

By the Committee on Governmental Oversight and Accountability;
and Senator Stargel

585-03619-21

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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 spouses and children of such
7 legislators; providing for future legislative review
8 and repeal of the exemption under the Open Government
9 Sunset Review Act; providing a statement of public
10 necessity; providing an effective date.

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

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14 Section 1. Paragraph (1) is added to subsection (5) of
15 section 119.071, Florida Statutes, to read:

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

18 (5) OTHER PERSONAL INFORMATION.—

19 (1)1. For purposes of this paragraph, "identification and
20 location information" means:

21 a. The home address and telephone number of a current
22 member of the Senate or House of Representatives;

23 b. The name, home address, telephone number, and place of
24 employment of the spouse or child of a current legislator;

25 c. The name and location of a school or day care facility
26 attended by the child of a current legislator.

27 2. Identification and location information held by an
28 agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the
29 State Constitution if such legislator submits to an agency that

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30 has custody of the identification and location information:

31 a. A written request to exempt such information from public
32 disclosure; and

33 b. A written statement that he or she has made a reasonable
34 effort to protect the identification and location information
35 from being accessible through other means available to the
36 public.

37 3. This paragraph is subject to the Open Government Sunset
38 Review Act in accordance with s. 119.15 and shall stand repealed
39 on October 2, 2026, unless reviewed and saved from repeal
40 through reenactment by the Legislature.

41 Section 2. The Legislature finds that it is a public
42 necessity that the home addresses and telephone numbers of
43 current members of the Senate and the House of Representatives;
44 the names, home addresses, telephone numbers, and places of
45 employment of the spouses and children of such legislators; and
46 the names and location of schools and day care facilities
47 attended by the children of such legislators be made exempt from
48 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
49 State Constitution. Members of the Legislature often have to
50 make difficult and impactful policy decisions. As a result,
51 legislators and their family members may receive threats,
52 including, but not limited to, verbal threats, harassment, and
53 intimidation, as a result of carrying out their official duties.
54 Vulnerability to such threats may discourage residents of this
55 state from seeking elected office in order to protect themselves
56 and their families. The Legislature further finds that the harm
57 that may result from the release of such personal identifying
58 and location information outweighs any public benefit that may

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59 be derived from the disclosure of the information.

60 Section 3. This act shall take effect July 1, 2021.