

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 business e-mail addresses of
 5 current justices and judges; providing for future
 6 legislative review and repeal of the exemption;
 7 providing a statement of public necessity; providing
 8 an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Paragraph (d) of subsection (4) of section
 13 119.071, Florida Statutes, is amended to read:

14 119.071 General exemptions from inspection or copying of
 15 public records.—

16 (4) AGENCY PERSONNEL INFORMATION.—

17 (d)1. For purposes of this paragraph, the term "telephone
 18 numbers" includes home telephone numbers, personal cellular
 19 telephone numbers, personal pager telephone numbers, and
 20 telephone numbers associated with personal communications
 21 devices.

22 2.a. The home addresses, telephone numbers, dates of
 23 birth, and photographs of active or former sworn or civilian law
 24 enforcement personnel, including correctional and correctional
 25 probation officers, personnel of the Department of Children and

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40 shall stand repealed on October 2, 2022, unless reviewed and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

42 b. The home addresses, telephone numbers, dates of birth,
43 and photographs of current or former nonsworn investigative
44 personnel of the Department of Financial Services whose duties
45 include the investigation of fraud, theft, workers' compensation
46 coverage requirements and compliance, other related criminal
47 activities, or state regulatory requirement violations; the
48 names, home addresses, telephone numbers, dates of birth, and
49 places of employment of the spouses and children of such
50 personnel; and the names and locations of schools and day care

51 facilities attended by the children of such personnel are exempt
52 from s. 119.07(1) and s. 24(a), Art. I of the State
53 Constitution. This sub-subparagraph is subject to the Open
54 Government Sunset Review Act in accordance with s. 119.15 and
55 shall stand repealed on October 2, 2021, unless reviewed and
56 saved from repeal through reenactment by the Legislature.

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

72 d. The home addresses, telephone numbers, dates of birth,
73 and photographs of current or former firefighters certified in
74 compliance with s. 633.408; the names, home addresses, telephone
75 numbers, photographs, dates of birth, and places of employment

76 | of the spouses and children of such firefighters; and the names
77 | and locations of schools and day care facilities attended by the
78 | children of such firefighters are exempt from s. 119.07(1) and
79 | s. 24(a), Art. I of the State Constitution. This sub-
80 | subparagraph is subject to the Open Government Sunset Review Act
81 | in accordance with s. 119.15, and shall stand repealed on
82 | October 2, 2022, unless reviewed and saved from repeal through
83 | reenactment by the Legislature.

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

98 | (II) The business e-mail addresses of current justices of
99 | the Supreme Court, district court of appeal judges, circuit
100 | court judges, and county court judges are exempt from s.

101 119.07(1) and s. 24(a), Art. I of the State Constitution. This
102 sub-sub-subparagraph is subject to the Open Government Sunset
103 Review Act in accordance with s. 119.15 and shall stand repealed
104 on October 2, 2023, unless reviewed and saved from repeal
105 through reenactment by the Legislature.

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

118 g. The home addresses, dates of birth, and telephone
119 numbers of general magistrates, special magistrates, judges of
120 compensation claims, administrative law judges of the Division
121 of Administrative Hearings, and child support enforcement
122 hearing officers; the names, home addresses, telephone numbers,
123 dates of birth, and places of employment of the spouses and
124 children of general magistrates, special magistrates, judges of
125 compensation claims, administrative law judges of the Division

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

137 h. The home addresses, telephone numbers, dates of birth,
138 and photographs of current or former human resource, labor
139 relations, or employee relations directors, assistant directors,
140 managers, or assistant managers of any local government agency
141 or water management district whose duties include hiring and
142 firing employees, labor contract negotiation, administration, or
143 other personnel-related duties; the names, home addresses,
144 telephone numbers, dates of birth, and places of employment of
145 the spouses and children of such personnel; and the names and
146 locations of schools and day care facilities attended by the
147 children of such personnel are exempt from s. 119.07(1) and s.
148 24(a), Art. I of the State Constitution.

149 i. The home addresses, telephone numbers, dates of birth,
150 and photographs of current or former code enforcement officers;

151 the names, home addresses, telephone numbers, dates of birth,
152 and places of employment of the spouses and children of such
153 personnel; and the names and locations of schools and day care
154 facilities attended by the children of such personnel are exempt
155 from s. 119.07(1) and s. 24(a), Art. I of the State
156 Constitution.

157 j. The home addresses, telephone numbers, places of
158 employment, dates of birth, and photographs of current or former
159 guardians ad litem, as defined in s. 39.820; the names, home
160 addresses, telephone numbers, dates of birth, and places of
161 employment of the spouses and children of such persons; and the
162 names and locations of schools and day care facilities attended
163 by the children of such persons are exempt from s. 119.07(1) and
164 s. 24(a), Art. I of the State Constitution. This sub-
165 subparagraph is subject to the Open Government Sunset Review Act
166 in accordance with s. 119.15 and shall stand repealed on October
167 2, 2022, unless reviewed and saved from repeal through
168 reenactment by the Legislature.

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

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

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

196 m. The home addresses, telephone numbers, dates of birth,
197 and photographs of current or former investigators or inspectors
198 of the Department of Business and Professional Regulation; the
199 names, home addresses, telephone numbers, dates of birth, and
200 places of employment of the spouses and children of such current

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

209 n. The home addresses, telephone numbers, and dates of
210 birth of county tax collectors; the names, home addresses,
211 telephone numbers, dates of birth, and places of employment of
212 the spouses and children of such tax collectors; and the names
213 and locations of schools and day care facilities attended by the
214 children of such tax collectors are exempt from s. 119.07(1) and
215 s. 24(a), Art. I of the State Constitution. This sub-
216 subparagraph is subject to the Open Government Sunset Review Act
217 in accordance with s. 119.15 and shall stand repealed on October
218 2, 2022, unless reviewed and saved from repeal through
219 reenactment by the Legislature.

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

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

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

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

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

276 Government Sunset Review Act in accordance with s. 119.15 and
277 shall stand repealed on October 2, 2021, unless reviewed and
278 saved from repeal through reenactment by the Legislature.

279 3. An agency that is the custodian of the information
280 specified in subparagraph 2. and that is not the employer of the
281 officer, employee, justice, judge, or other person specified in
282 subparagraph 2. shall maintain the exempt status of that
283 information only if the officer, employee, justice, judge, other
284 person, or employing agency of the designated employee submits a
285 written request for maintenance of the exemption to the
286 custodial agency.

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

290 Section 2. The Legislature finds that it is a public
291 necessity that business e-mail addresses of the current justices
292 of the Supreme Court, district court of appeal judges, circuit
293 court judges, and county court judges be made exempt from s.
294 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State
295 Constitution. Public release of such e-mail addresses could
296 result in e-mails from the public or parties to an action
297 regarding pending litigation being sent directly to justices or
298 judges, creating the risk of ex parte communications that could
299 necessitate recusal or other action that may negatively affect
300 judicial efficiency and court schedules. The Legislature further

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301 finds that the harm that may result from the release of such e-
302 mail addresses outweighs any public benefit that may be derived
303 from their disclosure. If the justices' and judges' business e-
304 mail addresses are exempt from public records requirements, the
305 public may still use e-mail to contact a justice or judge
306 through his or her judicial assistant.

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