

By the Committee on Criminal Justice; and Senator Perry

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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 the personal identifying and
5 location information of current and former
6 commissioners and specified commission personnel of
7 the Florida Commission on Offender Review and the
8 names and personal identifying and location
9 information of the spouses and children of such
10 personnel; providing for future review and repeal of
11 the exemption; providing a statement of public
12 necessity; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (d) of subsection (4) of section
17 119.071, Florida Statutes, is amended to read:

18 119.071 General exemptions from inspection or copying of
19 public records.—

20 (4) AGENCY PERSONNEL INFORMATION.—

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

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

28 b. "Telephone numbers" includes home telephone numbers,
29 personal cellular telephone numbers, personal pager telephone

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30 numbers, and telephone numbers associated with personal
31 communications devices.

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

50 b. The home addresses, telephone numbers, dates of birth,
51 and photographs of current or former nonsworn investigative
52 personnel of the Department of Financial Services whose duties
53 include the investigation of fraud, theft, workers' compensation
54 coverage requirements and compliance, other related criminal
55 activities, or state regulatory requirement violations; the
56 names, home addresses, telephone numbers, dates of birth, and
57 places of employment of the spouses and children of such
58 personnel; and the names and locations of schools and day care

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59 facilities attended by the children of such personnel are exempt
60 from s. 119.07(1) and s. 24(a), Art. I of the State
61 Constitution.

62 c. The home addresses, telephone numbers, dates of birth,
63 and photographs of current or former nonsworn investigative
64 personnel of the Office of Financial Regulation's Bureau of
65 Financial Investigations whose duties include the investigation
66 of fraud, theft, other related criminal activities, or state
67 regulatory requirement violations; the names, home addresses,
68 telephone numbers, dates of birth, and places of employment of
69 the spouses and children of such personnel; and the names and
70 locations of schools and day care facilities attended by the
71 children of such personnel are exempt from s. 119.07(1) and s.
72 24(a), Art. I of the State Constitution.

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

81 e. The home addresses, dates of birth, and telephone
82 numbers of current or former justices of the Supreme Court,
83 district court of appeal judges, circuit court judges, and
84 county court judges; the names, home addresses, telephone
85 numbers, dates of birth, and places of employment of the spouses
86 and children of current or former justices and judges; and the
87 names and locations of schools and day care facilities attended

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88 by the children of current or former justices and judges are
89 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
90 Constitution.

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

103 g. The home addresses, dates of birth, and telephone
104 numbers of general magistrates, special magistrates, judges of
105 compensation claims, administrative law judges of the Division
106 of Administrative Hearings, and child support enforcement
107 hearing officers; the names, home addresses, telephone numbers,
108 dates of birth, and places of employment of the spouses and
109 children of general magistrates, special magistrates, judges of
110 compensation claims, administrative law judges of the Division
111 of Administrative Hearings, and child support enforcement
112 hearing officers; and the names and locations of schools and day
113 care facilities attended by the children of general magistrates,
114 special magistrates, judges of compensation claims,
115 administrative law judges of the Division of Administrative
116 Hearings, and child support enforcement hearing officers are

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117 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
118 Constitution.

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

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

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

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146 s. 24(a), Art. I of the State Constitution.

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

164 l. The home addresses, telephone numbers, dates of birth,
165 and photographs of current or former public defenders, assistant
166 public defenders, criminal conflict and civil regional counsel,
167 and assistant criminal conflict and civil regional counsel; the
168 names, home addresses, telephone numbers, dates of birth, and
169 places of employment of the spouses and children of current or
170 former public defenders, assistant public defenders, criminal
171 conflict and civil regional counsel, and assistant criminal
172 conflict and civil regional counsel; and the names and locations
173 of schools and day care facilities attended by the children of
174 current or former public defenders, assistant public defenders,

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175 criminal conflict and civil regional counsel, and assistant
176 criminal conflict and civil regional counsel are exempt from s.
177 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

195 o. The home addresses, telephone numbers, dates of birth,
196 and photographs of current or former personnel of the Department
197 of Health whose duties include, or result in, the determination
198 or adjudication of eligibility for social security disability
199 benefits, the investigation or prosecution of complaints filed
200 against health care practitioners, or the inspection of health
201 care practitioners or health care facilities licensed by the
202 Department of Health; the names, home addresses, telephone
203 numbers, dates of birth, and places of employment of the spouses

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204 and children of such personnel; and the names and locations of
205 schools and day care facilities attended by the children of such
206 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
207 the State Constitution.

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

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

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

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233 department whose duties include auditing or investigating waste,
234 fraud, abuse, theft, exploitation, or other activities that
235 could lead to criminal prosecution or administrative discipline;
236 the names, home addresses, telephone numbers, dates of birth,
237 and places of employment of spouses and children of such
238 personnel; and the names and locations of schools and day care
239 facilities attended by the children of such personnel are exempt
240 from s. 119.07(1) and s. 24(a), Art. I of the State
241 Constitution.

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

256 t. The home addresses, telephone numbers, dates of birth,
257 and photographs of current or former directors, managers,
258 supervisors, and clinical employees of a child advocacy center
259 that meets the standards of s. 39.3035(1) and fulfills the
260 screening requirement of s. 39.3035(2), and the members of a
261 Child Protection Team as described in s. 39.303 whose duties

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262 include supporting the investigation of child abuse or sexual
263 abuse, child abandonment, child neglect, and child exploitation
264 or to provide services as part of a multidisciplinary case
265 review team; the names, home addresses, telephone numbers,
266 photographs, dates of birth, and places of employment of the
267 spouses and children of such personnel and members; and the
268 names and locations of schools and day care facilities attended
269 by the children of such personnel and members are exempt from s.
270 119.07(1) and s. 24(a), Art. I of the State Constitution.

271 u. The home addresses, telephone numbers, dates of birth,
272 and photographs of current or former commissioners of the
273 Florida Commission on Offender Review or commission personnel
274 whose duties include making a final decision on, holding a
275 hearing for, or investigating a violation of post-incarceration
276 supervised release; the names, home addresses, telephone
277 numbers, dates of birth, photographs, and places of employment
278 of the spouses and children of such current or former
279 commissioners and commission personnel; and the names and
280 locations of schools and day care facilities attended by the
281 children of such current or former commissioners and commission
282 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
283 the State Constitution. This sub-subparagraph is subject to the
284 Open Government Sunset Review Act in accordance with s. 119.15
285 and shall stand repealed on October 2, 2025, unless reviewed and
286 saved from repeal through reenactment by the Legislature.

287 3. An agency that is the custodian of the information
288 specified in subparagraph 2. and that is not the employer of the
289 officer, employee, justice, judge, or other person specified in
290 subparagraph 2. shall maintain the exempt status of that

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291 information only if the officer, employee, justice, judge, other
292 person, or employing agency of the designated employee submits a
293 written request for maintenance of the exemption to the
294 custodial agency.

295 4. An officer, an employee, a justice, a judge, or other
296 person specified in subparagraph 2. may submit a written request
297 for the release of his or her exempt information to the
298 custodial agency. The written request must be notarized and must
299 specify the information to be released and the party that is
300 authorized to receive the information. Upon receipt of the
301 written request, the custodial agency shall release the
302 specified information to the party authorized to receive such
303 information.

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

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

311 Section 2. (1) The Legislature finds that it is a public
312 necessity to exempt from public records requirements the home
313 addresses, telephone numbers, dates of birth, and photographs of
314 current or former commissioners of the Florida Commission on
315 Offender Review and commission personnel whose duties include
316 making a final decision on, holding a hearing for, or
317 investigating a violation of post-incarceration supervised
318 release; the names, home addresses, telephone numbers, dates of
319 birth, photographs, and places of employment of the spouses and

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320 children of such current or former commissioners and commission
321 personnel; and the names and locations of schools and day care
322 facilities attended by the children of such current or former
323 commissioners and commission personnel.

324 (2) The efforts of commissioners and commission personnel
325 can have a direct effect on which persons are placed on parole
326 or released on conditional medical release; on the terms and
327 conditions of those persons released on parole, conditional
328 release, conditional medical release, or addiction recovery
329 supervision; and on the determination of whether a releasee has
330 violated the terms of his or her parole. The Legislature finds
331 that the release of such personal identifying information and
332 location information might place these personnel of the Florida
333 Commission on Offender Review and their family members in danger
334 of physical and emotional harm by disgruntled individuals who
335 react contentiously to actions taken by such personnel. The
336 Legislature further finds that the harm that may result from the
337 release of such personal identifying and location information
338 outweighs any public benefit that may be derived from the
339 disclosure of such information.

340 Section 3. This act shall take effect upon becoming a law.