

By Senator Ausley

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.071, F.S.; exempting the personal identifying and  
4       location information of the chair, commissioners, and  
5       hearing officers of the Public Employees Relations  
6       Commission and the personal identifying and location  
7       information of spouses and children of such personnel  
8       from public records requirements; providing for future  
9       legislative review and repeal of the exemption;  
10      providing a statement of public necessity; providing  
11      an effective date.

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

14  
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 an  
22       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

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30 communications devices.

31       2.a. The home addresses, telephone numbers, dates of birth,  
32 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

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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

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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

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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

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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 l. 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

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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

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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.



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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

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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

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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

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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.

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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 Sunset  
365 Review Act in accordance with s. 119.15 and shall stand repealed  
366 on October 2, 2024, unless reviewed and saved from repeal  
367 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

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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.