



332120

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2018	.	
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The Committee on Rules (Passidomo) recommended the following:

Senate Amendment (with title amendment)

Delete lines 29 - 75

and insert:

any transactions of a ward's funds, assets, or property; who
under the supervision of the guardian, manages the care of the
ward; or who makes any health care decision, as defined in s.
765.101, on behalf of the ward. This exemption applies to
information held by an agency before, on, or after July 1, 2018.
An agency that is the custodian of the information specified in
this section shall maintain the exempt status of that



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12 information only if the current or former public guardians and
13 employees with fiduciary responsibility submit to the custodial
14 agency a written request for maintenance of the exemption. This
15 section is subject to the Open Government Sunset Review Act in
16 accordance with s. 119.15 and shall stand repealed on October 2,
17 2023, unless reviewed and saved from repeal through reenactment
18 by the Legislature.

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

23 (a) The home addresses, telephone numbers, dates of birth,
24 places of employment, and photographs of current or former
25 public guardians and employees with fiduciary responsibility;

26 (b) The names, home addresses, telephone numbers, dates of
27 birth, and places of employment of spouses and children of such
28 guardians and employees with fiduciary responsibility; and

29 (c) The names and locations of schools and day care
30 facilities attended by the children of such guardians and
31 employees with fiduciary responsibility.

32 (2) The Legislature finds that the release of such
33 identifying and location information might place current or
34 former public guardians and employees with fiduciary
35 responsibility and their family members in danger of physical
36 and emotional harm from disgruntled individuals who react
37 inappropriately to actions taken by the public guardians and
38 employees with fiduciary responsibility. Public guardians and
39 employees with fiduciary responsibility provide a valuable
40 service to the community by helping some of the state's most



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41 vulnerable residents who lack the physical or mental capacity to
42 take care of most aspects of their own personal affairs. Public
43 guardians and employees with fiduciary responsibility help those
44 who lack a willing and qualified family member or friend and who
45 do not have the income or assets to pay a professional guardian.

46 (3) Despite the value of this service, however, some
47 persons, including a public guardian's own wards, become
48 disgruntled with the assistance provided or the decisions a
49 public guardian or an employee with fiduciary responsibility
50 makes, which can result in a guardian or an employee with
51 fiduciary responsibility or the family members of the guardian
52 or the employee with fiduciary responsibility becoming potential
53 targets for an act of revenge. Wards have harassed their public
54 guardians with threats of incarceration, violence, and death
55 through voicemail messages and social media. Wards have also
56 left voicemail messages threatening to kill themselves and
57 others,

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete line 9

62 and insert:

63 providing for retroactive application; requiring an
64 agency that is the custodian of certain information to
65 maintain the exempt status of that information only if
66 the current or former public guardians and employees
67 with fiduciary responsibility submit a written request
68 for maintenance of the exemption to the custodial
69 agency; providing for