

By the Committee on Governmental Oversight and Accountability

585-01937-17

20177018__

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., which
4 provides exemptions from public records requirements
5 for certain personal identifying and location
6 information of specified agency personnel, and the
7 spouses and children thereof; revising and
8 reorganizing the exemptions; removing redundant
9 exemptions regarding social security numbers;
10 providing an exemption from public records
11 requirements for the names of the spouses and children
12 of certified firefighters, current or former justices
13 and judges, and certain magistrates, judges, and
14 hearing officers; removing the requirement that
15 specified agency personnel make reasonable efforts to
16 protect access to personal identifying and location
17 information in order be subject to an exemption;
18 providing an exemption from public records
19 requirements for the dates of birth for current or
20 former investigators or inspectors for the Department
21 of Business and Professional Regulation and county tax
22 collectors, and the spouses and children thereof;
23 removing the scheduled repeal of certain exemptions;
24 providing for retroactive application; providing
25 statements of public necessity; providing an effective
26 date.

27
28 Be It Enacted by the Legislature of the State of Florida:
29

585-01937-17

20177018__

30 Section 1. Paragraph (d) of subsection (4) of section
31 119.071, Florida Statutes, is amended to read:

32 119.071 General exemptions from inspection or copying of
33 public records.—

34 (4) AGENCY PERSONNEL INFORMATION.—

35 (d)1. For purposes of this paragraph, the term "telephone
36 numbers" includes home telephone numbers, personal cellular
37 telephone numbers, personal pager telephone numbers, and
38 telephone numbers associated with personal communications
39 devices.

40 2.a. ~~(I)~~ The home addresses, telephone numbers, ~~social~~
41 ~~security numbers~~, dates of birth, and photographs of active or
42 former sworn or civilian law enforcement personnel, including
43 correctional and correctional probation officers, personnel of
44 the Department of Children and Families whose duties include the
45 investigation of abuse, neglect, exploitation, fraud, theft, or
46 other criminal activities, personnel of the Department of Health
47 whose duties are to support the investigation of child abuse or
48 neglect, and personnel of the Department of Revenue or local
49 governments whose responsibilities include revenue collection
50 and enforcement or child support enforcement; the names, home
51 addresses, telephone numbers, ~~social security numbers~~,
52 photographs, dates of birth, and places of employment of the
53 spouses and children of such personnel; and the names and
54 locations of schools and day care facilities attended by the
55 children of such personnel are exempt from s. 119.07(1) and s.
56 24(a), Art. I of the State Constitution.

57 ~~(II) The names of the spouses and children of active or~~
58 ~~former sworn or civilian law enforcement personnel and the other~~

585-01937-17

20177018__

59 ~~specified agency personnel identified in sub-sub-subparagraph~~
60 ~~(I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the~~
61 ~~State Constitution.~~

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

66 b. ~~(IV)~~ The home addresses, telephone numbers, dates of
67 birth, and photographs of current or former nonsworn
68 investigative personnel of the Department of Financial Services
69 whose duties include the investigation of fraud, theft, workers'
70 compensation coverage requirements and compliance, other related
71 criminal activities, or state regulatory requirement violations;
72 the names, home addresses, telephone numbers, dates of birth,
73 and places of employment of the spouses and children of such
74 personnel; and the names and locations of schools and day care
75 facilities attended by the children of such personnel are exempt
76 from s. 119.07(1) and s. 24(a), Art. I of the State
77 Constitution. This sub-subparagraph ~~sub-sub-subparagraph~~ is
78 subject to the Open Government Sunset Review Act in accordance
79 with s. 119.15 and shall stand repealed on October 2, 2021,
80 unless reviewed and saved from repeal through reenactment by the
81 Legislature.

82 c. ~~b.~~ The home addresses, telephone numbers, dates of birth,
83 and photographs of firefighters certified in compliance with s.
84 633.408; the names, home addresses, telephone numbers,
85 photographs, dates of birth, and places of employment of the
86 spouses and children of such firefighters; and the names and
87 locations of schools and day care facilities attended by the

585-01937-17

20177018__

88 children of such firefighters are exempt from s. 119.07(1) and
89 s. 24(a), Art. I of the State Constitution.

90 d.e. The home addresses, dates of birth, and telephone
91 numbers of current or former justices of the Supreme Court,
92 district court of appeal judges, circuit court judges, and
93 county court judges; the names, home addresses, telephone
94 numbers, dates of birth, and places of employment of the spouses
95 and children of current or former justices and judges; and the
96 names and locations of schools and day care facilities attended
97 by the children of current or former justices and judges are
98 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
99 Constitution.

100 e.d.(I) The home addresses, telephone numbers, ~~social~~
101 ~~security numbers,~~ dates of birth, and photographs of current or
102 former state attorneys, assistant state attorneys, statewide
103 prosecutors, or assistant statewide prosecutors; the names, home
104 addresses, telephone numbers, ~~social security numbers,~~
105 photographs, dates of birth, and places of employment of the
106 spouses and children of current or former state attorneys,
107 assistant state attorneys, statewide prosecutors, or assistant
108 statewide prosecutors; and the names and locations of schools
109 and day care facilities attended by the 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 ~~(II) The names of the spouses and children of current or~~
114 ~~former state attorneys, assistant state attorneys, statewide~~
115 ~~prosecutors, or assistant statewide prosecutors are exempt from~~
116 ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~

585-01937-17

20177018__

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

121 f.e. The home addresses, dates of birth, and telephone
122 numbers of general magistrates, special magistrates, judges of
123 compensation claims, administrative law judges of the Division
124 of Administrative Hearings, and child support enforcement
125 hearing officers; the names, home addresses, telephone numbers,
126 dates of birth, and places of employment of the spouses and
127 children of general magistrates, special magistrates, judges of
128 compensation claims, administrative law judges of the Division
129 of Administrative Hearings, and child support enforcement
130 hearing officers; and the names and locations of schools and day
131 care facilities attended by the children of general magistrates,
132 special magistrates, judges of compensation claims,
133 administrative law judges of the Division of Administrative
134 Hearings, and child support enforcement hearing officers are
135 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
136 Constitution ~~if the general magistrate, special magistrate,~~
137 ~~judge of compensation claims, administrative law judge of the~~
138 ~~Division of Administrative Hearings, or child support hearing~~
139 ~~officer provides a written statement that the general~~
140 ~~magistrate, special magistrate, judge of compensation claims,~~
141 ~~administrative law judge of the Division of Administrative~~
142 ~~Hearings, or child support hearing officer has made reasonable~~
143 ~~efforts to protect such information from being accessible~~
144 ~~through other means available to the public.~~

145 g.f. The home addresses, telephone numbers, dates of birth,

585-01937-17

20177018__

146 and photographs of current or former human resource, labor
147 relations, or employee relations directors, assistant directors,
148 managers, or assistant managers of any local government agency
149 or water management district whose duties include hiring and
150 firing employees, labor contract negotiation, administration, or
151 other personnel-related duties; the names, home addresses,
152 telephone numbers, dates of birth, and places of employment of
153 the spouses and children of such personnel; and the names and
154 locations of schools and day care facilities attended by the
155 children of such personnel are exempt from s. 119.07(1) and s.
156 24(a), Art. I of the State Constitution.

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

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

585-01937-17

20177018__

175 ~~being accessible through other means available to the public.~~

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

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

203 ~~(II) The names of the spouses and children of the specified~~

585-01937-17

20177018__

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

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

226 ~~m.l.~~ m.l. The home addresses, and telephone numbers, and dates
227 of birth of county tax collectors; the names, home addresses,
228 telephone numbers, dates of birth, and places of employment of
229 the spouses and children of such tax collectors; and the names
230 and locations of schools and day care facilities attended by the
231 children of such tax collectors are exempt from s. 119.07(1) and
232 s. 24(a), Art. I of the State Constitution ~~if the county tax~~

585-01937-17

20177018__

233 ~~collector has made reasonable efforts to protect such~~
234 ~~information from being accessible through other means available~~
235 ~~to the public. This sub-subparagraph is subject to the Open~~
236 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
237 ~~shall stand repealed on October 2, 2017, unless reviewed and~~
238 ~~saved from repeal through reenactment by the Legislature.~~

239 n.m. The home addresses, telephone numbers, dates of birth,
240 and photographs of current or former personnel of the Department
241 of Health whose duties include, or result in, the determination
242 or adjudication of eligibility for social security disability
243 benefits, the investigation or prosecution of complaints filed
244 against health care practitioners, or the inspection of health
245 care practitioners or health care facilities licensed by the
246 Department of Health; the names, home addresses, telephone
247 numbers, dates of birth, and places of employment of the spouses
248 and children of such personnel; and the names and locations of
249 schools and day care facilities attended by the children of such
250 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
251 the State Constitution if the personnel have made reasonable
252 efforts to protect such information from being accessible
253 through other means available to the public. This sub-
254 subparagraph is subject to the Open Government Sunset Review Act
255 in accordance with s. 119.15 and shall stand repealed on October
256 2, 2019, unless reviewed and saved from repeal through
257 reenactment by the Legislature.

258 o.n. The home addresses, telephone numbers, dates of birth,
259 and photographs of current or former impaired practitioner
260 consultants who are retained by an agency or current or former
261 employees of an impaired practitioner consultant whose duties

585-01937-17

20177018__

262 result in a determination of a person's skill and safety to
263 practice a licensed profession; the names, home addresses,
264 telephone numbers, dates of birth, and places of employment of
265 the spouses and children of such consultants or their employees;
266 and the names and locations of schools and day care facilities
267 attended by the children of such consultants or employees are
268 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
269 Constitution if a consultant or employee has made reasonable
270 efforts to protect such information from being accessible
271 through other means available to the public. This sub-
272 subparagraph is subject to the Open Government Sunset Review Act
273 in accordance with s. 119.15 and shall stand repealed on October
274 2, 2020, unless reviewed and saved from repeal through
275 reenactment by the Legislature.

276 ~~p.e.~~ The home addresses, telephone numbers, dates of birth,
277 and photographs of current or former emergency medical
278 technicians or paramedics certified under chapter 401; the
279 names, home addresses, telephone numbers, dates of birth, and
280 places of employment of the spouses and children of such
281 emergency medical technicians or paramedics; and the names and
282 locations of schools and day care facilities attended by the
283 children of such emergency medical technicians or paramedics are
284 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
285 Constitution if the emergency medical technicians or paramedics
286 have made reasonable efforts to protect such information from
287 being accessible through other means available to the public.
288 This sub-subparagraph is subject to the Open Government Sunset
289 Review Act in accordance with s. 119.15 and shall stand repealed
290 on October 2, 2021, unless reviewed and saved from repeal

585-01937-17

20177018__

291 through reenactment by the Legislature.

292 ~~q.p.~~ The home addresses, telephone numbers, dates of birth,
293 and photographs of current or former personnel employed in an
294 agency's office of inspector general or internal audit
295 department whose duties include auditing or investigating waste,
296 fraud, abuse, theft, exploitation, or other activities that
297 could lead to criminal prosecution or administrative discipline;
298 the names, home addresses, telephone numbers, dates of birth,
299 and places of employment of spouses and children of such
300 personnel; and the names and locations of schools and day care
301 facilities attended by the children of such personnel are exempt
302 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution
303 if the personnel have made reasonable efforts to protect such
304 information from being accessible through other means available
305 to the public. This sub-subparagraph is subject to the Open
306 Government Sunset Review Act in accordance with s. 119.15 and
307 shall stand repealed on October 2, 2021, unless reviewed and
308 saved from repeal through reenactment by the Legislature.

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

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

585-01937-17

20177018__

320 ~~5. Except as otherwise expressly provided in this~~
321 ~~paragraph, this paragraph is subject to the Open Government~~
322 ~~Sunset Review Act in accordance with s. 119.15, and shall stand~~
323 ~~repealed on October 2, 2017, unless reviewed and saved from~~
324 ~~repeal through reenactment by the Legislature.~~

325 Section 2. (1) (a) The Legislature finds that it is a public
326 necessity that the following information be exempt from s.
327 24(a), Article I of the State Constitution:

328 1. The home addresses, telephone numbers, dates of birth,
329 and photographs of active or former sworn or civilian law
330 enforcement personnel, including correctional and correctional
331 probation officers, personnel of the Department of Children and
332 Families whose duties include the investigation of abuse,
333 neglect, exploitation, fraud, theft, or other criminal
334 activities, personnel of the Department of Health whose duties
335 are to support the investigation of child abuse or neglect, and
336 personnel of the Department of Revenue or local governments
337 whose responsibilities include revenue collection and
338 enforcement or child support enforcement; the home addresses,
339 telephone numbers, photographs, dates of birth, and places of
340 employment of the spouses and children of such personnel; and
341 the names and locations of schools and day care facilities
342 attended by the children of such personnel;

343 2. The home addresses, telephone numbers, dates of birth,
344 and photographs of firefighters certified in compliance with s.
345 633.408, Florida Statutes; the home addresses, telephone
346 numbers, photographs, dates of birth, and places of employment
347 of the spouses and children of such firefighters; and the names
348 and locations of schools and day care facilities attended by the

585-01937-17

20177018__

349 children of such firefighters; and

350 3. The home addresses, dates of birth, and telephone
351 numbers of current or former justices of the Supreme Court,
352 district court of appeal judges, circuit court judges, and
353 county court judges; the home addresses, telephone numbers,
354 dates of birth, and places of employment of the spouses and
355 children of current or former justices and judges; and the names
356 and locations of schools and day care facilities attended by the
357 children of current or former justices and judges.

358 (b) The Legislature finds that it is a public necessity to
359 exempt this information from s. 24(a), Article I of the State
360 Constitution in order to prevent disclosure of information that
361 can be used to identify or locate these governmental personnel
362 and their spouses and children. These governmental personnel
363 perform duties that can adversely affect the rights of members
364 of public. Members of the public can face criminal and civil
365 liability resulting in the loss of liberty, child custody,
366 licensure, money, and access to entitlements because of the
367 actions taken by these governmental personnel. Adversely
368 affected people, their families, or their friends may place
369 blame on these governmental personnel for arrests,
370 investigations, or judicial intervention. Governmental personnel
371 may also be threatened or harmed by victims who believe
372 governmental personnel did not adequately perform their duties.
373 Such governmental personnel are subject to threats and violence
374 on and off duty, and these threats persist after they leave
375 their jobs. The threat of danger and revenge extend to the
376 spouses and children of these governmental personnel.

377 (c) Furthermore, the combination of personal identification

585-01937-17

20177018__

378 and location information can be used as a tool to perpetuate
379 fraud against these governmental personnel and to acquire
380 sensitive personal, financial, medical, and familial
381 information, the release of which could cause great financial
382 harm to these individuals and their families. Identity theft can
383 also harm these governmental personnel and their families'
384 reputations. It is in the public interest to protect fully these
385 governmental employees and their families and to ensure that
386 their identifying and location information is exempt from public
387 disclosure when it is held by an entity in the executive,
388 legislative, or judicial branch of government.

389 (2) (a) The Legislature finds that it is a public necessity
390 to exempt the names of the children and spouses of the following
391 governmental personnel from s. 119.07(1), Florida Statutes, and
392 s. 24(a), Article I of the State Constitution:

393 1. Firefighters certified in compliance with s. 633.408,
394 Florida Statutes;

395 2. Current or former justices of the Supreme Court,
396 district court of appeal judges, circuit court judges, and
397 county court judges; and

398 3. General magistrates, special magistrates, judges of
399 compensation claims, administrative law judges of the Division
400 of Administrative Hearings, and child support enforcement
401 hearing officers.

402 (b) Such personnel are often required to interact with
403 members of the public while they are in difficult circumstances.
404 These personnel and their families are subject to threats by
405 members of the public who may seek revenge against them.

406 Allowing public access to the names of children and spouses will

585-01937-17

20177018__

407 make the families of these personnel easy to find and expose
408 them to threats or acts of revenge. Threats or acts of revenge
409 against the children and spouses of such personnel could
410 compromise the governmental personnel's ability to perform their
411 duties without fear of retaliation.

412 (3) (a) The Legislature finds that it is a public necessity
413 to make the following information exempt from s. 119.07(1),
414 Florida Statutes, and s. 24(a), Article I of the State
415 Constitution, regardless of whether such individuals made
416 reasonable efforts to protect such information from being
417 public:

418 1. The home addresses, dates of birth, and telephone
419 numbers of general magistrates, special magistrates, judges of
420 compensation claims, administrative law judges of the Division
421 of Administrative Hearings, and child support enforcement
422 hearing officers; the names, home addresses, telephone numbers,
423 dates of birth, and places of employment of the spouses and
424 children of general magistrates, special magistrates, judges of
425 compensation claims, administrative law judges of the Division
426 of Administrative Hearings, and child support enforcement
427 hearing officers; and the names and locations of schools and day
428 care facilities attended by the children of general magistrates,
429 special magistrates, judges of compensation claims,
430 administrative law judges of the Division of Administrative
431 Hearings, and child support enforcement hearing officers;

432 2. The home addresses, telephone numbers, dates of birth,
433 and photographs of current or former guardians ad litem, as
434 defined in s. 39.820, Florida Statutes; the names, home
435 addresses, telephone numbers, dates of birth, and places of

585-01937-17

20177018__

436 employment of the spouses and children of such persons; and the
437 names and locations of schools and day care facilities attended
438 by the children of such persons;

439 3. The home addresses, telephone numbers, dates of birth,
440 and photographs of current or former investigators or inspectors
441 of the Department of Business and Professional Regulation; the
442 names, home addresses, telephone numbers, dates of birth, and
443 places of employment of the spouses and children of such current
444 or former investigators and inspectors; and the names and
445 locations of schools and day care facilities attended by the
446 children of such current or former investigators and inspectors;
447 and

448 4. The home addresses, telephone numbers, and dates of
449 birth of county tax collectors; the names, home addresses,
450 telephone numbers, dates of birth, and places of employment of
451 the spouses and children of such tax collectors; and the names
452 and locations of schools and day care facilities attended by the
453 children of such tax collectors.

454 (b) The Legislature finds that exempting identifying and
455 location information from public disclosure requirements
456 protects governmental personnel, guardians ad litem, and their
457 family members from danger of physical and emotional harm from
458 disgruntled criminal defendants, litigants, licensees,
459 taxpayers, and other members of the public. These individuals
460 may be subject to threats or acts of revenge because of the
461 duties they perform. Their family members are also endangered by
462 people who may seek to intimidate or harm such personnel or
463 guardians ad litem. In addition, criminals could use
464 identification and location information for identity theft that

585-01937-17

20177018__

465 can cause financial harm to these governmental personnel,
466 guardians ad litem, and their families. The harm that might
467 result from the release of exempt information outweighs any
468 public benefit that could be derived from disclosure. For these
469 reasons, the exemptions should be applied without requiring such
470 governmental personnel or guardians ad litem prove that they
471 have not made their information public.

472 (c) In addition, requiring these governmental personnel or
473 guardians ad litem prove that they made reasonable efforts to
474 protect their identification and location information is an
475 added burden on these individuals as well as on agencies
476 receiving a public records request. The extent to which these
477 individuals must protect their information from public
478 accessibility is unclear. It is also unclear how much proof an
479 agency needs in order to grant the exemption. The burden on an
480 agency to verify whether these individuals have protected from
481 public disclosure their identifying and location information
482 adversely impacts the effective and efficient administration of
483 government in establishing who is eligible for an exemption.
484 Relatively few public records exemptions require an individual
485 to prove that he or she made reasonable efforts to protect his
486 or her information from being available to the public. Such
487 inconsistencies among public records exemptions reduce accuracy
488 and efficiency when redacting exempt information when a public
489 records request for agency personnel information is made. It is
490 not in the public interest for the public to receive
491 inaccurately redacted information.

492 (4) (a) The Legislature finds that it is a public necessity
493 that the dates of birth of the following people be exempt from

585-01937-17

20177018__

494 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
495 State Constitution:

496 1. Current or former investigators or inspectors of the
497 Department of Business and Professional Regulation and their
498 spouses and children; and

499 2. County tax collectors and their spouses and children.

500 (b) Dates of birth can be used as a tool to perpetuate
501 fraud against an individual and to acquire sensitive personal,
502 financial, medical, and familial information, the release of
503 which could cause great financial harm to an individual and his
504 or her family. Identity theft can also be used to harm their
505 reputations and good name.

506 (5) The Legislature finds that the amendments to s.
507 119.071(4)(d), Florida Statutes, made by this act are necessary
508 to bring greater uniformity among public records exemptions for
509 agency personnel information because exempted information
510 currently varies from exemption to exemption. Inconsistencies
511 between public records exemptions for agency personnel
512 information result in increased inaccuracy and inefficiency when
513 information must be redacted in response to a public records
514 request. Unnecessary complexity increases the likelihood that
515 public records custodians may inaccurately redact information in
516 a record. As a result, the public could receive information that
517 improperly redacts information that is not exempt or have access
518 to exempt information that should have been redacted. It is not
519 in the interest of the public to receive inaccurately redacted
520 information, or to unnecessarily pay fees for staff time
521 associated with redacting extraneous information. In addition,
522 the accidental release of personal identifying and location

585-01937-17

20177018__

523 information can endanger personnel or otherwise negate the
524 purpose of the exemption.

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