

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; expanding an exemption from public
 4 records requirements for the personal identifying and
 5 location information of certain firefighters and their
 6 spouses and children to include the personal
 7 identifying and location information of former
 8 firefighters and their spouses and children; providing
 9 for future legislative review and repeal of the
 10 exemption; providing a statement of public necessity;
 11 providing an effective date.

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

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

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 b. The home addresses, telephone numbers, dates of birth,
66 and photographs of current or former firefighters certified in
67 compliance with s. 633.408; the home addresses, telephone
68 numbers, photographs, dates of birth, and places of employment
69 of the spouses and children of such firefighters; and the names
70 and locations of schools and day care facilities attended by the
71 children of such firefighters are exempt from s. 119.07(1). This
72 sub-subparagraph is subject to the Open Government Sunset Review
73 Act in accordance with s. 119.15, and shall stand repealed on
74 October 2, 2022, unless reviewed and saved from repeal through
75 reenactment by the Legislature.

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

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

98 (II) The names of the spouses and children of current or
99 former state attorneys, assistant state attorneys, statewide
100 prosecutors, or assistant statewide prosecutors are exempt from

101 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

106 e. The home addresses, dates of birth, and telephone
107 numbers of general magistrates, special magistrates, judges of
108 compensation claims, administrative law judges of the Division
109 of Administrative Hearings, and child support enforcement
110 hearing officers; the home addresses, telephone numbers, dates
111 of birth, and places of employment of the spouses and children
112 of general magistrates, special magistrates, judges of
113 compensation claims, administrative law judges of the Division
114 of Administrative Hearings, and child support enforcement
115 hearing officers; and the names and locations of schools and day
116 care facilities attended by the children of general magistrates,
117 special magistrates, judges of compensation claims,
118 administrative law judges of the Division of Administrative
119 Hearings, and child support enforcement hearing officers are
120 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
121 Constitution if the general magistrate, special magistrate,
122 judge of compensation claims, administrative law judge of the
123 Division of Administrative Hearings, or child support hearing
124 officer provides a written statement that the general
125 magistrate, special magistrate, judge of compensation claims,

126 administrative law judge of the Division of Administrative
127 Hearings, or child support hearing officer has made reasonable
128 efforts to protect such information from being accessible
129 through other means available to the public.

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

142 g. The home addresses, telephone numbers, dates of birth,
143 and photographs of current or former code enforcement officers;
144 the names, home addresses, telephone numbers, dates of birth,
145 and places of employment of the spouses and children of such
146 personnel; and the names and locations of schools and day care
147 facilities attended by the children of such personnel are exempt
148 from s. 119.07(1) and s. 24(a), Art. I of the State
149 Constitution.

150 h. The home addresses, telephone numbers, places of

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

161 i. The home addresses, telephone numbers, dates of birth,
162 and photographs of current or former juvenile probation
163 officers, juvenile probation supervisors, detention
164 superintendents, assistant detention superintendents, juvenile
165 justice detention officers I and II, juvenile justice detention
166 officer supervisors, juvenile justice residential officers,
167 juvenile justice residential officer supervisors I and II,
168 juvenile justice counselors, juvenile justice counselor
169 supervisors, human services counselor administrators, senior
170 human services counselor administrators, rehabilitation
171 therapists, and social services counselors of the Department of
172 Juvenile Justice; the names, home addresses, telephone numbers,
173 dates of birth, and places of employment of spouses and children
174 of such personnel; and the names and locations of schools and
175 day care facilities attended by the children of such personnel

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

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

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

195 k. The home addresses, telephone numbers, and photographs
196 of current or former investigators or inspectors of the
197 Department of Business and Professional Regulation; the names,
198 home addresses, telephone numbers, and places of employment of
199 the spouses and children of such current or former investigators
200 and inspectors; and the names and locations of schools and day

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

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

223 m. The home addresses, telephone numbers, dates of birth,
224 and photographs of current or former personnel of the Department
225 of Health whose duties include, or result in, the determination

226 or adjudication of eligibility for social security disability
227 benefits, the investigation or prosecution of complaints filed
228 against health care practitioners, or the inspection of health
229 care practitioners or health care facilities licensed by the
230 Department of Health; the names, home addresses, telephone
231 numbers, dates of birth, and places of employment of the spouses
232 and children of such personnel; and the names and locations of
233 schools and day care facilities attended by the children of such
234 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
235 the State Constitution if the personnel have made reasonable
236 efforts to protect such information from being accessible
237 through other means available to the public. This sub-
238 subparagraph is subject to the Open Government Sunset Review Act
239 in accordance with s. 119.15 and shall stand repealed on October
240 2, 2019, unless reviewed and saved from repeal through
241 reenactment by the Legislature.

242 n. The home addresses, telephone numbers, dates of birth,
243 and photographs of current or former impaired practitioner
244 consultants who are retained by an agency or current or former
245 employees of an impaired practitioner consultant whose duties
246 result in a determination of a person's skill and safety to
247 practice a licensed profession; the names, home addresses,
248 telephone numbers, dates of birth, and places of employment of
249 the spouses and children of such consultants or their employees;
250 and the names and locations of schools and day care facilities

251 attended by the children of such consultants or employees are
252 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
253 Constitution if a consultant or employee has made reasonable
254 efforts to protect such information from being accessible
255 through other means available to the public. This sub-
256 subparagraph is subject to the Open Government Sunset Review Act
257 in accordance with s. 119.15 and shall stand repealed on October
258 2, 2020, unless reviewed and saved from repeal through
259 reenactment by the Legislature.

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

276 p. The home addresses, telephone numbers, dates of birth,
277 and photographs of current or former personnel employed in an
278 agency's office of inspector general or internal audit
279 department whose duties include auditing or investigating waste,
280 fraud, abuse, theft, exploitation, or other activities that
281 could lead to criminal prosecution or administrative discipline;
282 the names, home addresses, telephone numbers, dates of birth,
283 and places of employment of spouses and children of such
284 personnel; and the names and locations of schools and day care
285 facilities attended by the children of such personnel are exempt
286 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution
287 if the personnel have made reasonable efforts to protect such
288 information from being accessible through other means available
289 to the public. This sub-subparagraph is subject to the Open
290 Government Sunset Review Act in accordance with s. 119.15 and
291 shall stand repealed on October 2, 2021, unless reviewed and
292 saved from repeal through reenactment by the Legislature.

293 3. An agency that is the custodian of the information
294 specified in subparagraph 2. and that is not the employer of the
295 officer, employee, justice, judge, or other person specified in
296 subparagraph 2. shall maintain the exempt status of that
297 information only if the officer, employee, justice, judge, other
298 person, or employing agency of the designated employee submits a
299 written request for maintenance of the exemption to the
300 custodial agency.

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

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

309 Section 2. The Legislature finds that it is a public
310 necessity to expand the exemption from public records
311 requirements that applies to the home addresses, telephone
312 numbers, dates of birth, and photographs of firefighters
313 certified under s. 633.408; the home addresses, telephone
314 numbers, photographs, dates of birth, and places of employment
315 of the spouses and children of such firefighters; and the names
316 and locations of schools and day care facilities attended by the
317 children of such firefighters to include former firefighters and
318 their spouses and children. The personal identifying and
319 location information of other former first responders, such as
320 former law enforcement officers, and their family members is
321 currently exempt from public records requirements. Firefighters
322 often respond to serious emergency situations ranging from
323 domestic violence to homicide, and the release of personal
324 identifying and location information may place former
325 firefighters and their family members in danger of serious

HB 383

2017

326 | physical or emotional harm by hostile individuals. The
327 | Legislature further finds that the harm that may result from the
328 | release of such identifying and location information outweighs
329 | any public benefit that may be derived from the disclosure of
330 | such information.

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