

**By** the Committees on Rules; and Governmental Oversight and Accountability

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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 record requirements  
5           for certain personal identifying and location  
6           information of specified agency personnel, and the  
7           spouses and children thereof; revising the exemptions;  
8           removing redundant exemptions for social security  
9           numbers; providing an exemption from public record  
10          requirements for the names of the spouses and children  
11          of certain agency personnel; providing an exemption  
12          from public record requirements for the dates of birth  
13          for certain agency personnel and their spouses and  
14          children; removing the scheduled repeal of certain  
15          exemptions; providing for retroactive application;  
16          providing for future legislative review and repeal of  
17          certain exemptions; providing statements of public  
18          necessity; providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22           Section 1. Paragraph (d) of subsection (4) of section  
23           119.071, Florida Statutes, is amended to read:

24           119.071 General exemptions from inspection or copying of  
25           public records.—

26           (4) AGENCY PERSONNEL INFORMATION.—

27           (d)1. For purposes of this paragraph, the term "telephone  
28           numbers" includes home telephone numbers, personal cellular  
29           telephone numbers, personal pager telephone numbers, and

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30 telephone numbers associated with personal communications  
31 devices.

32 2.a.~~(I)~~ The home addresses, telephone numbers, ~~social~~  
33 ~~security numbers,~~ dates of birth, and photographs of active or  
34 former sworn or civilian law enforcement personnel, including  
35 correctional and correctional probation officers, personnel of  
36 the Department of Children and Families whose duties include the  
37 investigation of abuse, neglect, exploitation, fraud, theft, or  
38 other criminal activities, personnel of the Department of Health  
39 whose duties are to support the investigation of child abuse or  
40 neglect, and personnel of the Department of Revenue or local  
41 governments whose responsibilities include revenue collection  
42 and enforcement or child support enforcement; the names, home  
43 addresses, telephone numbers, ~~social security numbers,~~  
44 photographs, dates of birth, and places of employment of the  
45 spouses and children of such personnel; and the names and  
46 locations of schools and day care facilities attended by the  
47 children of such personnel are exempt from s. 119.07(1) and s.  
48 24(a), Art. I of the State Constitution. This sub-subparagraph  
49 is subject to the Open Government Sunset Review Act in  
50 accordance with s. 119.15 and shall stand repealed on October 2,  
51 2022, unless reviewed and saved from repeal through reenactment  
52 by the Legislature.

53 ~~(II) The names of the spouses and children of active or~~  
54 ~~former sworn or civilian law enforcement personnel and the other~~  
55 ~~specified agency personnel identified in sub-sub-subparagraph~~  
56 ~~(I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the~~  
57 ~~State Constitution.~~

58 ~~(III) Sub-sub-subparagraph (II) is subject to the Open~~

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59 ~~Government Sunset Review Act in accordance with s. 119.15, and~~  
60 ~~shall stand repealed on October 2, 2018, unless reviewed and~~  
61 ~~saved from repeal through reenactment by the Legislature.~~

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

78 ~~c.b.~~ The home addresses, telephone numbers, dates of birth,  
79 and photographs of firefighters certified in compliance with s.  
80 633.408; the names, home addresses, telephone numbers,  
81 photographs, dates of birth, and places of employment of the  
82 spouses and children of such firefighters; and the names and  
83 locations of schools and day care facilities attended by the  
84 children of such firefighters are exempt from s. 119.07(1) and  
85 s. 24(a), Art. I of the State Constitution. This sub-  
86 subparagraph is subject to the Open Government Sunset Review Act  
87 in accordance with s. 119.15 and shall stand repealed on October

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88 2, 2022, unless reviewed and saved from repeal through  
89 reenactment by the Legislature.

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. This sub-subparagraph is subject to the Open  
100 Government Sunset Review Act in accordance with s. 119.15 and  
101 shall stand repealed on October 2, 2022, unless reviewed and  
102 saved from repeal through reenactment by the Legislature.

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

116 ~~(II) The names of the spouses and children of current or~~

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117 ~~former state attorneys, assistant state attorneys, statewide~~  
118 ~~prosecutors, or assistant statewide prosecutors are exempt from~~  
119 ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~

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

124 f.e. The home addresses, dates of birth, and telephone  
125 numbers of general magistrates, special magistrates, judges of  
126 compensation claims, administrative law judges of the Division  
127 of Administrative Hearings, and child support enforcement  
128 hearing officers; the names, home addresses, telephone numbers,  
129 dates of birth, and places of employment of the spouses and  
130 children of general magistrates, special magistrates, judges of  
131 compensation claims, administrative law judges of the Division  
132 of Administrative Hearings, and child support enforcement  
133 hearing officers; and the names and locations of schools and day  
134 care facilities attended by the children of general magistrates,  
135 special magistrates, judges of compensation claims,  
136 administrative law judges of the Division of Administrative  
137 Hearings, and child support enforcement hearing officers are  
138 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
139 Constitution. This sub-subparagraph is subject to the Open  
140 Government Sunset Review Act in accordance with s. 119.15 and  
141 shall stand repealed on October 2, 2022, unless reviewed and  
142 saved from repeal through reenactment by the Legislature ~~if the~~  
143 ~~general magistrate, special magistrate, judge of compensation~~  
144 ~~claims, administrative law judge of the Division of~~  
145 ~~Administrative Hearings, or child support hearing officer~~

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146 ~~provides a written statement that the general magistrate,~~  
147 ~~special magistrate, judge of compensation claims, administrative~~  
148 ~~law judge of the Division of Administrative Hearings, or child~~  
149 ~~support hearing officer has made reasonable efforts to protect~~  
150 ~~such information from being accessible through other means~~  
151 ~~available to the public.~~

152 g.f. The home addresses, telephone numbers, dates of birth,  
153 and photographs of current or former human resource, labor  
154 relations, or employee relations directors, assistant directors,  
155 managers, or assistant managers of any local government agency  
156 or water management district whose duties include hiring and  
157 firing employees, labor contract negotiation, administration, or  
158 other personnel-related duties; the names, home addresses,  
159 telephone numbers, dates of birth, and places of employment of  
160 the spouses and children of such personnel; and the names and  
161 locations of schools and day care facilities attended by the  
162 children of such personnel are exempt from s. 119.07(1) and s.  
163 24(a), Art. I of the State Constitution.

164 h.g. The home addresses, telephone numbers, dates of birth,  
165 and photographs of current or former code enforcement officers;  
166 the names, home addresses, telephone numbers, dates of birth,  
167 and places of employment of the spouses and children of such  
168 personnel; and the names and locations of schools and day care  
169 facilities attended by the children of such personnel are exempt  
170 from s. 119.07(1) and s. 24(a), Art. I of the State  
171 Constitution.

172 i.h. The home addresses, telephone numbers, places of  
173 employment, dates of birth, and photographs of current or former  
174 guardians ad litem, as defined in s. 39.820; the names, home

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175 addresses, telephone numbers, dates of birth, and places of  
176 employment of the spouses and children of such persons; and the  
177 names and locations of schools and day care facilities attended  
178 by the children of such persons are exempt from s. 119.07(1) and  
179 s. 24(a), Art. I of the State Constitution. This sub-  
180 subparagraph is subject to the Open Government Sunset Review Act  
181 in accordance with s. 119.15 and shall stand repealed on October  
182 2, 2022, unless reviewed and saved from repeal through  
183 reenactment by the Legislature, if the guardian ad litem  
184 provides a written statement that the guardian ad litem has made  
185 reasonable efforts to protect such information from being  
186 accessible through other means available to the public.

187 j.i. The home addresses, telephone numbers, dates of birth,  
188 and photographs of current or former juvenile probation  
189 officers, juvenile probation supervisors, detention  
190 superintendents, assistant detention superintendents, juvenile  
191 justice detention officers I and II, juvenile justice detention  
192 officer supervisors, juvenile justice residential officers,  
193 juvenile justice residential officer supervisors I and II,  
194 juvenile justice counselors, juvenile justice counselor  
195 supervisors, human services counselor administrators, senior  
196 human services counselor administrators, rehabilitation  
197 therapists, and social services counselors of the Department of  
198 Juvenile Justice; the names, home addresses, telephone numbers,  
199 dates of birth, and places of employment of spouses and children  
200 of such personnel; and the names and locations of schools and  
201 day care facilities attended by the children of such personnel  
202 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
203 Constitution.

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204        k.j. ~~(I)~~ The home addresses, telephone numbers, dates of  
205 birth, and photographs of current or former public defenders,  
206 assistant public defenders, criminal conflict and civil regional  
207 counsel, and assistant criminal conflict and civil regional  
208 counsel; the names, home addresses, telephone numbers, dates of  
209 birth, and places of employment of the spouses and children of  
210 such defenders or counsel; and the names and locations of  
211 schools and day care facilities attended by the children of such  
212 defenders or counsel are exempt from s. 119.07(1) and s. 24(a),  
213 Art. I of the State Constitution.

214        ~~(II) The names of the spouses and children of the specified~~  
215 ~~agency personnel identified in sub-sub-subparagraph (I) are~~  
216 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
217 ~~Constitution. This sub-sub-subparagraph is subject to the Open~~  
218 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
219 ~~shall stand repealed on October 2, 2019, unless reviewed and~~  
220 ~~saved from repeal through reenactment by the Legislature.~~

221        l.k. The home addresses, telephone numbers, dates of birth,  
222 and photographs of current or former investigators or inspectors  
223 of the Department of Business and Professional Regulation; the  
224 names, home addresses, telephone numbers, dates of birth, and  
225 places of employment of the spouses and children of such current  
226 or former investigators and inspectors; and the names and  
227 locations of schools and day care facilities attended by the  
228 children of such current or former investigators and inspectors  
229 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
230 Constitution ~~if the investigator or inspector has made~~  
231 ~~reasonable efforts to protect such information from being~~  
232 ~~accessible through other means available to the public. This~~



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233 sub-subparagraph is subject to the Open Government Sunset Review  
234 Act in accordance with s. 119.15 and shall stand repealed on  
235 October 2, 2022 ~~2017~~, unless reviewed and saved from repeal  
236 through reenactment by the Legislature.

237 ~~m.1.~~ m. The home addresses, ~~and~~ and telephone numbers, and dates  
238 of birth of county tax collectors; the names, home addresses,  
239 telephone numbers, dates of birth, and places of employment of  
240 the spouses and children of such tax collectors; and the names  
241 and locations of schools and day care facilities attended by the  
242 children of such tax collectors are exempt from s. 119.07(1) and  
243 s. 24(a), Art. I of the State Constitution ~~if the county tax~~  
244 ~~collector has made reasonable efforts to protect such~~  
245 ~~information from being accessible through other means available~~  
246 ~~to the public~~. This sub-subparagraph is subject to the Open  
247 Government Sunset Review Act in accordance with s. 119.15 and  
248 shall stand repealed on October 2, 2022 ~~2017~~, unless reviewed  
249 and saved from repeal through reenactment by the Legislature.

250 ~~n.m.~~ n.m. The home addresses, telephone numbers, dates of birth,  
251 and photographs of current or former personnel of the Department  
252 of Health whose duties include, or result in, the determination  
253 or adjudication of eligibility for social security disability  
254 benefits, the investigation or prosecution of complaints filed  
255 against health care practitioners, or the inspection of health  
256 care practitioners or health care facilities licensed by the  
257 Department of Health; the names, home addresses, telephone  
258 numbers, dates of birth, and places of employment of the spouses  
259 and children of such personnel; and the names and locations of  
260 schools and day care facilities attended by the children of such  
261 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of

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262 the State Constitution ~~if the personnel have made reasonable~~  
263 ~~efforts to protect such information from being accessible~~  
264 ~~through other means available to the public.~~ This sub-  
265 subparagraph is subject to the Open Government Sunset Review Act  
266 in accordance with s. 119.15 and shall stand repealed on October  
267 2, 2019, unless reviewed and saved from repeal through  
268 reenactment by the Legislature.

269 ~~o.n.~~ The home addresses, telephone numbers, dates of birth,  
270 and photographs of current or former impaired practitioner  
271 consultants who are retained by an agency or current or former  
272 employees of an impaired practitioner consultant whose duties  
273 result in a determination of a person's skill and safety to  
274 practice a licensed profession; the names, home addresses,  
275 telephone numbers, dates of birth, and places of employment of  
276 the spouses and children of such consultants or their employees;  
277 and the names and locations of schools and day care facilities  
278 attended by the children of such consultants or employees are  
279 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
280 Constitution ~~if a consultant or employee has made reasonable~~  
281 ~~efforts to protect such information from being accessible~~  
282 ~~through other means available to the public.~~ This sub-  
283 subparagraph is subject to the Open Government Sunset Review Act  
284 in accordance with s. 119.15 and shall stand repealed on October  
285 2, 2020, unless reviewed and saved from repeal through  
286 reenactment by the Legislature.

287 ~~p.e.~~ The home addresses, telephone numbers, dates of birth,  
288 and photographs of current or former emergency medical  
289 technicians or paramedics certified under chapter 401; the  
290 names, home addresses, telephone numbers, dates of birth, and

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291 places of employment of the spouses and children of such  
292 emergency medical technicians or paramedics; and the names and  
293 locations of schools and day care facilities attended by the  
294 children of such emergency medical technicians or paramedics are  
295 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
296 Constitution ~~if the emergency medical technicians or paramedics~~  
297 ~~have made reasonable efforts to protect such information from~~  
298 ~~being accessible through other means available to the public.~~  
299 This sub-subparagraph is subject to the Open Government Sunset  
300 Review Act in accordance with s. 119.15 and shall stand repealed  
301 on October 2, 2021, unless reviewed and saved from repeal  
302 through reenactment by the Legislature.

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

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320 3. An agency that is the custodian of the information  
321 specified in subparagraph 2. and that is not the employer of the  
322 officer, employee, justice, judge, or other person specified in  
323 subparagraph 2. shall maintain the exempt status of that  
324 information only if the officer, employee, justice, judge, other  
325 person, or employing agency of the designated employee submits a  
326 written request for maintenance of the exemption to the  
327 custodial agency.

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

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

336 Section 2. (1) (a) The Legislature finds that it is a public  
337 necessity that the following information be made exempt from s.  
338 24(a), Article I of the State Constitution:

339 1. The home addresses, telephone numbers, dates of birth,  
340 and photographs of active or former sworn or civilian law  
341 enforcement personnel, including correctional and correctional  
342 probation officers; personnel of the Department of Children and  
343 Families whose duties include the investigation of abuse,  
344 neglect, exploitation, fraud, theft, or other criminal  
345 activities; personnel of the Department of Health whose duties  
346 are to support the investigation of child abuse or neglect; and  
347 personnel of the Department of Revenue or local governments  
348 whose responsibilities include revenue collection and

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349 enforcement or child support enforcement; the home addresses,  
350 telephone numbers, photographs, dates of birth, and places of  
351 employment of the spouses and children of such personnel; and  
352 the names and locations of schools and day care facilities  
353 attended by the children of such personnel;

354 2. The home addresses, telephone numbers, dates of birth,  
355 and photographs of firefighters certified in compliance with s.  
356 633.408, Florida Statutes; the home addresses, telephone  
357 numbers, photographs, dates of birth, and places of employment  
358 of the spouses and children of such firefighters; and the names  
359 and locations of schools and day care facilities attended by the  
360 children of such firefighters; and

361 3. The home addresses, dates of birth, and telephone  
362 numbers of current or former justices of the Supreme Court,  
363 district court of appeal judges, circuit court judges, and  
364 county court judges; the home addresses, telephone numbers,  
365 dates of birth, and places of employment of the spouses and  
366 children of current or former justices and judges; and the names  
367 and locations of schools and day care facilities attended by the  
368 children of current or former justices and judges.

369 (b) The Legislature finds that it is a public necessity to  
370 exempt this information from s. 24(a), Article I of the State  
371 Constitution in order to prevent disclosure of information that  
372 can be used to identify or locate these governmental personnel  
373 and their spouses and children. These governmental personnel  
374 perform duties that can adversely affect the rights of members  
375 of the public. Adversely affected people and their families or  
376 friends may place blame on these governmental personnel for  
377 arrests, investigations, or judicial intervention. Governmental

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378 personnel may also be threatened or harmed by victims who  
379 believe governmental personnel did not adequately perform their  
380 duties. Such governmental personnel are subject to threats and  
381 violence on and off duty, and these threats persist after such  
382 personnel leave work. The threat of danger and revenge extends  
383 to the spouses and children of these governmental personnel.

384 (c) Furthermore, the combination of personal identification  
385 and location information can be used as a tool to perpetuate  
386 fraud against these governmental personnel and to acquire  
387 sensitive personal, financial, medical, and familial  
388 information, the release of which could cause great financial  
389 harm to these individuals and their families. Identity theft can  
390 also harm these governmental personnel and their families'  
391 reputations. It is in the public interest to protect fully these  
392 governmental employees and their families and to ensure that  
393 their identifying and location information is exempt from public  
394 disclosure when it is held by an entity in the executive,  
395 legislative, or judicial branch of government.

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

400 1. Firefighters certified in compliance with s. 633.408,  
401 Florida Statutes;

402 2. Current or former justices of the Supreme Court,  
403 district court of appeal judges, circuit court judges, and  
404 county court judges; and

405 3. General magistrates, special magistrates, judges of  
406 compensation claims, administrative law judges of the Division

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407 of Administrative Hearings, and child support enforcement  
408 hearing officers.

409 (b) Such personnel are often required to interact with  
410 members of the public who are in difficult circumstances. These  
411 personnel and their families are subject to threats by members  
412 of the public who may seek revenge against them. Allowing public  
413 access to the names of children and spouses of such personnel  
414 will make the children and spouses of these personnel easy to  
415 find and expose them to threats or acts of revenge. Threats or  
416 acts of revenge against the children and spouses of such  
417 personnel could compromise the governmental personnel's ability  
418 to perform their duties without fear of retaliation.

419 (3) (a) The Legislature finds that it is a public necessity  
420 to make the following information exempt from s. 119.07(1),  
421 Florida Statutes, and s. 24(a), Article I of the State  
422 Constitution, regardless of whether such individuals made  
423 reasonable efforts to protect such information from being  
424 public:

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

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436 special magistrates, judges of compensation claims,  
437 administrative law judges of the Division of Administrative  
438 Hearings, and child support enforcement hearing officers.

439 2. The home addresses, telephone numbers, places of  
440 employment, dates of birth, and photographs of current or former  
441 guardians ad litem, as defined in s. 39.820, Florida Statutes;  
442 the names, home addresses, telephone numbers, dates of birth,  
443 and places of employment of the spouses and children of such  
444 persons; and the names and locations of schools and day care  
445 facilities attended by the children of such persons.

446 3. The home addresses, telephone numbers, dates of birth,  
447 and photographs of current or former investigators or inspectors  
448 of the Department of Business and Professional Regulation; the  
449 names, home addresses, telephone numbers, dates of birth, and  
450 places of employment of the spouses and children of current or  
451 former investigators and inspectors; and the names and locations  
452 of schools and day care facilities attended by the children of  
453 current or former investigators and inspectors.

454 4. The home addresses, telephone numbers, and dates of  
455 birth of county tax collectors; the names, home addresses,  
456 telephone numbers, dates of birth, and places of employment of  
457 the spouses and children of such tax collectors; and the names  
458 and locations of schools and day care facilities attended by the  
459 children of such tax collectors.

460 5. The home addresses, telephone numbers, dates of birth,  
461 and photographs of current or former personnel of the Department  
462 of Health whose duties include, or result in, the determination  
463 or adjudication of eligibility for social security disability  
464 benefits, the investigation or prosecution of complaints filed



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465 against health care practitioners, or the inspection of health  
466 care practitioners or health care facilities licensed by the  
467 Department of Health; the names, home addresses, telephone  
468 numbers, dates of birth, and places of employment of the spouses  
469 and children of such personnel; and the names and locations of  
470 schools and day care facilities attended by the children of such  
471 personnel.

472 6. The home addresses, telephone numbers, dates of birth,  
473 and photographs of current or former impaired practitioner  
474 consultants who are retained by an agency or current or former  
475 employees of an impaired practitioner consultant whose duties  
476 result in a determination of a person's skill and safety to  
477 practice a licensed profession; the names, home addresses,  
478 telephone numbers, dates of birth, and places of employment of  
479 the spouses and children of such consultants or their employees;  
480 and the names and locations of schools and day care facilities  
481 attended by the children of such consultants or employees.

482 7. The home addresses, telephone numbers, dates of birth,  
483 and photographs of current or former emergency medical  
484 technicians or paramedics certified under chapter 401, Florida  
485 Statutes; the names, home addresses, telephone numbers, dates of  
486 birth, and places of employment of the spouses and children of  
487 such emergency medical technicians or paramedics; and the names  
488 and locations of schools and day care facilities attended by the  
489 children of such emergency medical technicians or paramedics.

490 8. The home addresses, telephone numbers, dates of birth,  
491 and photographs of current or former personnel employed in an  
492 agency's office of inspector general or internal audit  
493 department whose duties include auditing or investigating waste,

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494 fraud, abuse, theft, exploitation, or other activities that  
495 could lead to criminal prosecution or administrative discipline;  
496 the names, home addresses, telephone numbers, dates of birth,  
497 and places of employment of spouses and children of such  
498 personnel; and the names and locations of schools and day care  
499 facilities attended by the children of such personnel.

500 (b) The Legislature finds that exempting identifying and  
501 location information from public disclosure requirements  
502 protects such personnel and their spouses and children from  
503 danger of physical and emotional harm from disgruntled criminal  
504 defendants, litigants, licensees, taxpayers, and other members  
505 of the public. Such personnel may be subject to threats or acts  
506 of revenge because of the duties they perform. The spouses and  
507 children of such personnel are also endangered by people who may  
508 seek to intimidate or harm such personnel. In addition,  
509 criminals could use identification and location information for  
510 identity theft that can cause financial harm to these personnel  
511 and their spouses and children. The harm that might result from  
512 the release of exempt information outweighs any public benefit  
513 that could be derived from disclosure. For these reasons, the  
514 exemptions should be applied without requiring such personnel  
515 prove that they have not made their information public.

516 (c) In addition, requiring these personnel prove that they  
517 made reasonable efforts to protect their identification and  
518 location information is an added burden on these individuals as  
519 well as on agencies receiving a public records request. The  
520 extent to which these individuals must protect their information  
521 from public accessibility is unclear. It is also unclear how  
522 much proof an agency needs in order to grant the exemption. The

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523 burden on an agency to verify whether these individuals have  
524 protected from public disclosure their identifying and location  
525 information adversely impacts the effective and efficient  
526 administration of government in establishing who is eligible for  
527 an exemption. Relatively few public record exemptions require an  
528 individual to prove that he or she made reasonable efforts to  
529 protect his or her information from being available to the  
530 public. Such inconsistencies among public record exemptions  
531 reduce accuracy and efficiency when redacting exempt information  
532 when a public records request for agency personnel information  
533 is made. It is not in the public interest for the public to  
534 receive inaccurately redacted information.

535 (4) (a) The Legislature finds that it is a public necessity  
536 that the dates of birth of the following people be made exempt  
537 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of  
538 the State Constitution:

539 1. Current or former investigators or inspectors of the  
540 Department of Business and Professional Regulation and their  
541 spouses and children; and

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

543 (b) Dates of birth can be used as a tool to perpetuate  
544 fraud against an individual and to acquire sensitive personal,  
545 financial, medical, and familial information, the release of  
546 which could cause great financial harm to an individual and his  
547 or her family. Identity theft can also be used to harm their  
548 reputations and good name.

549 (5) The Legislature finds that the amendments to s.  
550 119.071(4)(d), Florida Statutes, made by this act are necessary  
551 to bring greater uniformity among public record exemptions for

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552 agency personnel information because exempted information  
553 currently varies from exemption to exemption. Inconsistencies  
554 between public record exemptions for agency personnel  
555 information result in increased inaccuracy and inefficiency when  
556 information must be redacted in response to a public record  
557 request. Unnecessary complexity increases the likelihood that  
558 public record custodians may inaccurately redact information in  
559 a record. As a result, the public could receive an improperly  
560 redacted record that contains information that is not exempt or  
561 have access to exempt information that should have been  
562 redacted. It is not in the interest of the public to receive  
563 inaccurately redacted information, or to unnecessarily pay fees  
564 for staff time associated with redacting extraneous information.  
565 In addition, the accidental release of personal identifying and  
566 location information can endanger personnel or otherwise negate  
567 the purpose of the exemption.

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