



431530

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
	.	
	.	
	.	

---

The Committee on Community Affairs (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 283 - 396

and insert:

v. The home addresses, telephone numbers, and dates of birth of current or former county attorneys, deputy county attorneys, assistant county attorneys, city attorneys, deputy city attorneys, and assistant city attorneys; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former



431530

11 county attorneys, deputy county attorneys, assistant county  
12 attorneys, city attorneys, deputy city attorneys, and assistant  
13 city attorneys; and the names and locations of schools and day  
14 care facilities attended by the children of current or former  
15 county attorneys, deputy county attorneys, assistant county  
16 attorneys, city attorneys, deputy city attorneys, and assistant  
17 city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I  
18 of the State Constitution. This exemption does not apply to a  
19 current or former county attorney, deputy county attorney,  
20 assistant county attorney, city attorney, deputy city attorney,  
21 or assistant city attorney who qualifies as a candidate for  
22 election to public office.

23       3. An agency that is the custodian of the information  
24 specified in subparagraph 2. and that is not the employer of the  
25 officer, employee, justice, judge, or other person specified in  
26 subparagraph 2. must maintain the exempt status of that  
27 information only if the officer, employee, justice, judge, other  
28 person, or employing agency of the designated employee submits a  
29 written and notarized request for maintenance of the exemption  
30 to the custodial agency. The request must state under oath the  
31 statutory basis for the individual's exemption request and  
32 confirm the individual's status as a party eligible for exempt  
33 status.

34       4.a. A county property appraiser, as defined in s.  
35 192.001(3), or a county tax collector, as defined in s.  
36 192.001(4), who receives a written and notarized request for  
37 maintenance of the exemption pursuant to subparagraph 3. must  
38 comply by removing the name of the individual with exempt status  
39 and the instrument number or Official Records book and page



40 number identifying the property with the exempt status from all  
41 publicly available records maintained by the property appraiser  
42 or tax collector. For written requests received on or before  
43 July 1, 2021, a county property appraiser or county tax  
44 collector must comply with this sub-subparagraph by October 1,  
45 2021. A county property appraiser or county tax collector may  
46 not remove the street address, legal description, or other  
47 information identifying real property within the agency's  
48 records so long as a name or personal information otherwise  
49 exempt from inspection and copying pursuant to this section are  
50 not associated with the property or otherwise displayed in the  
51 public records of the agency.

52       b. Any information restricted from public display,  
53 inspection, or copying under sub-subparagraph a. must be  
54 provided to the individual whose information was removed.

55       5. An officer, an employee, a justice, a judge, or other  
56 person specified in subparagraph 2. may submit a written request  
57 for the release of his or her exempt information to the  
58 custodial agency. The written request must be notarized and must  
59 specify the information to be released and the party authorized  
60 to receive the information. Upon receipt of the written request,  
61 the custodial agency must release the specified information to  
62 the party authorized to receive such information.

63       6. The exemptions in this paragraph apply to information  
64 held by an agency before, on, or after the effective date of the  
65 exemption.

66       7. Information made exempt under this paragraph may be  
67 disclosed pursuant to s. 28.2221 to a title insurer authorized  
68 pursuant to s. 624.401 and its affiliates as defined in s.



431530

69 624.10; a title insurance agent or title insurance agency as  
70 defined in s. 626.841(1) or (2), respectively; or an attorney  
71 duly admitted to practice law in this state and in good standing  
72 with The Florida Bar.

73 8. The exempt status of a home address contained in the  
74 Official Records is maintained only during the period when a  
75 protected party resides at the dwelling location. Upon  
76 conveyance of real property after October 1, 2021, and when such  
77 real property no longer constitutes a protected party's home  
78 address as defined in sub-subparagraph 1.a., the protected party  
79 must submit a written request to release the removed information  
80 to the county recorder. The written request to release the  
81 removed information must be notarized, must confirm that a  
82 protected party's request for release is pursuant to a  
83 conveyance of his or her dwelling location, and must specify the  
84 Official Records book and page, instrument number, or clerk's  
85 file number for each document containing the information to be  
86 released.

87 9. Upon the death of a protected party as verified by a  
88 certified copy of a death certificate or court order, any party  
89 can request the county recorder to release a protected  
90 decedent's removed information unless there is a related request  
91 on file with the county recorder for continued removal of the  
92 decedent's information or unless such removal is otherwise  
93 prohibited by statute or by court order. The written request to  
94 release the removed information upon the death of a protected  
95 party must attach the certified copy of a death certificate or  
96 court order and must be notarized, must confirm the request for  
97 release is due to the death of a protected party, and must



431530

98 specify the Official Records book and page number, instrument  
99 number, or clerk's file number for each document containing the  
100 information to be released. A fee may not be charged for the  
101 release of any document pursuant to such request.

102 10. This paragraph is subject to the Open Government Sunset  
103 Review Act in accordance with s. 119.15 and shall stand repealed  
104 on October 2, 2024, unless reviewed and saved from repeal  
105 through reenactment by the Legislature.

106 Section 2. The Legislature finds that it is a public  
107 necessity that the home addresses, telephone numbers, and dates  
108 of birth of current or former county attorneys, deputy county  
109 attorneys, assistant county attorneys, city attorneys, deputy  
110 city attorneys, and assistant city attorneys be made exempt from  
111 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
112 State Constitution. The Legislature further finds that it is a  
113 public necessity that the names, home addresses, telephone  
114 numbers, dates of birth, and places of employment of the spouses  
115 and children of current or former county attorneys, deputy  
116 county attorneys, assistant county attorneys, city attorneys,  
117 deputy city attorneys, and assistant city attorneys, and the  
118 names and locations of schools and day care facilities attended  
119 by the children of such attorneys, be made exempt from s.  
120 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
121 State Constitution. The responsibilities of county attorneys,  
122 deputy county attorneys, assistant county attorneys, city  
123 attorneys, deputy city attorneys, and assistant city

124  
125 ===== T I T L E A M E N D M E N T =====

126 And the title is amended as follows:



431530

127           Delete lines 6 - 7  
128 and insert:  
129           attorneys, deputy county attorneys, assistant county  
130           attorneys, city attorneys, deputy city attorneys, and  
131           assistant city attorneys, and the names and