

By Senator Stewart

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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 county  
6       attorneys and assistant county attorneys and the names  
7       and personal identifying and location information of  
8       the spouses and children of such attorneys; providing  
9       a statement of public necessity; providing an  
10      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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88 Constitution.

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. The home addresses, telephone numbers, dates of birth,  
270 and photographs of current or former county attorneys or  
271 assistant county attorneys; the names, home addresses, telephone  
272 numbers, photographs, dates of birth, and places of employment  
273 of the spouses and children of current or former county  
274 attorneys or assistant county attorneys; and the names and  
275 locations of schools and day care facilities attended by the  
276 children of current or former county attorneys or assistant  
277 county attorneys are exempt from s. 119.07(1) and s. 24(a), Art.  
278 I of the 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 county attorneys and  
306 assistant county attorneys be made exempt from s. 119.07(1),  
307 Florida Statutes, and s. 24(a), Article I of the State  
308 Constitution. The Legislature further finds that it is a public  
309 necessity that the names, home addresses, telephone numbers,  
310 photographs, dates of birth, and places of employment of the  
311 spouses and children, and the names and locations of schools and  
312 day care facilities attended by such children, of current or  
313 former county attorneys and assistant county attorneys be made  
314 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
315 Article I of the State Constitution. The Legislature finds that  
316 the release of such personal identifying and location  
317 information could place such persons in danger of being  
318 physically or emotionally harmed or stalked by a defendant or  
319 other person. The Legislature finds that the harm that may

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320 result from the release of such personal identifying and  
321 location information outweighs any public benefit that may be  
322 derived from the disclosure of the information.

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