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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/05/2023	.	
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The Committee on Governmental Oversight and Accountability  
(Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(4) AGENCY PERSONNEL INFORMATION.—

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



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11           a. "Home addresses" means the dwelling location at which an  
12 individual resides and includes the physical address, mailing  
13 address, street address, parcel identification number, plot  
14 identification number, legal property description, neighborhood  
15 name and lot number, GPS coordinates, and any other descriptive  
16 property information that may reveal the home address.

17           b. "Telephone numbers" includes home telephone numbers,  
18 personal cellular telephone numbers, personal pager telephone  
19 numbers, and telephone numbers associated with personal  
20 communications devices.

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

39           b. The home addresses, telephone numbers, dates of birth,



40 and photographs of current or former nonsworn investigative  
41 personnel of the Department of Financial Services whose duties  
42 include the investigation of fraud, theft, workers' compensation  
43 coverage requirements and compliance, other related criminal  
44 activities, or state regulatory requirement violations; the  
45 names, home addresses, telephone numbers, dates of birth, and  
46 places of employment of the spouses and children of such  
47 personnel; and the names and locations of schools and day care  
48 facilities attended by the children of such personnel are exempt  
49 from s. 119.07(1) and s. 24(a), Art. I of the State  
50 Constitution.

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

62 d. The home addresses, telephone numbers, dates of birth,  
63 and photographs of current or former firefighters certified in  
64 compliance with s. 633.408; the names, home addresses, telephone  
65 numbers, photographs, dates of birth, and places of employment  
66 of the spouses and children of such firefighters; and the names  
67 and locations of schools and day care facilities attended by the  
68 children of such firefighters are exempt from s. 119.07(1) and



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69 s. 24(a), Art. I of the State Constitution.

70 e. The home addresses, dates of birth, and telephone  
71 numbers of current or former justices of the Supreme Court,  
72 district court of appeal judges, circuit court judges, and  
73 county court judges; the names, home addresses, telephone  
74 numbers, dates of birth, and places of employment of the spouses  
75 and children of current or former justices and judges; and the  
76 names and locations of schools and day care facilities attended  
77 by the children of current or former justices and judges are  
78 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
79 Constitution.

80 f. The home addresses, telephone numbers, dates of birth,  
81 and photographs of current or former state attorneys, assistant  
82 state attorneys, statewide prosecutors, or assistant statewide  
83 prosecutors; the names, home addresses, telephone numbers,  
84 photographs, dates of birth, and places of employment of the  
85 spouses and children of current or former state attorneys,  
86 assistant state attorneys, statewide prosecutors, or assistant  
87 statewide prosecutors; and the names and locations of schools  
88 and day care facilities attended by the children of current or  
89 former state attorneys, assistant state attorneys, statewide  
90 prosecutors, or assistant statewide prosecutors are exempt from  
91 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

92 g. The home addresses, dates of birth, and telephone  
93 numbers of general magistrates, special magistrates, judges of  
94 compensation claims, administrative law judges of the Division  
95 of Administrative Hearings, and child support enforcement  
96 hearing officers; the names, home addresses, telephone numbers,  
97 dates of birth, and places of employment of the spouses and



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98 children of general magistrates, special magistrates, judges of  
99 compensation claims, administrative law judges of the Division  
100 of Administrative Hearings, and child support enforcement  
101 hearing officers; and the names and locations of schools and day  
102 care facilities attended by the children of general magistrates,  
103 special magistrates, judges of compensation claims,  
104 administrative law judges of the Division of Administrative  
105 Hearings, and child support enforcement hearing officers are  
106 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
107 Constitution.

108 h. The home addresses, telephone numbers, dates of birth,  
109 and photographs of current or former human resource, labor  
110 relations, or employee relations directors, assistant directors,  
111 managers, or assistant managers of any local government agency  
112 or water management district whose duties include hiring and  
113 firing employees, labor contract negotiation, administration, or  
114 other personnel-related duties; the names, home addresses,  
115 telephone numbers, dates of birth, and places of employment of  
116 the spouses and children of such personnel; and the names and  
117 locations of schools and day care facilities attended by the  
118 children of such personnel are exempt from s. 119.07(1) and s.  
119 24(a), Art. I of the State Constitution.

120 i. The home addresses, telephone numbers, dates of birth,  
121 and photographs of current or former code enforcement officers;  
122 the names, home addresses, telephone numbers, dates of birth,  
123 and places of employment of the spouses and children of such  
124 personnel; and the names and locations of schools and day care  
125 facilities attended by the children of such personnel are exempt  
126 from s. 119.07(1) and s. 24(a), Art. I of the State



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127 Constitution.

128       j. The home addresses, telephone numbers, places of  
129 employment, dates of birth, and photographs of current or former  
130 guardians ad litem, as defined in s. 39.820; the names, home  
131 addresses, telephone numbers, dates of birth, and places of  
132 employment of the spouses and children of such persons; and the  
133 names and locations of schools and day care facilities attended  
134 by the children of such persons are exempt from s. 119.07(1) and  
135 s. 24(a), Art. I of the State Constitution.

136       k. The home addresses, telephone numbers, dates of birth,  
137 and photographs of current or former juvenile probation  
138 officers, juvenile probation supervisors, detention  
139 superintendents, assistant detention superintendents, juvenile  
140 justice detention officers I and II, juvenile justice detention  
141 officer supervisors, juvenile justice residential officers,  
142 juvenile justice residential officer supervisors I and II,  
143 juvenile justice counselors, juvenile justice counselor  
144 supervisors, human services counselor administrators, senior  
145 human services counselor administrators, rehabilitation  
146 therapists, and social services counselors of the Department of  
147 Juvenile Justice; the names, home addresses, telephone numbers,  
148 dates of birth, and places of employment of spouses and children  
149 of such personnel; and the names and locations of schools and  
150 day care facilities attended by the children of such personnel  
151 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
152 Constitution.

153       l. The home addresses, telephone numbers, dates of birth,  
154 and photographs of current or former public defenders, assistant  
155 public defenders, criminal conflict and civil regional counsel,



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156 and assistant criminal conflict and civil regional counsel; the  
157 names, home addresses, telephone numbers, dates of birth, and  
158 places of employment of the spouses and children of current or  
159 former public defenders, assistant public defenders, criminal  
160 conflict and civil regional counsel, and assistant criminal  
161 conflict and civil regional counsel; and the names and locations  
162 of schools and day care facilities attended by the children of  
163 current or former public defenders, assistant public defenders,  
164 criminal conflict and civil regional counsel, and assistant  
165 criminal conflict and civil regional counsel are exempt from s.  
166 119.07(1) and s. 24(a), Art. I of the State Constitution.

167 m. The home addresses, telephone numbers, dates of birth,  
168 and photographs of current or former investigators or inspectors  
169 of the Department of Business and Professional Regulation; the  
170 names, home addresses, telephone numbers, dates of birth, and  
171 places of employment of the spouses and children of such current  
172 or former investigators and inspectors; and the names and  
173 locations of schools and day care facilities attended by the  
174 children of such current or former investigators and inspectors  
175 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
176 Constitution.

177 n. The home addresses, telephone numbers, and dates of  
178 birth of county tax collectors; the names, home addresses,  
179 telephone numbers, dates of birth, and places of employment of  
180 the spouses and children of such tax collectors; and the names  
181 and locations of schools and day care facilities attended by the  
182 children of such tax collectors are exempt from s. 119.07(1) and  
183 s. 24(a), Art. I of the State Constitution.

184 o. The home addresses, telephone numbers, dates of birth,



185 and photographs of current or former personnel of the Department  
186 of Health whose duties include, or result in, the determination  
187 or adjudication of eligibility for social security disability  
188 benefits, the investigation or prosecution of complaints filed  
189 against health care practitioners, or the inspection of health  
190 care practitioners or health care facilities licensed by the  
191 Department of Health; the names, home addresses, telephone  
192 numbers, dates of birth, and places of employment of the spouses  
193 and children of such personnel; and the names and locations of  
194 schools and day care facilities attended by the children of such  
195 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
196 the State Constitution.

197 p. The home addresses, telephone numbers, dates of birth,  
198 and photographs of current or former impaired practitioner  
199 consultants who are retained by an agency or current or former  
200 employees of an impaired practitioner consultant whose duties  
201 result in a determination of a person's skill and safety to  
202 practice a licensed profession; the names, home addresses,  
203 telephone numbers, dates of birth, and places of employment of  
204 the spouses and children of such consultants or their employees;  
205 and the names and locations of schools and day care facilities  
206 attended by the children of such consultants or employees are  
207 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
208 Constitution.

209 q. The home addresses, telephone numbers, dates of birth,  
210 and photographs of current or former emergency medical  
211 technicians or paramedics certified under chapter 401; the  
212 names, home addresses, telephone numbers, dates of birth, and  
213 places of employment of the spouses and children of such





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214 emergency medical technicians or paramedics; and the names and  
215 locations of schools and day care facilities attended by the  
216 children of such emergency medical technicians or paramedics are  
217 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
218 Constitution.

219 r. The home addresses, telephone numbers, dates of birth,  
220 and photographs of current or former personnel employed in an  
221 agency's office of inspector general or internal audit  
222 department whose duties include auditing or investigating waste,  
223 fraud, abuse, theft, exploitation, or other activities that  
224 could lead to criminal prosecution or administrative discipline;  
225 the names, home addresses, telephone numbers, dates of birth,  
226 and places of employment of spouses and children of such  
227 personnel; and the names and locations of schools and day care  
228 facilities attended by the children of such personnel are exempt  
229 from s. 119.07(1) and s. 24(a), Art. I of the State  
230 Constitution.

231 s. The home addresses, telephone numbers, dates of birth,  
232 and photographs of current or former directors, managers,  
233 supervisors, nurses, and clinical employees of an addiction  
234 treatment facility; the home addresses, telephone numbers,  
235 photographs, dates of birth, and places of employment of the  
236 spouses and children of such personnel; and the names and  
237 locations of schools and day care facilities attended by the  
238 children of such personnel are exempt from s. 119.07(1) and s.  
239 24(a), Art. I of the State Constitution. For purposes of this  
240 sub-subparagraph, the term "addiction treatment facility" means  
241 a county government, or agency thereof, that is licensed  
242 pursuant to s. 397.401 and provides substance abuse prevention,



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243 intervention, or clinical treatment, including any licensed  
244 service component described in s. 397.311(26).

245 t. The home addresses, telephone numbers, dates of birth,  
246 and photographs of current or former directors, managers,  
247 supervisors, and clinical employees of a child advocacy center  
248 that meets the standards of s. 39.3035(2) and fulfills the  
249 screening requirement of s. 39.3035(3), and the members of a  
250 Child Protection Team as described in s. 39.303 whose duties  
251 include supporting the investigation of child abuse or sexual  
252 abuse, child abandonment, child neglect, and child exploitation  
253 or to provide services as part of a multidisciplinary case  
254 review team; the names, home addresses, telephone numbers,  
255 photographs, dates of birth, and places of employment of the  
256 spouses and children of such personnel and members; and the  
257 names and locations of schools and day care facilities attended  
258 by the children of such personnel and members are exempt from s.  
259 119.07(1) and s. 24(a), Art. I of the State Constitution.

260 u. The home addresses, telephone numbers, places of  
261 employment, dates of birth, and photographs of current or former  
262 staff and domestic violence advocates, as defined in s.  
263 90.5036(1)(b), of domestic violence centers certified by the  
264 Department of Children and Families under chapter 39; the names,  
265 home addresses, telephone numbers, places of employment, dates  
266 of birth, and photographs of the spouses and children of such  
267 personnel; and the names and locations of schools and day care  
268 facilities attended by the children of such personnel are exempt  
269 from s. 119.07(1) and s. 24(a), Art. I of the State  
270 Constitution.

271 v.°The home addresses, telephone numbers, and dates of



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272 birth of current county attorneys, deputy county attorneys,  
273 assistant county attorneys, city attorneys, deputy city  
274 attorneys, and assistant city attorneys; the names, home  
275 addresses, telephone numbers, dates of birth, and places of  
276 employment of the spouses and children of current county  
277 attorneys, deputy county attorneys, assistant county attorneys,  
278 city attorneys, deputy city attorneys, and assistant city  
279 attorneys; and the names and locations of schools and day care  
280 facilities attended by the children of current county attorneys,  
281 deputy county attorneys, assistant county attorneys, city  
282 attorneys, deputy city attorneys, and assistant city attorneys  
283 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
284 Constitution. This exemption does not apply to a current county  
285 attorney, deputy county attorney, assistant county attorney,  
286 city attorney, deputy city attorney, and assistant city attorney  
287 who qualifies as a candidate for election to public office.

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

299       4.a. A county property appraiser, as defined in s.  
300 192.001(3), or a county tax collector, as defined in s.



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301 192.001(4), who receives a written and notarized request for  
302 maintenance of the exemption pursuant to subparagraph 3. must  
303 comply by removing the name of the individual with exempt status  
304 and the instrument number or Official Records book and page  
305 number identifying the property with the exempt status from all  
306 publicly available records maintained by the property appraiser  
307 or tax collector. For written requests received on or before  
308 July 1, 2021, a county property appraiser or county tax  
309 collector must comply with this sub-subparagraph by October 1,  
310 2021. A county property appraiser or county tax collector may  
311 not remove the street address, legal description, or other  
312 information identifying real property within the agency's  
313 records so long as a name or personal information otherwise  
314 exempt from inspection and copying pursuant to this section are  
315 not associated with the property or otherwise displayed in the  
316 public records of the agency.

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

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

328       6. The exemptions in this paragraph apply to information  
329 held by an agency before, on, or after the effective date of the



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330 exemption.

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

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

352           9. Upon the death of a protected party as verified by a  
353 certified copy of a death certificate or court order, any party  
354 can request the county recorder to release a protected  
355 decedent's removed information unless there is a related request  
356 on file with the county recorder for continued removal of the  
357 decedent's information or unless such removal is otherwise  
358 prohibited by statute or by court order. The written request to



359 release the removed information upon the death of a protected  
360 party must attach the certified copy of a death certificate or  
361 court order and must be notarized, must confirm the request for  
362 release is due to the death of a protected party, and must  
363 specify the Official Records book and page number, instrument  
364 number, or clerk's file number for each document containing the  
365 information to be released. A fee may not be charged for the  
366 release of any document pursuant to such request.

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

371 Section 2. The Legislature finds that it is a public  
372 necessity that the home addresses, telephone numbers, and dates  
373 of birth of current county attorneys, deputy county attorneys,  
374 assistant county attorneys, city attorneys, deputy city  
375 attorneys, and assistant city attorneys be made exempt from s.  
376 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
377 State Constitution. The Legislature further finds that it is a  
378 public necessity that the names, home addresses, telephone  
379 numbers, dates of birth, and places of employment of the spouses  
380 and children of current county attorneys, deputy county  
381 attorneys, assistant county attorneys, city attorneys, deputy  
382 city attorneys, and assistant city attorneys and the names and  
383 locations of schools and day care facilities attended by the  
384 children of such attorneys, be made exempt from s. 119.07(1),  
385 Florida Statutes, and s. 24(a), Article I of the State  
386 Constitution. The responsibilities of county attorneys, deputy  
387 county attorneys, assistant county attorneys, city attorneys,



388 deputy city attorneys, and assistant city attorneys regularly  
389 involve legal enforcement proceeding in areas of neglect and  
390 abuse related to violations of codes and ordinances. Legal  
391 enforcement proceedings have led to retribution and threats by  
392 defendants and other persons on numerous occasions. Such  
393 attorneys have received death threats and e-mails from  
394 disgruntled persons advocating the murder of other attorneys.  
395 Other incidents have included the stalking of such attorneys and  
396 their spouses and children. The Legislature finds that the  
397 release of such personal identifying and location information  
398 could place such persons in danger of being physically or  
399 emotionally harmed or staked by a defendant or another person.  
400 The Legislature finds that the harm that may result from the  
401 release of such personal identifying and location information  
402 outweighs any public benefit that may be derived from the  
403 disclosure of the information.

404 Section 3. This act shall take effect July 1, 2023.

405  
406 ===== T I T L E A M E N D M E N T =====

407 And the title is amended as follows:

408 Delete everything before the enacting clause  
409 and insert:

410 A bill to be entitled  
411 An act relating to public records; amending s. 119.071, F.S.;  
412 providing an exemption from public records requirements for the  
413 personal identifying and location information of current county  
414 attorneys, deputy county attorneys, assistant county attorneys,  
415 city attorneys, deputy city attorneys, assistant city attorneys,  
416 and the names and personal and identifying and location



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417 information of the spouses and children of such attorneys;  
418 providing applicability; providing for retroactive application;  
419 providing for future legislative review and repeal; providing a  
420 statement of public necessity; providing an effective date.