

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 the chair, commissioners, and
 6 hearing officers of the Public Employees Relations
 7 Commission and the personal identifying and location
 8 information of spouses and children of such personnel;
 9 providing for future legislative review and repeal of
 10 the exemption; providing a statement of public
 11 necessity; providing an effective date.

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

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 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
 22 an 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
30 | communications devices.

31 | 2.a. The home addresses, telephone numbers, dates of
32 | birth, 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
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
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, and the chair, commissioners, and hearing
 107 officers of the Public Employees Relations Commission; the
 108 names, home addresses, telephone numbers, dates of birth, and
 109 places of employment of the spouses and children of general
 110 magistrates, special magistrates, judges of compensation claims,
 111 administrative law judges of the Division of Administrative
 112 Hearings, ~~and~~ child support enforcement hearing officers, and
 113 the chair, commissioners, and hearing officers of the Public
 114 Employees Relations Commission; and the names and locations of
 115 schools and day care facilities attended by the children of
 116 general magistrates, special magistrates, judges of compensation
 117 claims, administrative law judges of the Division of
 118 Administrative Hearings, ~~and~~ child support enforcement hearing
 119 officers, and the chair, commissioners, and hearing officers of
 120 the Public Employees Relations Commission are exempt from s.
 121 119.07(1) and s. 24(a), Art. I of the State Constitution.

122 h. The home addresses, telephone numbers, dates of birth,
 123 and photographs of current or former human resource, labor
 124 relations, or employee relations directors, assistant directors,
 125 managers, or assistant managers of any local government agency

126 or water management district whose duties include hiring and
127 firing employees, labor contract negotiation, administration, or
128 other personnel-related duties; the names, home addresses,
129 telephone numbers, dates of birth, and places of employment of
130 the spouses and children of such personnel; and the names and
131 locations of schools and day care facilities attended by the
132 children of such personnel are exempt from s. 119.07(1) and s.
133 24(a), Art. I of the State Constitution.

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

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

150 k. The home addresses, telephone numbers, dates of birth,

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

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

176 of schools and day care facilities attended by the children of
177 current or former public defenders, assistant public defenders,
178 criminal conflict and civil regional counsel, and assistant
179 criminal conflict and civil regional counsel are exempt from s.
180 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

198 o. The home addresses, telephone numbers, dates of birth,
199 and photographs of current or former personnel of the Department
200 of Health whose duties include, or result in, the determination

201 or adjudication of eligibility for social security disability
202 benefits, the investigation or prosecution of complaints filed
203 against health care practitioners, or the inspection of health
204 care practitioners or health care facilities licensed by the
205 Department of Health; the names, home addresses, telephone
206 numbers, dates of birth, and places of employment of the spouses
207 and children of such personnel; and the names and locations of
208 schools and day care facilities attended by the children of such
209 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
210 the State Constitution.

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

223 q. The home addresses, telephone numbers, dates of birth,
224 and photographs of current or former emergency medical
225 technicians or paramedics certified under chapter 401; the

226 names, home addresses, telephone numbers, dates of birth, and
 227 places of employment of the spouses and children of such
 228 emergency medical technicians or paramedics; and the names and
 229 locations of schools and day care facilities attended by the
 230 children of such emergency medical technicians or paramedics are
 231 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 232 Constitution.

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

245 s. The home addresses, telephone numbers, dates of birth,
 246 and photographs of current or former directors, managers,
 247 supervisors, nurses, and clinical employees of an addiction
 248 treatment facility; the home addresses, telephone numbers,
 249 photographs, dates of birth, and places of employment of the
 250 spouses and children of such personnel; and the names and

251 | locations of schools and day care facilities attended by the
252 | children of such personnel are exempt from s. 119.07(1) and s.
253 | 24(a), Art. I of the State Constitution. For purposes of this
254 | sub-subparagraph, the term "addiction treatment facility" means
255 | a county government, or agency thereof, that is licensed
256 | pursuant to s. 397.401 and provides substance abuse prevention,
257 | intervention, or clinical treatment, including any licensed
258 | service component described in s. 397.311(26).

259 | t. The home addresses, telephone numbers, dates of birth,
260 | and photographs of current or former directors, managers,
261 | supervisors, and clinical employees of a child advocacy center
262 | that meets the standards of s. 39.3035(2) and fulfills the
263 | screening requirement of s. 39.3035(3), and the members of a
264 | Child Protection Team as described in s. 39.303 whose duties
265 | include supporting the investigation of child abuse or sexual
266 | abuse, child abandonment, child neglect, and child exploitation
267 | or to provide services as part of a multidisciplinary case
268 | review team; the names, home addresses, telephone numbers,
269 | photographs, dates of birth, and places of employment of the
270 | spouses and children of such personnel and members; and the
271 | names and locations of schools and day care facilities attended
272 | by the children of such personnel and members are exempt from s.
273 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

274 | u. The home addresses, telephone numbers, places of
275 | employment, dates of birth, and photographs of current or former

276 staff and domestic violence advocates, as defined in s.
277 90.5036(1)(b), of domestic violence centers certified by the
278 Department of Children and Families under chapter 39; the names,
279 home addresses, telephone numbers, places of employment, dates
280 of birth, and photographs of the spouses and children of such
281 personnel; and the names and locations of schools and day care
282 facilities attended by the children of such personnel are exempt
283 from s. 119.07(1) and s. 24(a), Art. I of the State
284 Constitution.

285 3. An agency that is the custodian of the information
286 specified in subparagraph 2. and that is not the employer of the
287 officer, employee, justice, judge, or other person specified in
288 subparagraph 2. must maintain the exempt status of that
289 information only if the officer, employee, justice, judge, other
290 person, or employing agency of the designated employee submits a
291 written and notarized request for maintenance of the exemption
292 to the custodial agency. The request must state under oath the
293 statutory basis for the individual's exemption request and
294 confirm the individual's status as a party eligible for exempt
295 status.

296 4.a. A county property appraiser, as defined in s.
297 192.001(3), or a county tax collector, as defined in s.
298 192.001(4), who receives a written and notarized request for
299 maintenance of the exemption pursuant to subparagraph 3. must
300 comply by removing the name of the individual with exempt status

301 and the instrument number or Official Records book and page
302 number identifying the property with the exempt status from all
303 publicly available records maintained by the property appraiser
304 or tax collector. For written requests received on or before
305 July 1, 2021, a county property appraiser or county tax
306 collector must comply with this sub-subparagraph by October 1,
307 2021. A county property appraiser or county tax collector may
308 not remove the street address, legal description, or other
309 information identifying real property within the agency's
310 records so long as a name or personal information otherwise
311 exempt from inspection and copying pursuant to this section are
312 not associated with the property or otherwise displayed in the
313 public records of the agency.

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

317 5. An officer, an employee, a justice, a judge, or other
318 person specified in subparagraph 2. may submit a written request
319 for the release of his or her exempt information to the
320 custodial agency. The written request must be notarized and must
321 specify the information to be released and the party authorized
322 to receive the information. Upon receipt of the written request,
323 the custodial agency must release the specified information to
324 the party authorized to receive such information.

325 6. The exemptions in this paragraph apply to information

326 held by an agency before, on, or after the effective date of the
327 exemption.

328 7. Information made exempt under this paragraph may be
329 disclosed pursuant to s. 28.2221 to a title insurer authorized
330 pursuant to s. 624.401 and its affiliates as defined in s.
331 624.10; a title insurance agent or title insurance agency as
332 defined in s. 626.841(1) or (2), respectively; or an attorney
333 duly admitted to practice law in this state and in good standing
334 with The Florida Bar.

335 8. The exempt status of a home address contained in the
336 Official Records is maintained only during the period when a
337 protected party resides at the dwelling location. Upon
338 conveyance of real property after October 1, 2021, and when such
339 real property no longer constitutes a protected party's home
340 address as defined in sub-subparagraph 1.a., the protected party
341 must submit a written request to release the removed information
342 to the county recorder. The written request to release the
343 removed information must be notarized, must confirm that a
344 protected party's request for release is pursuant to a
345 conveyance of his or her dwelling location, and must specify the
346 Official Records book and page, instrument number, or clerk's
347 file number for each document containing the information to be
348 released.

349 9. Upon the death of a protected party as verified by a
350 certified copy of a death certificate or court order, any party

351 can request the county recorder to release a protected
352 decedent's removed information unless there is a related request
353 on file with the county recorder for continued removal of the
354 decedent's information or unless such removal is otherwise
355 prohibited by statute or by court order. The written request to
356 release the removed information upon the death of a protected
357 party must attach the certified copy of a death certificate or
358 court order and must be notarized, must confirm the request for
359 release is due to the death of a protected party, and must
360 specify the Official Records book and page number, instrument
361 number, or clerk's file number for each document containing the
362 information to be released. A fee may not be charged for the
363 release of any document pursuant to such request.

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

368 Section 2. The Legislature finds that it is a public
369 necessity that the home addresses, dates of birth, and telephone
370 numbers of the chair, commissioners, and hearing officers of the
371 Public Employees Relations Commission; the names, home
372 addresses, telephone numbers, dates of birth, and places of
373 employment of the spouses and children of such personnel; and
374 the names and locations of schools and day care facilities
375 attended by the children of such personnel be exempt from s.

376 119.07(1), Florida Statutes, and s. 24(a), Article I of the
377 State Constitution. Such personnel and their families are at a
378 heightened risk of physical and emotional harm from disgruntled
379 individuals who have contentious reactions to actions taken by
380 the commission. In addition, such personnel may be subject to
381 threats or acts of revenge because of the duties they perform.
382 The spouses and children of such personnel are also endangered
383 by people who may seek to intimidate or harm such personnel. The
384 Legislature finds that the harm that may result from the release
385 of such personal identifying and location information outweighs
386 any public benefit that may be derived from disclosure of the
387 information.

388 Section 3. This act shall take effect July 1, 2022.