

By Senator Stargel

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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 certain identifying and
5 location information of current members of the
6 Legislature and the Cabinet, and the children and
7 spouses of such legislators and officers; providing
8 for retroactive application; providing a statement of
9 public necessity; providing an effective date.

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

12
13 Section 1. Paragraph (d) of subsection (4) of section
14 119.071, Florida Statutes, is amended to read:

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

17 (4) AGENCY PERSONNEL INFORMATION.—

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

19 a. "Home addresses" means the dwelling location at which an
20 individual resides and includes the physical address, mailing
21 address, street address, parcel identification number, plot
22 identification number, legal property description, neighborhood
23 name and lot number, GPS coordinates, and any other descriptive
24 property information that may reveal the home address.

25 b. "Telephone numbers" includes home telephone numbers,
26 personal cellular telephone numbers, personal pager telephone
27 numbers, and telephone numbers associated with personal
28 communications devices.

29 2.a. The home addresses, telephone numbers, dates of birth,

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30 and photographs of active or former sworn law enforcement
31 personnel or of active or former civilian personnel employed by
32 a law enforcement agency, including correctional and
33 correctional probation officers, personnel of the Department of
34 Children and Families whose duties include the investigation of
35 abuse, neglect, exploitation, fraud, theft, or other criminal
36 activities, personnel of the Department of Health whose duties
37 are to support the investigation of child abuse or neglect, and
38 personnel of the Department of Revenue or local governments
39 whose responsibilities include revenue collection and
40 enforcement or child support enforcement; the names, home
41 addresses, telephone numbers, photographs, dates of birth, and
42 places of employment of the spouses and children of such
43 personnel; and the names and locations of schools and day care
44 facilities attended by the children of such personnel are exempt
45 from s. 119.07(1) and s. 24(a), Art. I of the State
46 Constitution.

47 b. The home addresses, telephone numbers, dates of birth,
48 and photographs of current or former nonsworn investigative
49 personnel of the Department of Financial Services whose duties
50 include the investigation of fraud, theft, workers' compensation
51 coverage requirements and compliance, other related criminal
52 activities, or state regulatory requirement violations; the
53 names, home addresses, telephone numbers, dates of birth, and
54 places of employment of the spouses and children of such
55 personnel; and the names and locations of schools and day care
56 facilities attended by the children of such personnel are exempt
57 from s. 119.07(1) and s. 24(a), Art. I of the State
58 Constitution.

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59 c. The home addresses, telephone numbers, dates of birth,
60 and photographs of current or former nonsworn investigative
61 personnel of the Office of Financial Regulation's Bureau of
62 Financial Investigations whose duties include the investigation
63 of fraud, theft, other related criminal activities, or state
64 regulatory requirement violations; the names, home addresses,
65 telephone numbers, dates of birth, and places of employment of
66 the spouses and children of such personnel; and the names and
67 locations of schools and day care facilities attended by the
68 children of such personnel are exempt from s. 119.07(1) and s.
69 24(a), Art. I of the State Constitution.

70 d. The home addresses, telephone numbers, dates of birth,
71 and photographs of current or former firefighters certified in
72 compliance with s. 633.408; the names, home addresses, telephone
73 numbers, photographs, dates of birth, and places of employment
74 of the spouses and children of such firefighters; and the names
75 and locations of schools and day care facilities attended by the
76 children of such firefighters are exempt from s. 119.07(1) and
77 s. 24(a), Art. I of the State Constitution.

78 e. The home addresses, dates of birth, and telephone
79 numbers of current or former justices of the Supreme Court,
80 district court of appeal judges, circuit court judges, and
81 county court judges; the names, home addresses, telephone
82 numbers, dates of birth, and places of employment of the spouses
83 and children of current or former justices and judges; and the
84 names and locations of schools and day care facilities attended
85 by the children of current or former justices and judges are
86 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
87 Constitution.

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88 f. The home addresses, telephone numbers, dates of birth,
89 and photographs of current or former state attorneys, assistant
90 state attorneys, statewide prosecutors, or assistant statewide
91 prosecutors; the names, home addresses, telephone numbers,
92 photographs, dates of birth, and places of employment of the
93 spouses and children of current or former state attorneys,
94 assistant state attorneys, statewide prosecutors, or assistant
95 statewide prosecutors; and the names and locations of schools
96 and day care facilities attended by the children of current or
97 former state attorneys, assistant state attorneys, statewide
98 prosecutors, or assistant statewide prosecutors are exempt from
99 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

100 g. The home addresses, dates of birth, and telephone
101 numbers of general magistrates, special magistrates, judges of
102 compensation claims, administrative law judges of the Division
103 of Administrative Hearings, and child support enforcement
104 hearing officers; the names, home addresses, telephone numbers,
105 dates of birth, and places of employment of the spouses and
106 children of general magistrates, special magistrates, judges of
107 compensation claims, administrative law judges of the Division
108 of Administrative Hearings, and child support enforcement
109 hearing officers; and the names and locations of schools and day
110 care facilities attended by the children of general magistrates,
111 special magistrates, judges of compensation claims,
112 administrative law judges of the Division of Administrative
113 Hearings, and child support enforcement hearing officers are
114 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
115 Constitution.

116 h. The home addresses, telephone numbers, dates of birth,

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117 and photographs of current or former human resource, labor
118 relations, or employee relations directors, assistant directors,
119 managers, or assistant managers of any local government agency
120 or water management district whose duties include hiring and
121 firing employees, labor contract negotiation, administration, or
122 other personnel-related duties; the names, home addresses,
123 telephone numbers, dates of birth, and places of employment of
124 the spouses and children of such personnel; and the names and
125 locations of schools and day care facilities attended by the
126 children of such personnel are exempt from s. 119.07(1) and s.
127 24(a), Art. I of the State Constitution.

128 i. The home addresses, telephone numbers, dates of birth,
129 and photographs of current or former code enforcement officers;
130 the names, home addresses, telephone numbers, dates of birth,
131 and places of employment of the spouses and children of such
132 personnel; and the names and locations of schools and day care
133 facilities attended by the children of such personnel are exempt
134 from s. 119.07(1) and s. 24(a), Art. I of the State
135 Constitution.

136 j. The home addresses, telephone numbers, places of
137 employment, dates of birth, and photographs of current or former
138 guardians ad litem, as defined in s. 39.820; the names, home
139 addresses, telephone numbers, dates of birth, and places of
140 employment of the spouses and children of such persons; and the
141 names and locations of schools and day care facilities attended
142 by the children of such persons are exempt from s. 119.07(1) and
143 s. 24(a), Art. I of the State Constitution.

144 k. The home addresses, telephone numbers, dates of birth,
145 and photographs of current or former juvenile probation

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146 officers, juvenile probation supervisors, detention
147 superintendents, assistant detention superintendents, juvenile
148 justice detention officers I and II, juvenile justice detention
149 officer supervisors, juvenile justice residential officers,
150 juvenile justice residential officer supervisors I and II,
151 juvenile justice counselors, juvenile justice counselor
152 supervisors, human services counselor administrators, senior
153 human services counselor administrators, rehabilitation
154 therapists, and social services counselors of the Department of
155 Juvenile Justice; the names, home addresses, telephone numbers,
156 dates of birth, and places of employment of spouses and children
157 of such personnel; and the names and locations of schools and
158 day care facilities attended by the children of such personnel
159 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
160 Constitution.

161 1. The home addresses, telephone numbers, dates of birth,
162 and photographs of current or former public defenders, assistant
163 public defenders, criminal conflict and civil regional counsel,
164 and assistant criminal conflict and civil regional counsel; the
165 names, home addresses, telephone numbers, dates of birth, and
166 places of employment of the spouses and children of current or
167 former public defenders, assistant public defenders, criminal
168 conflict and civil regional counsel, and assistant criminal
169 conflict and civil regional counsel; and the names and locations
170 of schools and day care facilities attended by the children of
171 current or former public defenders, assistant public defenders,
172 criminal conflict and civil regional counsel, and assistant
173 criminal conflict and civil regional counsel are exempt from s.
174 119.07(1) and s. 24(a), Art. I of the State Constitution.

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175 m. The home addresses, telephone numbers, dates of birth,
176 and photographs of current or former investigators or inspectors
177 of the Department of Business and Professional Regulation; the
178 names, home addresses, telephone numbers, dates of birth, and
179 places of employment of the spouses and children of such current
180 or former investigators and inspectors; and the names and
181 locations of schools and day care facilities attended by the
182 children of such current or former investigators and inspectors
183 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
184 Constitution.

185 n. The home addresses, telephone numbers, and dates of
186 birth of county tax collectors; the names, home addresses,
187 telephone numbers, dates of birth, and places of employment of
188 the spouses and children of such tax collectors; and the names
189 and locations of schools and day care facilities attended by the
190 children of such tax collectors are exempt from s. 119.07(1) and
191 s. 24(a), Art. I of the State Constitution.

192 o. The home addresses, telephone numbers, dates of birth,
193 and photographs of current or former personnel of the Department
194 of Health whose duties include, or result in, the determination
195 or adjudication of eligibility for social security disability
196 benefits, the investigation or prosecution of complaints filed
197 against health care practitioners, or the inspection of health
198 care practitioners or health care facilities licensed by the
199 Department of Health; the names, home addresses, telephone
200 numbers, dates of birth, and places of employment of the spouses
201 and children of such personnel; and the names and locations of
202 schools and day care facilities attended by the children of such
203 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of

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204 the State Constitution.

205 p. The home addresses, telephone numbers, dates of birth,
206 and photographs of current or former impaired practitioner
207 consultants who are retained by an agency or current or former
208 employees of an impaired practitioner consultant whose duties
209 result in a determination of a person's skill and safety to
210 practice a licensed profession; the names, home addresses,
211 telephone numbers, dates of birth, and places of employment of
212 the spouses and children of such consultants or their employees;
213 and the names and locations of schools and day care facilities
214 attended by the children of such consultants or employees are
215 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
216 Constitution.

217 q. The home addresses, telephone numbers, dates of birth,
218 and photographs of current or former emergency medical
219 technicians or paramedics certified under chapter 401; the
220 names, home addresses, telephone numbers, dates of birth, and
221 places of employment of the spouses and children of such
222 emergency medical technicians or paramedics; and the names and
223 locations of schools and day care facilities attended by the
224 children of such emergency medical technicians or paramedics are
225 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
226 Constitution.

227 r. The home addresses, telephone numbers, dates of birth,
228 and photographs of current or former personnel employed in an
229 agency's office of inspector general or internal audit
230 department whose duties include auditing or investigating waste,
231 fraud, abuse, theft, exploitation, or other activities that
232 could lead to criminal prosecution or administrative discipline;

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233 the names, home addresses, telephone numbers, dates of birth,
234 and places of employment of spouses and children of such
235 personnel; and the names and locations of schools and day care
236 facilities attended by the children of such personnel are exempt
237 from s. 119.07(1) and s. 24(a), Art. I of the State
238 Constitution.

239 s. The home addresses, telephone numbers, dates of birth,
240 and photographs of current or former directors, managers,
241 supervisors, nurses, and clinical employees of an addiction
242 treatment facility; the home addresses, telephone numbers,
243 photographs, dates of birth, and places of employment of the
244 spouses and children of such personnel; and the names and
245 locations of schools and day care facilities attended by the
246 children of such personnel are exempt from s. 119.07(1) and s.
247 24(a), Art. I of the State Constitution. For purposes of this
248 sub-subparagraph, the term "addiction treatment facility" means
249 a county government, or agency thereof, that is licensed
250 pursuant to s. 397.401 and provides substance abuse prevention,
251 intervention, or clinical treatment, including any licensed
252 service component described in s. 397.311(26).

253 t. The home addresses, telephone numbers, dates of birth,
254 and photographs of current or former directors, managers,
255 supervisors, and clinical employees of a child advocacy center
256 that meets the standards of s. 39.3035(1) and fulfills the
257 screening requirement of s. 39.3035(2), and the members of a
258 Child Protection Team as described in s. 39.303 whose duties
259 include supporting the investigation of child abuse or sexual
260 abuse, child abandonment, child neglect, and child exploitation
261 or to provide services as part of a multidisciplinary case

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262 review team; the names, home addresses, telephone numbers,
263 photographs, dates of birth, and places of employment of the
264 spouses and children of such personnel and members; and the
265 names and locations of schools and day care facilities attended
266 by the children of such personnel and members are exempt from s.
267 119.07(1) and s. 24(a), Art. I of the State Constitution.

268 u. The home addresses, telephone numbers, and dates of
269 birth of current members of the Senate, members of the House of
270 Representatives, and Cabinet officers; the names, home
271 addresses, telephone numbers, dates of birth, and places of
272 employment of the spouses and children of current legislators
273 and Cabinet officers; and the names and locations of schools and
274 day care facilities attended by the children of current
275 legislators and Cabinet officers are exempt from s. 119.07(1)
276 and s. 24(a), Art. I of the State Constitution.

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

285 4. An officer, an employee, a justice, a judge, or other
286 person specified in subparagraph 2. may submit a written request
287 for the release of his or her exempt information to the
288 custodial agency. The written request must be notarized and must
289 specify the information to be released and the party that is
290 authorized to receive the information. Upon receipt of the

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291 written request, the custodial agency shall release the
292 specified information to the party authorized to receive such
293 information.

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

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

301 Section 2. The Legislature finds that it is a public
302 necessity that the home addresses, telephone numbers, and dates
303 of birth of current members of the Senate and the House of
304 Representatives and Cabinet officers; the names, home addresses,
305 telephone numbers, dates of birth, and places of employment of
306 the spouses and children of such legislators and officers; and
307 the names and locations of schools and day care facilities
308 attended by the children of such legislators and officers be
309 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
310 Article I of the State Constitution. Members of the Legislature
311 and the Cabinet are often confronted with making difficult and
312 impactful policy decisions. As a result, legislators and Cabinet
313 officers, and their families, may receive threats including, but
314 not limited to, verbal threats, harassment, and intimidation as
315 a result of carrying out their official duties. Vulnerability to
316 such threats may discourage residents of this state from seeking
317 elected office in order to protect themselves and their
318 families. The Legislature further finds that the harm that may
319 result from the release of such personal identifying and

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320 location information outweighs any public benefit that may be
321 derived from the disclosure of the information.

322 Section 3. This act shall take effect July 1, 2020.