

**By** the Committees on Governmental Oversight and Accountability; and Criminal Justice; and Senators Hooper, Baxley, Simpson, and Perry

585-02749-19

2019248c2

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

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23       Section 1. Paragraph (d) of subsection (4) of section  
24       119.071, Florida Statutes, is amended to read:

25       119.071 General exemptions from inspection or copying of  
26       public records.—

27       (4) AGENCY PERSONNEL INFORMATION.—

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

29       a. "Home addresses" means the dwelling location at which an

585-02749-19

2019248c2

30 individual resides and includes the physical address, mailing  
31 address, street address, parcel identification number, plot  
32 identification number, legal property description, neighborhood  
33 name and lot number, GPS coordinates, and any other descriptive  
34 property information that may reveal the home address.

35 b. "Telephone numbers" includes home telephone numbers,  
36 personal cellular telephone numbers, personal pager telephone  
37 numbers, and telephone numbers associated with personal  
38 communications devices.

39 2.a. The home addresses, telephone numbers, dates of birth,  
40 and photographs of active or former sworn ~~or civilian~~ law  
41 enforcement personnel or of active or former civilian personnel  
42 employed by a law enforcement agency, including correctional and  
43 correctional probation officers, personnel of the Department of  
44 Children and Families whose duties include the investigation of  
45 abuse, neglect, exploitation, fraud, theft, or other criminal  
46 activities, personnel of the Department of Health whose duties  
47 are to support the investigation of child abuse or neglect, and  
48 personnel of the Department of Revenue or local governments  
49 whose responsibilities include revenue collection and  
50 enforcement or child support enforcement; the names, home  
51 addresses, telephone numbers, photographs, dates of birth, and  
52 places of employment of the spouses and children of such  
53 personnel; and the names and locations of schools and day care  
54 facilities attended by the children of such personnel are exempt  
55 from s. 119.07(1) and s. 24(a), Art. I of the State  
56 Constitution. ~~This sub-subparagraph is subject to the Open~~  
57 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
58 ~~shall stand repealed on October 2, 2022, unless reviewed and~~

585-02749-19

2019248c2

59 ~~saved from repeal through reenactment by the Legislature.~~

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

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

585-02749-19

2019248c2

88 ~~2022, unless reviewed and saved from repeal through reenactment~~  
89 ~~by the Legislature.~~

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

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

115 f. The home addresses, telephone numbers, dates of birth,  
116 and photographs of current or former state attorneys, assistant

585-02749-19

2019248c2

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

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

585-02749-19

2019248c2

146 h. The home addresses, telephone numbers, dates of birth,  
147 and photographs of current or former human resource, labor  
148 relations, or employee relations directors, assistant directors,  
149 managers, or assistant managers of any local government agency  
150 or water management district whose duties include hiring and  
151 firing employees, labor contract negotiation, administration, or  
152 other personnel-related duties; the names, home addresses,  
153 telephone numbers, dates of birth, and places of employment of  
154 the spouses and children of such personnel; and the names and  
155 locations of schools and day care facilities attended by the  
156 children of such personnel are exempt from s. 119.07(1) and s.  
157 24(a), Art. I of the State Constitution.

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

166 j. The home addresses, telephone numbers, places of  
167 employment, dates of birth, and photographs of current or former  
168 guardians ad litem, as defined in s. 39.820; the names, home  
169 addresses, telephone numbers, dates of birth, and places of  
170 employment of the spouses and children of such persons; and the  
171 names and locations of schools and day care facilities attended  
172 by the children of such persons are exempt from s. 119.07(1) and  
173 s. 24(a), Art. I of the State Constitution. ~~This sub-~~  
174 ~~subparagraph is subject to the Open Government Sunset Review Act~~

585-02749-19

2019248c2

175 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
176 ~~2, 2022, unless reviewed and saved from repeal through~~  
177 ~~reenactment by the Legislature.~~

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

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

585-02749-19

2019248c2

204 of schools and day care facilities attended by the children of  
205 current or former public defenders, assistant public defenders,  
206 criminal conflict and civil regional counsel, and assistant  
207 criminal conflict and civil regional counsel are exempt from s.  
208 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

222 n. The home addresses, telephone numbers, and dates of  
223 birth of county tax collectors; the names, home addresses,  
224 telephone numbers, dates of birth, and places of employment of  
225 the spouses and children of such tax collectors; and the names  
226 and locations of schools and day care facilities attended by the  
227 children of such tax collectors are exempt from s. 119.07(1) and  
228 s. 24(a), Art. I of the State Constitution. ~~This sub-  
229 subparagraph is subject to the Open Government Sunset Review Act  
230 in accordance with s. 119.15 and shall stand repealed on October  
231 2, 2022, unless reviewed and saved from repeal through  
232 reenactment by the Legislature.~~



585-02749-19

2019248c2

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

249           p. The home addresses, telephone numbers, dates of birth,  
250 and photographs of current or former impaired practitioner  
251 consultants who are retained by an agency or current or former  
252 employees of an impaired practitioner consultant whose duties  
253 result in a determination of a person's skill and safety to  
254 practice a licensed profession; the names, home addresses,  
255 telephone numbers, dates of birth, and places of employment of  
256 the spouses and children of such consultants or their employees;  
257 and the names and locations of schools and day care facilities  
258 attended by the children of such consultants or employees 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~~

585-02749-19

2019248c2

262 ~~shall stand repealed on October 2, 2020, unless reviewed and~~  
263 ~~saved from repeal through reenactment by the Legislature.~~

264 q. The home addresses, telephone numbers, dates of birth,  
265 and photographs of current or former emergency medical  
266 technicians or paramedics certified under chapter 401; the  
267 names, home addresses, telephone numbers, dates of birth, and  
268 places of employment of the spouses and children of such  
269 emergency medical technicians or paramedics; and the names and  
270 locations of schools and day care facilities attended by the  
271 children of such emergency medical technicians or paramedics are  
272 exempt 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 r. The home addresses, telephone numbers, dates of birth,  
278 and photographs of current or former personnel employed in an  
279 agency's office of inspector general or internal audit  
280 department whose duties include auditing or investigating waste,  
281 fraud, abuse, theft, exploitation, or other activities that  
282 could lead to criminal prosecution or administrative discipline;  
283 the names, home addresses, telephone numbers, dates of birth,  
284 and places of employment of spouses and children of such  
285 personnel; and the names and locations of schools and day care  
286 facilities attended by the children of such personnel are exempt  
287 from s. 119.07(1) and s. 24(a), Art. I of the State  
288 Constitution. ~~This sub-subparagraph is subject to the Open~~  
289 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
290 ~~shall stand repealed on October 2, 2021, unless reviewed and~~

585-02749-19

2019248c2

291 ~~saved from repeal through reenactment by the Legislature.~~

292 s. The home addresses, telephone numbers, dates of birth,  
293 and photographs of current or former directors, managers,  
294 supervisors, nurses, and clinical employees of an addiction  
295 treatment facility; the home addresses, telephone numbers,  
296 photographs, dates of birth, and places of employment of the  
297 spouses and children of such personnel; and the names and  
298 locations of schools and day care facilities attended by the  
299 children of such personnel are exempt from s. 119.07(1) and s.  
300 24(a), Art. I of the State Constitution. For purposes of this  
301 sub-subparagraph, the term "addiction treatment facility" means  
302 a county government, or agency thereof, that is licensed  
303 pursuant to s. 397.401 and provides substance abuse prevention,  
304 intervention, or clinical treatment, including any licensed  
305 service component described in s. 397.311(26). ~~This sub-~~  
306 ~~subparagraph is subject to the Open Government Sunset Review Act~~  
307 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
308 ~~2, 2023, unless reviewed and saved from repeal through~~  
309 ~~reenactment by the Legislature.~~

310 t. The home addresses, telephone numbers, dates of birth,  
311 and photographs of current or former directors, managers,  
312 supervisors, and clinical employees of a child advocacy center  
313 that meets the standards of s. 39.3035(1) and fulfills the  
314 screening requirement of s. 39.3035(2), and the members of a  
315 child protection team as described in s. 39.303 whose duties  
316 include supporting the investigation of child abuse or sexual  
317 abuse, child abandonment, child neglect, and child exploitation  
318 or to provide services as part of a multidisciplinary case  
319 review team; the names, home addresses, telephone numbers,

585-02749-19

2019248c2

320 photographs, dates of birth, and places of employment of the  
321 spouses and children of such personnel and members; and the  
322 names and locations of schools and day care facilities attended  
323 by the children of such personnel and members are exempt from s.  
324 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~  
325 ~~sub-subparagraph is subject to the Open Government Sunset Review~~  
326 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
327 ~~October 2, 2023, unless reviewed and saved from repeal through~~  
328 ~~reenactment by the Legislature.~~

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

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

345         5. The exemptions in this paragraph apply to information  
346 held by an agency before, on, or after the effective date of the  
347 exemption.

348         6. This paragraph is subject to the Open Government Sunset

585-02749-19

2019248c2

349 Review Act in accordance with s. 119.15 and shall stand repealed  
350 on October 2, 2024, unless reviewed and saved from repeal  
351 through reenactment by the Legislature.

352 Section 2. (1) The Legislature finds that it is a public  
353 necessity to define the term "home addresses" for purposes of  
354 the public records exemptions for agency personnel information  
355 under s. 119.071(4) (d), Florida Statutes. The public records  
356 exemptions for agency personnel information protect identifying  
357 and location information of numerous types of personnel,  
358 including, but not limited to, current or former law enforcement  
359 officers, investigative personnel, state attorneys and  
360 prosecutors, public defenders, guardians ad litem, Supreme Court  
361 justices, various judges, and the spouses and children of such  
362 personnel. The Legislature has previously recognized that such  
363 personnel and their family members are at a heightened risk of  
364 physical and emotional harm from disgruntled individuals who  
365 have contentious reactions to actions taken by such personnel,  
366 or whose business or professional practices have come under  
367 scrutiny of such personnel, and, as a result, has enacted  
368 various public records exemptions. While home addresses of such  
369 personnel and their family members are already exempt from s.  
370 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
371 State Constitution, the current exemptions do not provide  
372 protection for various forms of descriptive property information  
373 that may be used on its own, or in conjunction with other  
374 information, to reveal the home addresses that otherwise should  
375 be protected from public disclosure. Therefore, the Legislature  
376 finds that it is a public necessity to specifically define the  
377 term "home addresses" so that the safety and privacy of various

585-02749-19

2019248c2

378 personnel and their family members are not compromised.

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

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