

By Senator Book

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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 to certain identifying and  
5       location information of current or former directors,  
6       managers, supervisors, and clinical employees of child  
7       advocacy centers that meet certain standards and  
8       requirements, members of a child protection team, and  
9       the spouses and children thereof; providing for  
10      retroactive application; providing for future  
11      legislative review and repeal of the exemption;  
12      providing a statement of public necessity; providing  
13      an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Paragraph (d) of subsection (4) of section  
18       119.071, Florida Statutes, is amended to read:

19       119.071 General exemptions from inspection or copying of  
20       public records.—

21       (4) AGENCY PERSONNEL INFORMATION.—

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

27       2.a. The home addresses, telephone numbers, dates of birth,  
28       and photographs of active or former sworn or civilian law  
29       enforcement personnel, including correctional and correctional

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

47 b. The home addresses, telephone numbers, dates of birth,  
48 and photographs of current or former nonsworn investigative  
49 personnel of the Department of Financial Services whose duties  
50 include the investigation of fraud, theft, workers' compensation  
51 coverage requirements and compliance, other related criminal  
52 activities, or state regulatory requirement violations; the  
53 names, home addresses, telephone numbers, dates of birth, and  
54 places of employment of the spouses and children of such  
55 personnel; and the names and locations of schools and day care  
56 facilities attended by the children of such personnel are exempt  
57 from s. 119.07(1) and s. 24(a), Art. I of the State  
58 Constitution. This sub-subparagraph 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, 2021, unless reviewed and  
61 saved from repeal through reenactment by the Legislature.

62 c. The home addresses, telephone numbers, dates of birth,  
63 and photographs of current or former nonsworn investigative  
64 personnel of the Office of Financial Regulation's Bureau of  
65 Financial Investigations whose duties include the investigation  
66 of fraud, theft, other related criminal activities, or state  
67 regulatory requirement violations; the names, home addresses,  
68 telephone numbers, dates of birth, and places of employment of  
69 the spouses and children of such personnel; and the names and  
70 locations of schools and day care facilities attended by the  
71 children of such personnel are exempt from s. 119.07(1) and s.  
72 24(a), Art. I of the State Constitution. This sub-subparagraph  
73 is subject to the Open Government Sunset Review Act in  
74 accordance with s. 119.15 and shall stand repealed on October 2,  
75 2022, unless reviewed and saved from repeal through reenactment  
76 by the Legislature.

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

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88 reenactment by the Legislature.

89 e. The home addresses, dates of birth, and telephone  
90 numbers of current or former justices of the Supreme Court,  
91 district court of appeal judges, circuit court judges, and  
92 county court judges; the names, home addresses, telephone  
93 numbers, dates of birth, and places of employment of the spouses  
94 and children of current or former justices and judges; and the  
95 names and locations of schools and day care facilities attended  
96 by the children of current or former justices and judges are  
97 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
98 Constitution. This sub-subparagraph is subject to the Open  
99 Government Sunset Review Act in accordance with s. 119.15 and  
100 shall stand repealed on October 2, 2022, unless reviewed and  
101 saved from repeal through reenactment by the Legislature.

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

114 g. The home addresses, dates of birth, and telephone  
115 numbers of general magistrates, special magistrates, judges of  
116 compensation claims, administrative law judges of the Division

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117 of Administrative Hearings, and child support enforcement  
118 hearing officers; the names, home addresses, telephone numbers,  
119 dates of birth, and places of employment of the spouses and  
120 children of general magistrates, special magistrates, judges of  
121 compensation claims, administrative law judges of the Division  
122 of Administrative Hearings, and child support enforcement  
123 hearing officers; and the names and locations of schools and day  
124 care facilities attended by the children of general magistrates,  
125 special magistrates, judges of compensation claims,  
126 administrative law judges of the Division of Administrative  
127 Hearings, and child support enforcement hearing officers are  
128 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
129 Constitution. This sub-subparagraph is subject to the Open  
130 Government Sunset Review Act in accordance with s. 119.15 and  
131 shall stand repealed on October 2, 2022, unless reviewed and  
132 saved from repeal through reenactment by the Legislature.

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

145 i. The home addresses, telephone numbers, dates of birth,

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

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

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

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

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

192 m. The home addresses, telephone numbers, dates of birth,  
193 and photographs of current or former investigators or inspectors  
194 of the Department of Business and Professional Regulation; the  
195 names, home addresses, telephone numbers, dates of birth, and  
196 places of employment of the spouses and children of such current  
197 or former investigators and inspectors; and the names and  
198 locations of schools and day care facilities attended by the  
199 children of such current or former investigators and inspectors  
200 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
201 Constitution. This sub-subparagraph is subject to the Open  
202 Government Sunset Review Act in accordance with s. 119.15 and  
203 shall stand repealed on October 2, 2022, unless reviewed and

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204 saved from repeal through reenactment by the Legislature.

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

216 o. The home addresses, telephone numbers, dates of birth,  
217 and photographs of current or former personnel of the Department  
218 of Health whose duties include, or result in, the determination  
219 or adjudication of eligibility for social security disability  
220 benefits, the investigation or prosecution of complaints filed  
221 against health care practitioners, or the inspection of health  
222 care practitioners or health care facilities licensed by the  
223 Department of Health; the names, home addresses, telephone  
224 numbers, dates of birth, and places of employment of the spouses  
225 and children of such personnel; and the names and locations of  
226 schools and day care facilities attended by the children of such  
227 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
228 the State Constitution. This sub-subparagraph is subject to the  
229 Open Government Sunset Review Act in accordance with s. 119.15  
230 and shall stand repealed on October 2, 2019, unless reviewed and  
231 saved from repeal through reenactment by the Legislature.

232 p. The home addresses, telephone numbers, dates of birth,



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

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

260 r. The home addresses, telephone numbers, dates of birth,  
261 and photographs of current or former personnel employed in an

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

275 s. The home addresses, telephone numbers, social security  
276 numbers, dates of birth, and photographs of current or former  
277 directors, managers, supervisors, and clinical employees of a  
278 child advocacy center that meets the standards of s. 39.3035(1)  
279 and fulfills the screening requirement of s. 39.3035(2), and the  
280 members of a child protection team as described in s. 39.303  
281 whose duties are to support the investigation of child abuse or  
282 sexual abuse, child abandonment, child neglect, and child  
283 exploitation or to provide services as part of a  
284 multidisciplinary case review team; the home addresses,  
285 telephone numbers, social security numbers, photographs, dates  
286 of birth, and places of employment of the spouses and children  
287 of such personnel and members; and the names and locations of  
288 schools and day care facilities attended by the children of such  
289 personnel and members are exempt from s. 119.07(1) and s. 24(a),  
290 Art. I of the State Constitution. This sub-subparagraph is

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291 subject to the Open Government Sunset Review Act in accordance  
292 with s. 119.15 and shall stand repealed on October 2, 2023,  
293 unless reviewed and saved from repeal through reenactment by the  
294 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, social security  
311 numbers, dates of birth, and photographs of current or former  
312 directors, managers, supervisors, and clinical employees of a  
313 child advocacy center that meets the standards of s. 39.3035(1),  
314 Florida Statutes, and fulfills the screening requirement of s.  
315 39.3035(2), Florida Statutes.

316 (b) The home addresses, telephone numbers, social security  
317 numbers, dates of birth, and photographs of current or former  
318 members of a child protection team as described in s. 39.303,  
319 Florida Statutes.

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320       (c) The home addresses, telephone numbers, social security  
321 numbers, photographs, dates of birth, and places of employment  
322 of the spouses and children of personnel and members identified  
323 in paragraphs (a) and (b).

324       (d) The names and locations of schools and day care  
325 facilities attended by the children of such personnel and  
326 members.

327       (2) The Legislature finds that the release of such  
328 identifying and location information may place current or former  
329 directors, managers, supervisors, and clinical employees of a  
330 child advocacy center that meets the standards of s. 39.3035(1),  
331 Florida Statutes, and fulfills the screening requirement of s.  
332 39.3035(2), Florida Statutes, and the members of a child  
333 protection team as described in s. 39.303, Florida Statutes, and  
334 their family members, in danger of physical and emotional harm  
335 from hostile persons who may react inappropriately and violently  
336 to actions taken by such directors, managers, supervisors, or  
337 clinical employees of a child advocacy center or a member of a  
338 child protection team. These personnel and members provide  
339 services that are necessary and appropriate for abused,  
340 abandoned, neglected, and exploited children. In addition, these  
341 personnel and members provide valuable and supportive services  
342 to the state's most vulnerable residents. Despite the value of  
343 such services, some persons may become hostile toward these  
344 personnel and members and may pose a threat to them  
345 indefinitely. The harm that may result from the release of such  
346 personal identifying and location information outweighs any  
347 public benefit that may be derived from the disclosure of the  
348 information.

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