

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 current and former staff and
 5 volunteers of domestic violence centers certified by
 6 the Department of Children and Families under ch. 39,
 7 F.S., and personal identifying and location
 8 information of spouses and children of such personnel,
 9 from public records requirements; providing for future
 10 legislative review and repeal of the exemption;
 11 providing a statement of public necessity; providing
 12 an effective date.

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

15
 16 Section 1. Paragraph (d) of subsection (4) of section
 17 119.071, Florida Statutes, is amended to read:

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

20 (4) AGENCY PERSONNEL INFORMATION.—

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

22 a. "Home addresses" means the dwelling location at which
 23 an individual resides and includes the physical address, mailing
 24 address, street address, parcel identification number, plot
 25 identification number, legal property description, neighborhood

26 | name and lot number, GPS coordinates, and any other descriptive
27 | property information that may reveal the home address.

28 | b. "Telephone numbers" includes home telephone numbers,
29 | personal cellular telephone numbers, personal pager telephone
30 | numbers, and telephone numbers associated with personal
31 | communications devices.

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

50 | b. The home addresses, telephone numbers, dates of birth,

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

62 c. The home addresses, telephone numbers, dates of birth,
63 and photographs of current or former nonsworn investigative
64 personnel of the Office of Financial Regulation's Bureau of
65 Financial Investigations whose duties include the investigation
66 of fraud, theft, other related criminal activities, or state
67 regulatory requirement violations; the names, home addresses,
68 telephone numbers, dates of birth, and places of employment of
69 the spouses and children of such personnel; and the names and
70 locations of schools and day care facilities attended by the
71 children of such personnel are exempt from s. 119.07(1) and s.
72 24(a), Art. I of the State Constitution.

73 d. The home addresses, telephone numbers, dates of birth,
74 and photographs of current or former firefighters certified in
75 compliance with s. 633.408; the names, home addresses, telephone

76 numbers, photographs, dates of birth, and places of employment
77 of the spouses and children of such firefighters; and the names
78 and locations of schools and day care facilities attended by the
79 children of such firefighters are exempt from s. 119.07(1) and
80 s. 24(a), Art. I of the State Constitution.

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

91 f. The home addresses, telephone numbers, dates of birth,
92 and photographs of current or former state attorneys, assistant
93 state attorneys, statewide prosecutors, or assistant statewide
94 prosecutors; the names, home addresses, telephone numbers,
95 photographs, dates of birth, and places of employment of the
96 spouses and children of current or former state attorneys,
97 assistant state attorneys, statewide prosecutors, or assistant
98 statewide prosecutors; and the names and locations of schools
99 and day care facilities attended by the children of current or
100 former state attorneys, assistant state attorneys, statewide

101 prosecutors, or assistant statewide prosecutors are exempt from
102 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

119 h. The home addresses, telephone numbers, dates of birth,
120 and photographs of current or former human resource, labor
121 relations, or employee relations directors, assistant directors,
122 managers, or assistant managers of any local government agency
123 or water management district whose duties include hiring and
124 firing employees, labor contract negotiation, administration, or
125 other personnel-related duties; the names, home addresses,

126 telephone numbers, dates of birth, and places of employment of
127 the spouses and children of such personnel; and the names and
128 locations of schools and day care facilities attended by the
129 children of such personnel are exempt from s. 119.07(1) and s.
130 24(a), Art. I of the State Constitution.

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

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

147 k. The home addresses, telephone numbers, dates of birth,
148 and photographs of current or former juvenile probation
149 officers, juvenile probation supervisors, detention
150 superintendents, assistant detention superintendents, juvenile

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

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

176 criminal conflict and civil regional counsel are exempt from s.
177 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

195 o. The home addresses, telephone numbers, dates of birth,
196 and photographs of current or former personnel of the Department
197 of Health whose duties include, or result in, the determination
198 or adjudication of eligibility for social security disability
199 benefits, the investigation or prosecution of complaints filed
200 against health care practitioners, or the inspection of health

201 care practitioners or health care facilities licensed by the
202 Department of Health; the names, home addresses, telephone
203 numbers, dates of birth, and places of employment of the spouses
204 and children of such personnel; and the names and locations of
205 schools and day care facilities attended by the children of such
206 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
207 the State Constitution.

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

220 q. The home addresses, telephone numbers, dates of birth,
221 and photographs of current or former emergency medical
222 technicians or paramedics certified under chapter 401; the
223 names, home addresses, telephone numbers, dates of birth, and
224 places of employment of the spouses and children of such
225 emergency medical technicians or paramedics; and the names and

226 | locations of schools and day care facilities attended by the
227 | children of such emergency medical technicians or paramedics are
228 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State
229 | Constitution.

230 | r. The home addresses, telephone numbers, dates of birth,
231 | and photographs of current or former personnel employed in an
232 | agency's office of inspector general or internal audit
233 | department whose duties include auditing or investigating waste,
234 | fraud, abuse, theft, exploitation, or other activities that
235 | could lead to criminal prosecution or administrative discipline;
236 | the names, home addresses, telephone numbers, dates of birth,
237 | and places of employment of spouses and children of such
238 | personnel; and the names and locations of schools and day care
239 | facilities attended by the children of such personnel are exempt
240 | from s. 119.07(1) and s. 24(a), Art. I of the State
241 | Constitution.

242 | s. The home addresses, telephone numbers, dates of birth,
243 | and photographs of current or former directors, managers,
244 | supervisors, nurses, and clinical employees of an addiction
245 | treatment facility; the home addresses, telephone numbers,
246 | photographs, dates of birth, and places of employment of the
247 | spouses and children of such personnel; and the names and
248 | locations of schools and day care facilities attended by the
249 | children of such personnel are exempt from s. 119.07(1) and s.
250 | 24(a), Art. I of the State Constitution. For purposes of this

251 sub-subparagraph, the term "addiction treatment facility" means
252 a county government, or agency thereof, that is licensed
253 pursuant to s. 397.401 and provides substance abuse prevention,
254 intervention, or clinical treatment, including any licensed
255 service component described in s. 397.311(26).

256 t. The home addresses, telephone numbers, dates of birth,
257 and photographs of current or former directors, managers,
258 supervisors, and clinical employees of a child advocacy center
259 that meets the standards of s. 39.3035(1) and fulfills the
260 screening requirement of s. 39.3035(2), and the members of a
261 Child Protection Team as described in s. 39.303 whose duties
262 include supporting the investigation of child abuse or sexual
263 abuse, child abandonment, child neglect, and child exploitation
264 or to provide services as part of a multidisciplinary case
265 review team; the names, home addresses, telephone numbers,
266 photographs, dates of birth, and places of employment of the
267 spouses and children of such personnel and members; and the
268 names and locations of schools and day care facilities attended
269 by the children of such personnel and members are exempt from s.
270 119.07(1) and s. 24(a), Art. I of the State Constitution.

271 u. The home addresses, telephone numbers, places of
272 employment, dates of birth, and photographs of current or former
273 staff and volunteers of domestic violence centers certified by
274 the Department of Children and Families under chapter 39; the
275 names, home addresses, telephone numbers, places of employment,

276 dates of birth, and photographs of the spouses and children of
277 such personnel; and the names and locations of schools and day
278 care facilities attended by the children of such personnel are
279 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
280 Constitution.

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

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

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

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

305 Section 2. The Legislature finds that it is a public
306 necessity that the home addresses, telephone numbers, places of
307 employment, dates of birth, and photographs of current or former
308 staff and volunteers of domestic violence centers certified by
309 the Department of Children and Families under chapter 39; the
310 names, home addresses, telephone numbers, places of employment,
311 dates of birth, and photographs of the spouses and children of
312 such personnel; and the names and locations of schools and day
313 care facilities attended by the children of such personnel be
314 exempt from public records requirements. Such personnel and
315 their family members are at a heightened risk of physical and
316 emotional harm from perpetrators of domestic violence who have
317 contentious reactions to actions taken by such personnel to
318 house and protect victims of domestic violence and limit further
319 harm to such victims. The Legislature further finds that it is
320 necessary to provide safeguards to staff and volunteers who are
321 offering their time to protect victims of domestic violence.
322 Without such protection, individuals may be less willing to
323 volunteer or work for such centers, thus reducing the pool of
324 resources and assistance available to address the already
325 significant needs of victims of domestic violence.

HB 691

2021

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