

By Senator Harrell

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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 or former emergency
6 room health care practitioners and the spouses and
7 children of such practitioners; defining the term
8 "emergency room health care practitioner"; providing
9 for retroactive application; providing a statement of
10 public necessity; providing an effective date.

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

13
14 Section 1. Paragraph (d) of subsection (4) of section
15 119.071, Florida Statutes, is amended to read:

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

18 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

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

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

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59 Constitution.

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

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

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

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

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

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

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

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

145 k. The home addresses, telephone numbers, dates of birth,

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

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

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

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

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

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

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204 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
205 the State Constitution.

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

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

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

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

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

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

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

269 u.(I) The home addresses, telephone numbers, dates of
270 birth, and photographs of current or former emergency room
271 health care practitioners; the names, home addresses, telephone
272 numbers, dates of birth, and places of employment of the spouses
273 and children of such practitioners; and the names and locations
274 of schools and day care facilities attended by the children of
275 such practitioners are exempt from s. 119.07(1) and s. 24(a),
276 Art. I of the State Constitution.

277 (II) For purposes of sub-sub-paragraph (I), the term
278 "emergency room health care practitioner" means a physician or a
279 physician assistant licensed under chapter 458 or chapter 459;
280 an advanced practice registered nurse, a registered nurse, or a
281 licensed practical nurse licensed under part I of chapter 464;
282 or any other licensed health care personnel whose duties are
283 performed in a hospital emergency department.

284 3. An agency that is the custodian of the information
285 specified in subparagraph 2. and that is not the employer of the
286 officer, employee, justice, judge, or other person specified in
287 subparagraph 2. shall maintain the exempt status of that
288 information only if the officer, employee, justice, judge, other
289 person, or employing agency of the designated employee submits a
290 written request for maintenance of the exemption to the

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291 custodial agency.

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

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

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

308 Section 2. The Legislature finds that it is a public
309 necessity that the home addresses, telephone numbers, dates of
310 birth, and photographs of current or former emergency room
311 health care practitioners; the names, home addresses, telephone
312 numbers, and places of employment of the spouses and children of
313 such practitioners; and the names and locations of schools and
314 day care facilities attended by the children of such
315 practitioners be exempt from public records requirements.
316 Emergency room health care practitioners, by nature of their
317 duties, are often placed in traumatic circumstances in which
318 loss of life and severe bodily injuries have occurred. Such
319 practitioners are particularly vulnerable to physical violence,

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320 harassment, and intimidation perpetrated by patients or
321 relatives of patients who can be violent, angry, or mentally
322 unstable. As a result, the Legislature finds that the release of
323 identifying and location information of emergency room health
324 care practitioners, or the spouses and children of such
325 practitioners, could place them in danger of being physically or
326 emotionally harmed or stalked by a person who has a hostile
327 reaction to his or her encounter with such practitioners. The
328 Legislature further finds that the harm that may result from the
329 release of such identifying and location information outweighs
330 any public benefit that may be derived from the disclosure of
331 the information.

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