

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 and former judicial
 6 assistants and their spouses and children; providing
 7 for retroactive application of the exemption;
 8 providing for future legislative review and repeal of
 9 the exemption; 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 (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
 21 an 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.

30 | 2.a. The home addresses, telephone numbers, dates of
31 | birth, 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
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, and judicial assistants; the names, home
83 | addresses, telephone numbers, dates of birth, and places of
84 | employment of the spouses and children of current or former
85 | justices, ~~and judges~~, and judicial assistants; and the names and
86 | locations of schools and day care facilities attended by the
87 | children of current or former justices, ~~and judges~~, and judicial
88 | assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of
89 | the State 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
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.

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 1. 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
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
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,
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
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 3. An agency that is the custodian of the information
271 specified in subparagraph 2. and that is not the employer of the
272 officer, employee, justice, judge, or other person specified in
273 subparagraph 2. shall maintain the exempt status of that
274 information only if the officer, employee, justice, judge, other
275 person, or employing agency of the designated employee submits a

276 written request for maintenance of the exemption to the
277 custodial agency.

278 4. An officer, an employee, a justice, a judge, or other
279 person specified in subparagraph 2. may submit a written request
280 for the release of his or her exempt information to the
281 custodial agency. The written request must be notarized and must
282 specify the information to be released and the party that is
283 authorized to receive the information. Upon receipt of the
284 written request, the custodial agency shall release the
285 specified information to the party authorized to receive such
286 information.

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

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

294 Section 2. The Legislature finds that it is a public
295 necessity that the home addresses, dates of birth, and telephone
296 numbers of current or former judicial assistants; the names,
297 home addresses, telephone numbers, dates of birth, and places of
298 employment of the spouses and children of such judicial
299 assistants; and the names and locations of schools and day care
300 facilities attended by the children of such judicial assistants

301 be made exempt from s. 119.07(1), Florida Statutes, and s.
302 24(a), Article I of the State Constitution. Such identifying and
303 location information can be used as a tool to perpetuate fraud
304 against an individual and to acquire sensitive personal,
305 financial, medical, and familial information, the release of
306 which could cause great financial harm to the individual. In the
307 course of assisting in making rulings, entering judgments,
308 imposing sentences, or reviewing cases, judicial assistants
309 frequently do not create good will with litigants, the accused,
310 the convicted, and their associates and families, thus making
311 the judicial assistants, and their spouses and children, targets
312 for acts of revenge. This risk continues after judicial
313 assistants complete their public service. Disgruntled
314 individuals may wait to commit an act of revenge until the
315 employment of a judicial assistant ends. If such identifying and
316 location information is released, the safety of current or
317 former judicial assistants and their spouses and children could
318 be seriously jeopardized. For these reasons, the Legislature
319 finds that it is a public necessity that such information be
320 made exempt from public records requirements.

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