

By the Committee on Agriculture; and Senator Cruz

575-02697-21

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; exempting personal identifying and
4 location information of certain current or former
5 inspectors of the Department of Agriculture and
6 Consumer Services, and personal identifying and
7 location information of spouses and children of such
8 personnel, from public records requirements; providing
9 for future legislative review and repeal of the
10 exemption; providing a statement of public necessity;
11 providing an effective date.

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

14
15 Section 1. Paragraph (d) of subsection (4) of section
16 119.071, Florida Statutes, is amended to read:

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

19 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

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30 communications devices.

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

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

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

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

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.

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

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

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

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

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117 Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

287 4. An officer, an employee, a justice, a judge, or other
288 person specified in subparagraph 2. may submit a written request
289 for the release of his or her exempt information to the
290 custodial agency. The written request must be notarized and must

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291 specify the information to be released and the party that is
292 authorized to receive the information. Upon receipt of the
293 written request, the custodial agency shall release the
294 specified information to the party authorized to receive such
295 information.

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

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

303 Section 2. The Legislature finds that it is a public
304 necessity that the home addresses, telephone numbers, dates of
305 birth, and photographs of current or former inspectors of the
306 Department of Agriculture and Consumer Services; the names, home
307 addresses, telephone numbers, dates of birth, and places of
308 employment of the spouses and children of such staff; and the
309 names and locations of schools and day care facilities attended
310 by the children of such staff be exempt from public record
311 requirements. The release of such identifying and location
312 information may place current or former inspectors of the
313 department and their family members in danger of physical and
314 emotional harm from disgruntled individuals. Such risk continues
315 after their service with the department as disgruntled
316 individuals may wait to commit an act of revenge until after the
317 employment of the department personnel ends. If such identifying
318 and location information is released, the safety of current or
319 former personnel and their spouses and children could be

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320 seriously jeopardized. For these reasons, the Legislature finds
321 that it is a public necessity that such information be made
322 exempt from public records requirements and that the harm that
323 may result from the release of such personal identifying and
324 location information outweighs any public benefit that may be
325 derived from the disclosure of the information.

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