

By the Committee on Health Policy

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., relating
4 to an exemption from the public records requirements
5 for personal identifying and location information and
6 photographs of certain Department of Health personnel;
7 removing the scheduled repeal of the exemption;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
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 birth,
23 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

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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40 shall stand repealed on October 2, 2022, unless reviewed and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

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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. 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

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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-subparagraph is subject to the Open
94 Government Sunset Review Act in accordance with s. 119.15 and
95 shall stand repealed on October 2, 2022, unless reviewed and
96 saved from repeal through reenactment by the Legislature.

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

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

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

140 i. The home addresses, telephone numbers, dates of birth,
141 and photographs of current or former code enforcement officers;
142 the names, home addresses, telephone numbers, dates of birth,
143 and places of employment of the spouses and children of such
144 personnel; and the names and locations of schools and day care
145 facilities attended by the children of such personnel are exempt

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146 from s. 119.07(1) and s. 24(a), Art. I of the State
147 Constitution.

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

160 k. The home addresses, telephone numbers, dates of birth,
161 and photographs of current or former juvenile probation
162 officers, juvenile probation supervisors, detention
163 superintendents, assistant detention superintendents, juvenile
164 justice detention officers I and II, juvenile justice detention
165 officer supervisors, juvenile justice residential officers,
166 juvenile justice residential officer supervisors I and II,
167 juvenile justice counselors, juvenile justice counselor
168 supervisors, human services counselor administrators, senior
169 human services counselor administrators, rehabilitation
170 therapists, and social services counselors of the Department of
171 Juvenile Justice; the names, home addresses, telephone numbers,
172 dates of birth, and places of employment of spouses and children
173 of such personnel; and the names and locations of schools and
174 day care facilities attended by the children of such personnel

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175 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
176 Constitution.

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

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

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

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

231 p. The home addresses, telephone numbers, dates of birth,
232 and photographs of current or former impaired practitioner

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

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

259 r. The home addresses, telephone numbers, dates of birth,
260 and photographs of current or former personnel employed in an
261 agency's office of inspector general or internal audit

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

274 s. The home addresses, telephone numbers, dates of birth,
275 and photographs of current or former directors, managers,
276 supervisors, nurses, and clinical employees of an addiction
277 treatment facility; the home addresses, telephone numbers,
278 photographs, dates of birth, and places of employment of the
279 spouses and children of such personnel; and the names and
280 locations of schools and day care facilities attended by the
281 children of such personnel are exempt from s. 119.07(1) and s.
282 24(a), Art. I of the State Constitution. For purposes of this
283 sub-subparagraph, the term "addiction treatment facility" means
284 a county government, or agency thereof, that is licensed
285 pursuant to s. 397.401 and provides substance abuse prevention,
286 intervention, or clinical treatment, including any licensed
287 service component described in s. 397.311(26). This sub-
288 subparagraph is subject to the Open Government Sunset Review Act
289 in accordance with s. 119.15 and shall stand repealed on October
290 2, 2023, unless reviewed and saved from repeal through

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291 reenactment by the Legislature.

292 t. The home addresses, telephone numbers, dates of birth,
293 and photographs of current or former directors, managers,
294 supervisors, and clinical employees of a child advocacy center
295 that meets the standards of s. 39.3035(1) and fulfills the
296 screening requirement of s. 39.3035(2), and the members of a
297 child protection team as described in s. 39.303 whose duties
298 include supporting the investigation of child abuse or sexual
299 abuse, child abandonment, child neglect, and child exploitation
300 or to provide services as part of a multidisciplinary case
301 review team; the names, home addresses, telephone numbers,
302 photographs, dates of birth, and places of employment of the
303 spouses and children of such personnel and members; and the
304 names and locations of schools and day care facilities attended
305 by the children of such personnel and members are exempt from s.
306 119.07(1) and s. 24(a), Art. I of the State Constitution. This
307 sub-subparagraph is subject to the Open Government Sunset Review
308 Act in accordance with s. 119.15 and shall stand repealed on
309 October 2, 2023, unless reviewed and saved from repeal through
310 reenactment by the Legislature.

311 3. An agency that is the custodian of the information
312 specified in subparagraph 2. and that is not the employer of the
313 officer, employee, justice, judge, or other person specified in
314 subparagraph 2. shall maintain the exempt status of that
315 information only if the officer, employee, justice, judge, other
316 person, or employing agency of the designated employee submits a
317 written request for maintenance of the exemption to the
318 custodial agency.

319 4. The exemptions in this paragraph apply to information

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320 held by an agency before, on, or after the effective date of the
321 exemption.

322 Section 2. This act shall take effect October 1, 2019.