile justice counselors, juvenile justice counselor  
180 supervisors, human services counselor administrators, senior  
181 human services counselor administrators, rehabilitation  
182 therapists, and social services counselors of the Department of  
183 Juvenile Justice; the names, home addresses, telephone numbers,  
184 dates of birth, and places of employment of spouses and children  
185 of such personnel; and the names and locations of schools and  
186 day care facilities attended by the children of such personnel  
187 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
188 Constitution.

189 j.(I) The home addresses, telephone numbers, dates of  
190 birth, and photographs of current or former public defenders,  
191 assistant public defenders, criminal conflict and civil regional  
192 counsel, and assistant criminal conflict and civil regional  
193 counsel; the home addresses, telephone numbers, dates of birth,  
194 and places of employment of the spouses and children of such  
195 defenders or counsel; and the names and locations of schools and  
196 day care facilities attended by the children of such defenders  
197 or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
198 the State Constitution.

199 (II) The names of the spouses and children of the  
200 specified agency personnel identified in sub-sub-subparagraph



ENROLLED

HB 243

2017 Legislature

201 (I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
202 State Constitution. This sub-sub-subparagraph is subject to the  
203 Open Government Sunset Review Act in accordance with s. 119.15  
204 and shall stand repealed on October 2, 2019, unless reviewed and  
205 saved from repeal through reenactment by the Legislature.

206 k. The home addresses, telephone numbers, and photographs  
207 of current or former investigators or inspectors of the  
208 Department of Business and Professional Regulation; the names,  
209 home addresses, telephone numbers, and places of employment of  
210 the spouses and children of such current or former investigators  
211 and inspectors; and the names and locations of schools and day  
212 care facilities attended by the children of such current or  
213 former investigators and inspectors are exempt from s. 119.07(1)  
214 and s. 24(a), Art. I of the State Constitution if the  
215 investigator or inspector has made reasonable efforts to protect  
216 such information from being accessible through other means  
217 available to the public. This sub-subparagraph is subject to the  
218 Open Government Sunset Review Act in accordance with s. 119.15  
219 and shall stand repealed on October 2, 2017, unless reviewed and  
220 saved from repeal through reenactment by the Legislature.

221 1. The home addresses and telephone numbers of county tax  
222 collectors; the names, home addresses, telephone numbers, and  
223 places of employment of the spouses and children of such tax  
224 collectors; and the names and locations of schools and day care  
225 facilities attended by the children of such tax collectors are

ENROLLED

HB 243

2017 Legislature

226 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
227 Constitution if the county tax collector has made reasonable  
228 efforts to protect such information from being accessible  
229 through other means available to the public. This sub-  
230 subparagraph is subject to the Open Government Sunset Review Act  
231 in accordance with s. 119.15 and shall stand repealed on October  
232 2, 2017, unless reviewed and saved from repeal through  
233 reenactment by the Legislature.

234 m. The home addresses, telephone numbers, dates of birth,  
235 and photographs of current or former personnel of the Department  
236 of Health whose duties include, or result in, the determination  
237 or adjudication of eligibility for social security disability  
238 benefits, the investigation or prosecution of complaints filed  
239 against health care practitioners, or the inspection of health  
240 care practitioners or health care facilities licensed by the  
241 Department of Health; the names, home addresses, telephone  
242 numbers, dates of birth, and places of employment of the spouses  
243 and children of such personnel; and the names and locations of  
244 schools and day care facilities attended by the children of such  
245 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
246 the State Constitution if the personnel have made reasonable  
247 efforts to protect such information from being accessible  
248 through other means available to the public. This sub-  
249 subparagraph is subject to the Open Government Sunset Review Act  
250 in accordance with s. 119.15 and shall stand repealed on October

ENROLLED

HB 243

2017 Legislature

251 2, 2019, unless reviewed and saved from repeal through  
252 reenactment by the Legislature.

253 n. The home addresses, telephone numbers, dates of birth,  
254 and photographs of current or former impaired practitioner  
255 consultants who are retained by an agency or current or former  
256 employees of an impaired practitioner consultant whose duties  
257 result in a determination of a person's skill and safety to  
258 practice a licensed profession; the names, home addresses,  
259 telephone numbers, dates of birth, and places of employment of  
260 the spouses and children of such consultants or their employees;  
261 and the names and locations of schools and day care facilities  
262 attended by the children of such consultants or employees are  
263 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
264 Constitution if a consultant or employee has made reasonable  
265 efforts to protect such information from being accessible  
266 through other means available to the public. This sub-  
267 subparagraph is subject to the Open Government Sunset Review Act  
268 in accordance with s. 119.15 and shall stand repealed on October  
269 2, 2020, unless reviewed and saved from repeal through  
270 reenactment by the Legislature.

271 o. The home addresses, telephone numbers, dates of birth,  
272 and photographs of current or former emergency medical  
273 technicians or paramedics certified under chapter 401; the  
274 names, home addresses, telephone numbers, dates of birth, and  
275 places of employment of the spouses and children of such

ENROLLED

HB 243

2017 Legislature

276 emergency medical technicians or paramedics; and the names and  
277 locations of schools and day care facilities attended by the  
278 children of such emergency medical technicians or paramedics are  
279 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
280 Constitution if the emergency medical technicians or paramedics  
281 have made reasonable efforts to protect such information from  
282 being accessible through other means available to the public.  
283 This sub-subparagraph is subject to the Open Government Sunset  
284 Review Act in accordance with s. 119.15 and shall stand repealed  
285 on October 2, 2021, unless reviewed and saved from repeal  
286 through reenactment by the Legislature.

287 p. The home addresses, telephone numbers, dates of birth,  
288 and photographs of current or former personnel employed in an  
289 agency's office of inspector general or internal audit  
290 department whose duties include auditing or investigating waste,  
291 fraud, abuse, theft, exploitation, or other activities that  
292 could lead to criminal prosecution or administrative discipline;  
293 the names, home addresses, telephone numbers, dates of birth,  
294 and places of employment of spouses and children of such  
295 personnel; and the names and locations of schools and day care  
296 facilities attended by the children of such personnel are exempt  
297 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
298 if the personnel have made reasonable efforts to protect such  
299 information from being accessible through other means available  
300 to the public. This sub-subparagraph is subject to the Open

ENROLLED

HB 243

2017 Legislature

301 Government Sunset Review Act in accordance with s. 119.15 and  
 302 shall stand repealed on October 2, 2021, unless reviewed and  
 303 saved from repeal through reenactment by the Legislature.

304 3. An agency that is the custodian of the information  
 305 specified in subparagraph 2. and that is not the employer of the  
 306 officer, employee, justice, judge, or other person specified in  
 307 subparagraph 2. shall maintain the exempt status of that  
 308 information only if the officer, employee, justice, judge, other  
 309 person, or employing agency of the designated employee submits a  
 310 written request for maintenance of the exemption to the  
 311 custodial agency.

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

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

320 Section 2. The Legislature finds that it is a public  
 321 necessity to exempt from public records requirements the home  
 322 addresses, telephone numbers, dates of birth, and photographs of  
 323 current or former nonsworn investigative personnel of the Office  
 324 of Financial Regulation's Bureau of Financial Investigations  
 325 whose duties include the investigation of fraud, theft, other

ENROLLED

HB 243

2017 Legislature

326 related criminal activities, or state regulatory requirement  
327 violations; the names, home addresses, telephone numbers, dates  
328 of birth, and places of employment of the spouses and children  
329 of such personnel; and the names and locations of schools and  
330 day care facilities attended by the children of such personnel.  
331 The efforts of such personnel can lead to arrests and  
332 prosecutions for crimes up to and including first degree felony  
333 violations and can also result in the loss of commerce and  
334 property, the assessment of monetary fines, or the suspension or  
335 loss of professional licenses. The office has documented  
336 multiple compelling instances of such personnel being threatened  
337 and fearing repercussions as a result of carrying out their  
338 duties. These threats have included weapons being brandished,  
339 verbal threats made to harm them or their family members,  
340 harassment, and intimidation. The Legislature finds that the  
341 release of such personal identifying and location information  
342 might place these nonsworn investigative personnel of the office  
343 and their family members in danger of physical and emotional  
344 harm from disgruntled individuals who have contentious reactions  
345 to actions taken by such personnel, or whose business or  
346 professional practices have come under the scrutiny of such  
347 personnel. The Legislature further finds that the harm that may  
348 result from the release of such personal identifying and  
349 location information outweighs any public benefit that may be  
350 derived from the disclosure of the information.

ENROLLED

HB 243

2017 Legislature

351 | Section 3. This act shall take effect upon becoming a law. |