

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.071, F.S.; providing an exemption from public  
 4           records requirements for certain identifying and  
 5           location information of current or former directors,  
 6           managers, supervisors, nurses, and clinical employees  
 7           of an addiction treatment facility, and the spouses  
 8           and children thereof; providing a definition;  
 9           providing for future legislative review and repeal of  
 10          the exemption; requiring such personnel to submit a  
 11          specified written request to a custodial agency to  
 12          maintain the exempt status of such information in  
 13          certain circumstances; providing for retroactive  
 14          application; providing a statement of public  
 15          necessity; providing an effective date.

16  
 17   Be It Enacted by the Legislature of the State of Florida:

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 19           Section 1. Paragraph (d) of subsection (4) of section  
 20   119.071, Florida Statutes, is amended to read:

21           119.071 General exemptions from inspection or copying of  
 22   public records.—

23           (4) AGENCY PERSONNEL INFORMATION.—

24           (d)1. For purposes of this paragraph, the term "telephone  
 25   numbers" includes home telephone numbers, personal cellular

26 | telephone numbers, personal pager telephone numbers, and  
27 | telephone numbers associated with personal communications  
28 | devices.

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

49 |       b. The home addresses, telephone numbers, dates of birth,  
50 | and photographs of current or former nonsworn investigative

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

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

76 | accordance with s. 119.15 and shall stand repealed on October 2,  
77 | 2022, unless reviewed and saved from repeal through reenactment  
78 | by the Legislature.

79 |       d. The home addresses, telephone numbers, dates of birth,  
80 | and photographs of current or former firefighters certified in  
81 | compliance with s. 633.408; the names, home addresses, telephone  
82 | numbers, photographs, dates of birth, and places of employment  
83 | of the spouses and children of such firefighters; and the names  
84 | and locations of schools and day care facilities attended by the  
85 | children of such firefighters are exempt from s. 119.07(1) and  
86 | s. 24(a), Art. I of the State Constitution. This sub-  
87 | subparagraph is subject to the Open Government Sunset Review Act  
88 | in accordance with s. 119.15, and shall stand repealed on  
89 | October 2, 2022, unless reviewed and saved from repeal through  
90 | reenactment by the Legislature.

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

101 Government Sunset Review Act in accordance with s. 119.15 and  
102 shall stand repealed on October 2, 2022, unless reviewed and  
103 saved from repeal through reenactment by the Legislature.

104 f. The home addresses, telephone numbers, dates of birth,  
105 and photographs of current or former state attorneys, assistant  
106 state attorneys, statewide prosecutors, or assistant statewide  
107 prosecutors; the names, home addresses, telephone 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 g. The home addresses, dates of birth, and telephone  
117 numbers of general magistrates, special magistrates, judges of  
118 compensation claims, administrative law judges of the Division  
119 of Administrative Hearings, and child support enforcement  
120 hearing officers; the names, home addresses, telephone numbers,  
121 dates of birth, and places of employment of the spouses and  
122 children 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; and the names and locations of schools and day

126 care facilities attended by the children of general magistrates,  
127 special magistrates, judges of compensation claims,  
128 administrative law judges of the Division of Administrative  
129 Hearings, and child support enforcement hearing officers are  
130 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
131 Constitution. This sub-subparagraph is subject to the Open  
132 Government Sunset Review Act in accordance with s. 119.15 and  
133 shall stand repealed on October 2, 2022, unless reviewed and  
134 saved from repeal through reenactment by the Legislature.

135 h. The home addresses, telephone numbers, dates of birth,  
136 and photographs of current or former human resource, labor  
137 relations, or employee relations directors, assistant directors,  
138 managers, or assistant managers of any local government agency  
139 or water management district whose duties include hiring and  
140 firing employees, labor contract negotiation, administration, or  
141 other personnel-related duties; the names, home addresses,  
142 telephone numbers, dates of birth, and places of employment of  
143 the spouses and children of such personnel; and the names and  
144 locations of schools and day care facilities attended by the  
145 children of such personnel are exempt from s. 119.07(1) and s.  
146 24(a), Art. I of the State Constitution.

147 i. The home addresses, telephone numbers, dates of birth,  
148 and photographs of current or former code enforcement officers;  
149 the names, home addresses, telephone numbers, dates of birth,  
150 and places of employment of the spouses and children of such

151 personnel; and the names and locations of schools and day care  
152 facilities attended by the children of such personnel are exempt  
153 from s. 119.07(1) and s. 24(a), Art. I of the State  
154 Constitution.

155 j. The home addresses, telephone numbers, places of  
156 employment, dates of birth, and photographs of current or former  
157 guardians ad litem, as defined in s. 39.820; the names, home  
158 addresses, telephone numbers, dates of birth, and places of  
159 employment of the spouses and children of such persons; and the  
160 names and locations of schools and day care facilities attended  
161 by the children of such persons are exempt from s. 119.07(1) and  
162 s. 24(a), Art. I of the State Constitution. This sub-  
163 subparagraph is subject to the Open Government Sunset Review Act  
164 in accordance with s. 119.15 and shall stand repealed on October  
165 2, 2022, unless reviewed and saved from repeal through  
166 reenactment by the Legislature.

167 k. The home addresses, telephone numbers, dates of birth,  
168 and photographs of current or former juvenile probation  
169 officers, juvenile probation supervisors, detention  
170 superintendents, assistant detention superintendents, juvenile  
171 justice detention officers I and II, juvenile justice detention  
172 officer supervisors, juvenile justice residential officers,  
173 juvenile justice residential officer supervisors I and II,  
174 juvenile justice counselors, juvenile justice counselor  
175 supervisors, human services counselor administrators, senior

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

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

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



201 children of such current or former investigators and inspectors  
202 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
203 Constitution. This sub-subparagraph is subject to the Open  
204 Government Sunset Review Act in accordance with s. 119.15 and  
205 shall stand repealed on October 2, 2022, unless reviewed and  
206 saved from repeal through reenactment by the Legislature.

207 n. The home addresses, telephone numbers, and dates of  
208 birth of county tax collectors; the names, home addresses,  
209 telephone numbers, dates of birth, and places of employment of  
210 the spouses and children of such tax collectors; and the names  
211 and locations of schools and day care facilities attended by the  
212 children of such tax collectors are exempt from s. 119.07(1) and  
213 s. 24(a), Art. I of the State Constitution. This sub-  
214 subparagraph is subject to the Open Government Sunset Review Act  
215 in accordance with s. 119.15 and shall stand repealed on October  
216 2, 2022, unless reviewed and saved from repeal through  
217 reenactment by the Legislature.

218 o. The home addresses, telephone numbers, dates of birth,  
219 and photographs of current or former personnel of the Department  
220 of Health whose duties include, or result in, the determination  
221 or adjudication of eligibility for social security disability  
222 benefits, the investigation or prosecution of complaints filed  
223 against health care practitioners, or the inspection of health  
224 care practitioners or health care facilities licensed by the  
225 Department of Health; the names, home addresses, telephone

226 numbers, dates of birth, and places of employment of the spouses  
227 and children of such personnel; and the names and locations of  
228 schools and day care facilities attended by the children of such  
229 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
230 the State Constitution. This sub-subparagraph is subject to the  
231 Open Government Sunset Review Act in accordance with s. 119.15  
232 and shall stand repealed on October 2, 2019, unless reviewed and  
233 saved from repeal through reenactment by the Legislature.

234 p. The home addresses, telephone numbers, dates of birth,  
235 and photographs of current or former impaired practitioner  
236 consultants who are retained by an agency or current or former  
237 employees of an impaired practitioner consultant whose duties  
238 result in a determination of a person's skill and safety to  
239 practice a licensed profession; the names, home addresses,  
240 telephone numbers, dates of birth, and places of employment of  
241 the spouses and children of such consultants or their employees;  
242 and the names and locations of schools and day care facilities  
243 attended by the children of such consultants or employees are  
244 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
245 Constitution. This sub-subparagraph is subject to the Open  
246 Government Sunset Review Act in accordance with s. 119.15 and  
247 shall stand repealed on October 2, 2020, unless reviewed and  
248 saved from repeal through reenactment by the Legislature.

249 q. The home addresses, telephone numbers, dates of birth,  
250 and photographs of current or former emergency medical

251 technicians or paramedics certified under chapter 401; the  
252 names, home addresses, telephone numbers, dates of birth, and  
253 places of employment of the spouses and children of such  
254 emergency medical technicians or paramedics; and the names and  
255 locations of schools and day care facilities attended by the  
256 children of such emergency medical technicians or paramedics are  
257 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
258 Constitution. This sub-subparagraph is subject to the Open  
259 Government Sunset Review Act in accordance with s. 119.15 and  
260 shall stand repealed on October 2, 2021, unless reviewed and  
261 saved from repeal through reenactment by the Legislature.

262 r. The home addresses, telephone numbers, dates of birth,  
263 and photographs of current or former personnel employed in an  
264 agency's office of inspector general or internal audit  
265 department whose duties include auditing or investigating waste,  
266 fraud, abuse, theft, exploitation, or other activities that  
267 could lead to criminal prosecution or administrative discipline;  
268 the names, home addresses, telephone numbers, dates of birth,  
269 and places of employment of spouses and children of such  
270 personnel; and the names and locations of schools and day care  
271 facilities attended by the children of such personnel are exempt  
272 from s. 119.07(1) and s. 24(a), Art. I of the State  
273 Constitution. This sub-subparagraph is subject to the Open  
274 Government Sunset Review Act in accordance with s. 119.15 and  
275 shall stand repealed on October 2, 2021, unless reviewed and

276 saved from repeal through reenactment by the Legislature.

277 s. The home addresses, telephone numbers, dates of birth,  
278 and photographs of current or former directors, managers,  
279 supervisors, nurses, and clinical employees of an addiction  
280 treatment facility; the home addresses, telephone numbers,  
281 photographs, dates of birth, and places of employment of the  
282 spouses and children of such personnel; and the names and  
283 locations of schools and day care facilities attended by the  
284 children of such personnel are exempt from s. 119.07(1) and s.  
285 24(a), Art. I of the State Constitution. For purposes of this  
286 sub-subparagraph, the term "addiction treatment facility" means  
287 a county government, or agency thereof, that is licensed  
288 pursuant to s. 397.401, and provides substance abuse prevention,  
289 intervention, or clinical treatment, including any licensed  
290 service component described in s. 397.311(26). This sub-  
291 subparagraph is subject to the Open Government Sunset Review Act  
292 in accordance with s. 119.15 and shall stand repealed on October  
293 2, 2023, unless reviewed and saved from repeal through  
294 reenactment by the Legislature.

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

301 written request for maintenance of the exemption to the  
302 custodial agency.

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

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

310 (a) The home addresses, telephone numbers, dates of birth,  
311 and photographs of current or former directors, managers,  
312 supervisors, nurses, and clinical employees of an addiction  
313 treatment facility.

314 (b) The home addresses, telephone numbers, photographs,  
315 dates of birth, and places of employment of the spouses and  
316 children of personnel identified in paragraph (a).

317 (c) The names and locations of schools and day care  
318 facilities attended by the children of personnel identified in  
319 paragraph (a).

320 (2) The Legislature finds that the release of such  
321 identifying and location information may place current or former  
322 directors, managers, supervisors, nurses, and clinical employees  
323 of an addiction treatment facility and their family members in  
324 danger of physical and emotional harm from disgruntled  
325 individuals who may react inappropriately and violently to

326 actions taken by such directors, managers, supervisors, nurses,  
327 or clinical employees. Individuals with substance use and mental  
328 health disorders are some of this state's most vulnerable  
329 residents, and such personnel provide these individuals with  
330 valuable services that are supportive, necessary, and  
331 appropriate. Despite the value of these services, some  
332 individuals may become disgruntled with the assistance provided  
333 or the recommendations or decisions such personnel make, which  
334 may result in such personnel or their family members becoming a  
335 target of an act of revenge. The risk continues after such  
336 personnel concludes his or her service because a disgruntled  
337 individual may wait to commit an act of revenge until after such  
338 personnel has concluded his or her service. The harm that may  
339 result from the release of such identifying and location  
340 information outweighs any public benefit that may be derived  
341 from the disclosure of the information. Therefore, the  
342 Legislature finds that the identifying and location information  
343 of directors, managers, supervisors, nurses, or clinical  
344 employees of an addiction treatment facility and their spouses  
345 and children must be held exempt from public records  
346 requirements.

347 Section 3. This act shall take effect July 1, 2018.