

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; defining the term "home address" for
 4 purposes of public records exemptions for personal
 5 identifying and location information of certain agency
 6 personnel and their family members; exempting personal
 7 identifying and location information of active or
 8 former civilian personnel employed by a law
 9 enforcement agency, and of spouses and children of
 10 such personnel, from public records requirements;
 11 authorizing certain persons to request the release of
 12 exempt information in a specified manner; requiring a
 13 custodial agency to release such information upon
 14 receipt of such request; providing for legislative
 15 review and repeal of the exemptions; providing
 16 statements of public necessity; providing an effective
 17 date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

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

23 119.071 General exemptions from inspection or copying of
 24 public records.—

25 (4) AGENCY PERSONNEL INFORMATION.—

26 (d)1. For purposes of this paragraph, the term:

27 a. "Home address" means the dwelling location at which an

28 individual resides and includes the physical address, mailing

29 address, street address, parcel identification number, plot

30 identification number, legal property description, neighborhood

31 name and lot number, GPS coordinates, and any other property

32 descriptive information that may reveal the home address.

33 b. "Telephone numbers" includes home telephone numbers,

34 personal cellular telephone numbers, personal pager telephone

35 numbers, and telephone numbers associated with personal

36 communications devices.

37 2.a. The home addresses, telephone numbers, dates of

38 birth, and photographs of active or former sworn ~~or civilian~~ law

39 enforcement personnel or of active or former civilian personnel

40 employed by a law enforcement agency, including correctional and

41 correctional probation officers, personnel of the Department of

42 Children and Families whose duties include the investigation of

43 abuse, neglect, exploitation, fraud, theft, or other criminal

44 activities, personnel of the Department of Health whose duties

45 are to support the investigation of child abuse or neglect, and

46 personnel of the Department of Revenue or local governments

47 whose responsibilities include revenue collection and

48 enforcement or child support enforcement; the names, home

49 addresses, telephone numbers, photographs, dates of birth, and

50 places of employment of the spouses and children of such

51 personnel; and the names and locations of schools and day care
52 facilities attended by the children of such personnel are exempt
53 from s. 119.07(1) and s. 24(a), Art. I of the State
54 Constitution. ~~This sub-subparagraph is subject to the Open
55 Government Sunset Review Act in accordance with s. 119.15 and
56 shall stand repealed on October 2, 2022, unless reviewed and
57 saved from repeal through reenactment by the Legislature.~~

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

73 c. The home addresses, telephone numbers, dates of birth,
74 and photographs of current or former nonsworn investigative
75 personnel of the Office of Financial Regulation's Bureau of

76 Financial Investigations whose duties include the investigation
77 of fraud, theft, other related criminal activities, or state
78 regulatory requirement violations; the names, home addresses,
79 telephone numbers, dates of birth, and places of employment of
80 the spouses and children of such personnel; and the names and
81 locations of schools and day care facilities attended by the
82 children of such personnel are exempt from s. 119.07(1) and s.
83 24(a), Art. I of the State Constitution. ~~This sub-subparagraph~~
84 ~~is subject to the Open Government Sunset Review Act in~~
85 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
86 ~~2022, unless reviewed and saved from repeal through reenactment~~
87 ~~by the Legislature.~~

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

100 e. The home addresses, dates of birth, and telephone

101 numbers of current or former justices of the Supreme Court,
102 district court of appeal judges, circuit court judges, and
103 county court judges; the names, home addresses, telephone
104 numbers, dates of birth, and places of employment of the spouses
105 and children of current or former justices and judges; and the
106 names and locations of schools and day care facilities attended
107 by the children of current or former justices and judges are
108 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
109 Constitution. ~~This sub-subparagraph is subject to the Open
110 Government Sunset Review Act in accordance with s. 119.15 and
111 shall stand repealed on October 2, 2022, unless reviewed and
112 saved from repeal through reenactment by the Legislature.~~

113 f. The home addresses, telephone numbers, dates of birth,
114 and photographs of current or former state attorneys, assistant
115 state attorneys, statewide prosecutors, or assistant statewide
116 prosecutors; the names, home addresses, telephone numbers,
117 photographs, dates of birth, and places of employment of the
118 spouses and children of current or former state attorneys,
119 assistant state attorneys, statewide prosecutors, or assistant
120 statewide prosecutors; and the names and locations of schools
121 and day care facilities attended by the children of current or
122 former state attorneys, assistant state attorneys, statewide
123 prosecutors, or assistant statewide prosecutors are exempt from
124 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

125 g. The home addresses, dates of birth, and telephone

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

144 h. The home addresses, telephone numbers, dates of birth,
145 and photographs of current or former human resource, labor
146 relations, or employee relations directors, assistant directors,
147 managers, or assistant managers of any local government agency
148 or water management district whose duties include hiring and
149 firing employees, labor contract negotiation, administration, or
150 other personnel-related duties; the names, home addresses,

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

156 i. The home addresses, telephone numbers, dates of birth,
157 and photographs of current or former code enforcement officers;
158 the names, home addresses, telephone numbers, dates of birth,
159 and places of employment of the spouses and children of such
160 personnel; and the names and locations of schools and day care
161 facilities attended by the children of such personnel are exempt
162 from s. 119.07(1) and s. 24(a), Art. I of the State
163 Constitution.

164 j. The home addresses, telephone numbers, places of
165 employment, dates of birth, and photographs of current or former
166 guardians ad litem, as defined in s. 39.820; the names, home
167 addresses, telephone numbers, dates of birth, and places of
168 employment of the spouses and children of such persons; and the
169 names and locations of schools and day care facilities attended
170 by the children of such persons are exempt from s. 119.07(1) and
171 s. 24(a), Art. I of the State Constitution. ~~This sub-~~
172 ~~subparagraph is subject to the Open Government Sunset Review Act~~
173 ~~in accordance with s. 119.15 and shall stand repealed on October~~
174 ~~2, 2022, unless reviewed and saved from repeal through~~
175 ~~reenactment by the Legislature.~~

176 k. The home addresses, telephone numbers, dates of birth,
177 and photographs of current or former juvenile probation
178 officers, juvenile probation supervisors, detention
179 superintendents, assistant detention superintendents, juvenile
180 justice detention officers I and II, juvenile justice detention
181 officer supervisors, juvenile justice residential officers,
182 juvenile justice residential officer supervisors I and II,
183 juvenile justice counselors, juvenile justice counselor
184 supervisors, human services counselor administrators, senior
185 human services counselor administrators, rehabilitation
186 therapists, and social services counselors of the Department of
187 Juvenile Justice; the names, home addresses, telephone numbers,
188 dates of birth, and places of employment of spouses and children
189 of such personnel; and the names and locations of schools and
190 day care facilities attended by the children of such personnel
191 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
192 Constitution.

193 l. The home addresses, telephone numbers, dates of birth,
194 and photographs of current or former public defenders, assistant
195 public defenders, criminal conflict and civil regional counsel,
196 and assistant criminal conflict and civil regional counsel; the
197 names, home addresses, telephone numbers, dates of birth, and
198 places of employment of the spouses and children of current or
199 former public defenders, assistant public defenders, criminal
200 conflict and civil regional counsel, and assistant criminal

201 conflict and civil regional counsel; and the names and locations
 202 of schools and day care facilities attended by the children of
 203 current or former public defenders, assistant public defenders,
 204 criminal conflict and civil regional counsel, and assistant
 205 criminal conflict and civil regional counsel are exempt from s.
 206 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

220 n. The home addresses, telephone numbers, and dates of
 221 birth of county tax collectors; the names, home addresses,
 222 telephone numbers, dates of birth, and places of employment of
 223 the spouses and children of such tax collectors; and the names
 224 and locations of schools and day care facilities attended by the
 225 children of such tax collectors are exempt from s. 119.07(1) and

226 s. 24(a), Art. I of the State Constitution. ~~This sub-~~
227 ~~subparagraph is subject to the Open Government Sunset Review Act~~
228 ~~in accordance with s. 119.15 and shall stand repealed on October~~
229 ~~2, 2022, unless reviewed and saved from repeal through~~
230 ~~reenactment by the Legislature.~~

231 o. The home addresses, telephone numbers, dates of birth,
232 and photographs of current or former personnel of the Department
233 of Health whose duties include, or result in, the determination
234 or adjudication of eligibility for social security disability
235 benefits, the investigation or prosecution of complaints filed
236 against health care practitioners, or the inspection of health
237 care practitioners or health care facilities licensed by the
238 Department of Health; the names, home addresses, telephone
239 numbers, dates of birth, and places of employment of the spouses
240 and children of such personnel; and the names and locations of
241 schools and day care facilities attended by the children of such
242 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
243 the State Constitution. ~~This sub-subparagraph is subject to the~~
244 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
245 ~~and shall stand repealed on October 2, 2019, unless reviewed and~~
246 ~~saved from repeal through reenactment by the Legislature.~~

247 p. The home addresses, telephone numbers, dates of birth,
248 and photographs of current or former impaired practitioner
249 consultants who are retained by an agency or current or former
250 employees of an impaired practitioner consultant whose duties

251 result in a determination of a person's skill and safety to
252 practice a licensed profession; the names, home addresses,
253 telephone numbers, dates of birth, and places of employment of
254 the spouses and children of such consultants or their employees;
255 and the names and locations of schools and day care facilities
256 attended by the children of such consultants or employees 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, 2020, unless reviewed and
261 saved from repeal through reenactment by the Legislature.~~

262 q. The home addresses, telephone numbers, dates of birth,
263 and photographs of current or former emergency medical
264 technicians or paramedics certified under chapter 401; the
265 names, home addresses, telephone numbers, dates of birth, and
266 places of employment of the spouses and children of such
267 emergency medical technicians or paramedics; and the names and
268 locations of schools and day care facilities attended by the
269 children of such emergency medical technicians or paramedics are
270 exempt 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 r. The home addresses, telephone numbers, dates of birth,

276 and photographs of current or former personnel employed in an
277 agency's office of inspector general or internal audit
278 department whose duties include auditing or investigating waste,
279 fraud, abuse, theft, exploitation, or other activities that
280 could lead to criminal prosecution or administrative discipline;
281 the names, home addresses, telephone numbers, dates of birth,
282 and places of employment of spouses and children of such
283 personnel; and the names and locations of schools and day care
284 facilities attended by the children of such personnel are exempt
285 from s. 119.07(1) and s. 24(a), Art. I of the State
286 Constitution. ~~This sub-subparagraph is subject to the Open
287 Government Sunset Review Act in accordance with s. 119.15 and
288 shall stand repealed on October 2, 2021, unless reviewed and
289 saved from repeal through reenactment by the Legislature.~~

290 s. The home addresses, telephone numbers, dates of birth,
291 and photographs of current or former directors, managers,
292 supervisors, nurses, and clinical employees of an addiction
293 treatment facility; the home addresses, telephone numbers,
294 photographs, dates of birth, and places of employment of the
295 spouses and children of such personnel; and the names and
296 locations of schools and day care facilities attended by the
297 children of such personnel are exempt from s. 119.07(1) and s.
298 24(a), Art. I of the State Constitution. For purposes of this
299 sub-subparagraph, the term "addiction treatment facility" means
300 a county government, or agency thereof, that is licensed

301 pursuant to s. 397.401 and provides substance abuse prevention,
302 intervention, or clinical treatment, including any licensed
303 service component described in s. 397.311(26). ~~This sub-~~
304 ~~subparagraph is subject to the Open Government Sunset Review Act~~
305 ~~in accordance with s. 119.15 and shall stand repealed on October~~
306 ~~2, 2023, unless reviewed and saved from repeal through~~
307 ~~reenactment by the Legislature.~~

308 t. The home addresses, telephone numbers, dates of birth,
309 and photographs of current or former directors, managers,
310 supervisors, and clinical employees of a child advocacy center
311 that meets the standards of s. 39.3035(1) and fulfills the
312 screening requirement of s. 39.3035(2), and the members of a
313 child protection team as described in s. 39.303 whose duties
314 include supporting the investigation of child abuse or sexual
315 abuse, child abandonment, child neglect, and child exploitation
316 or to provide services as part of a multidisciplinary case
317 review team; the names, home addresses, telephone numbers,
318 photographs, dates of birth, and places of employment of the
319 spouses and children of such personnel and members; and the
320 names and locations of schools and day care facilities attended
321 by the children of such personnel and members are exempt from s.
322 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~
323 ~~sub-subparagraph is subject to the Open Government Sunset Review~~
324 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
325 ~~October 2, 2023, unless reviewed and saved from repeal through~~

326 ~~reenactment by the Legislature.~~

327 3. An agency that is the custodian of the information
328 specified in subparagraph 2. and that is not the employer of the
329 officer, employee, justice, judge, or other person specified in
330 subparagraph 2. shall maintain the exempt status of that
331 information only if the officer, employee, justice, judge, other
332 person, or employing agency of the designated employee submits a
333 written request for maintenance of the exemption to the
334 custodial agency.

335 4. An officer, employee, justice, judge, or other person
336 specified in subparagraph 2. may submit a written request for
337 the release of his or her exempt information to the custodial
338 agency. The written request must specify the information to be
339 released and the party that is authorized to receive the
340 information. Upon receipt of the written request, the custodial
341 agency shall release the specified information to the party
342 authorized to receive such information.

343 ~~5.4.~~ The exemptions in this paragraph apply to information
344 held by an agency before, on, or after the effective date of the
345 exemption.

346 6. This paragraph is subject to the Open Government Sunset
347 Review Act in accordance with s. 119.15 and shall stand repealed
348 on October 2, 2024, unless reviewed and saved from repeal
349 through reenactment by the Legislature.

350 Section 2. (1) The Legislature finds that it is a public

351 necessity to define the term "home address" for purposes of the
352 public records exemptions for agency personnel information under
353 s. 119.071(4) (d), Florida Statutes. The public records
354 exemptions for agency personnel information protect identifying
355 and location information of numerous types of personnel,
356 including, but not limited to, current or former law enforcement
357 officers, investigative personnel, state attorneys and
358 prosecutors, public defenders, guardians ad litem, Supreme Court
359 justices, various judges, and the spouses and children of such
360 personnel. The Legislature has previously recognized that such
361 personnel and their family members are at a heightened risk of
362 physical and emotional harm from disgruntled individuals who
363 have contentious reactions to actions taken by such personnel,
364 or whose business or professional practices have come under
365 scrutiny of such personnel, and, as a result, has enacted
366 various public records exemptions. While home addresses of such
367 personnel and their family members are already exempt from s.
368 119.07(1), Florida Statutes, and s. 24(a), Article I of the
369 State Constitution, the current exemptions do not provide
370 protection for various forms of descriptive property information
371 that may be used on its own, or in conjunction with other
372 information, to reveal the home addresses that otherwise should
373 be protected from public disclosure. Therefore, the Legislature
374 finds that it is a public necessity to specifically define the
375 term "home address" so that the safety and privacy of various

376 personnel and their family members are not compromised.
377 (2) The Legislature further finds that it is a public
378 necessity that the home addresses, telephone numbers, dates of
379 birth, and photographs of active or former civilian personnel
380 employed by a law enforcement agency; the names, home addresses,
381 telephone numbers, photographs, dates of birth, and places of
382 employment of the spouses and children of such personnel; and
383 the names and locations of schools and day care facilities
384 attended by the children of such personnel be exempt from public
385 records requirements. Existing law already provides that the
386 identifying and location information of active or former
387 civilian law enforcement personnel and their spouses and
388 children are exempt from public records requirements. The
389 amendment made by this act further specifies that any active or
390 former civilian personnel employed by a law enforcement agency
391 and their spouses and children are entitled to the protections
392 of the public records exemption. The civilian personnel of law
393 enforcement agencies perform a variety of important duties that
394 ensure public safety and welfare and encourage safe and secure
395 communities. As a result of such duties, these civilian
396 personnel often come into close contact with individuals who not
397 only may be a threat to those personnel, but who might also seek
398 to take revenge against them by harming their spouses and
399 children. The Legislature finds that modifying the public
400 records exemption to apply to all active or former civilian

401 personnel employed by a law enforcement agency and their spouses
402 and children will serve the public interest by further ensuring
403 the safety of such personnel.

404 Section 3. This act shall take effect July 1, 2019.