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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/15/2023	.	
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The Committee on Governmental Oversight and Accountability
(Wright) 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. "Judicial assistant" means a court employee assigned to
18 the following class codes: 8140, 8150, 8310, and 8320.

19 c.~~b.~~ "Telephone numbers" includes home telephone numbers,
20 personal cellular telephone numbers, personal pager telephone
21 numbers, and telephone numbers associated with personal
22 communications devices.

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



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40 Constitution.

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

53 c. The home addresses, telephone numbers, dates of birth,
54 and photographs of current or former nonsworn investigative
55 personnel of the Office of Financial Regulation's Bureau of
56 Financial Investigations whose duties include the investigation
57 of fraud, theft, other related criminal activities, or state
58 regulatory requirement violations; the names, home addresses,
59 telephone numbers, dates of birth, and places of employment of
60 the spouses and children of such personnel; and the names and
61 locations of schools and day care facilities attended by the
62 children of such personnel are exempt from s. 119.07(1) and s.
63 24(a), Art. I of the State Constitution.

64 d. The home addresses, telephone numbers, dates of birth,
65 and photographs of current or former firefighters certified in
66 compliance with s. 633.408; the names, home addresses, telephone
67 numbers, photographs, dates of birth, and places of employment
68 of the spouses and children of such firefighters; and the names



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69 and locations of schools and day care facilities attended by the
70 children of such firefighters are exempt from s. 119.07(1) and
71 s. 24(a), Art. I of the State Constitution.

72 e. The home addresses, dates of birth, and telephone
73 numbers of current or former justices of the Supreme Court,
74 district court of appeal judges, circuit court judges, and
75 county court judges, and of current judicial assistants; the
76 names, home addresses, telephone numbers, dates of birth, and
77 places of employment of the spouses and children of current or
78 former justices and judges, and of current judicial assistants;
79 and the names and locations of schools and day care facilities
80 attended by the children of current or former justices and
81 judges and of current judicial assistants are exempt from s.
82 119.07(1) and s. 24(a), Art. I of the State Constitution. This
83 sub-subparagraph is subject to the Open Government Sunset Review
84 Act in accordance with s. 119.15 and shall stand repealed on
85 October 2, 2028, unless reviewed and saved from repeal through
86 reenactment by the Legislature.

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



98 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

115 h. The home addresses, telephone numbers, dates of birth,
116 and photographs of current or former human resource, labor
117 relations, or employee relations directors, assistant directors,
118 managers, or assistant managers of any local government agency
119 or water management district whose duties include hiring and
120 firing employees, labor contract negotiation, administration, or
121 other personnel-related duties; the names, home addresses,
122 telephone numbers, dates of birth, and places of employment of
123 the spouses and children of such personnel; and the names and
124 locations of schools and day care facilities attended by the
125 children of such personnel are exempt from s. 119.07(1) and s.
126 24(a), Art. I of the State Constitution.



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

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

143 k. The home addresses, telephone numbers, dates of birth,
144 and photographs of current or former juvenile probation
145 officers, juvenile probation supervisors, detention
146 superintendents, assistant detention superintendents, juvenile
147 justice detention officers I and II, juvenile justice detention
148 officer supervisors, juvenile justice residential officers,
149 juvenile justice residential officer supervisors I and II,
150 juvenile justice counselors, juvenile justice counselor
151 supervisors, human services counselor administrators, senior
152 human services counselor administrators, rehabilitation
153 therapists, and social services counselors of the Department of
154 Juvenile Justice; the names, home addresses, telephone numbers,
155 dates of birth, and places of employment of spouses and children



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156 of such personnel; and the names and locations of schools and
157 day care facilities attended by the children of such personnel
158 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
159 Constitution.

160 1. The home addresses, telephone numbers, dates of birth,
161 and photographs of current or former public defenders, assistant
162 public defenders, criminal conflict and civil regional counsel,
163 and assistant criminal conflict and civil regional counsel; the
164 names, home addresses, telephone numbers, dates of birth, and
165 places of employment of the spouses and children of current or
166 former public defenders, assistant public defenders, criminal
167 conflict and civil regional counsel, and assistant criminal
168 conflict and civil regional counsel; and the names and locations
169 of schools and day care facilities attended by the children of
170 current or former public defenders, assistant public defenders,
171 criminal conflict and civil regional counsel, and assistant
172 criminal conflict and civil regional counsel are exempt from s.
173 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

184 n. The home addresses, telephone numbers, and dates of



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

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

204 p. The home addresses, telephone numbers, dates of birth,
205 and photographs of current or former impaired practitioner
206 consultants who are retained by an agency or current or former
207 employees of an impaired practitioner consultant whose duties
208 result in a determination of a person's skill and safety to
209 practice a licensed profession; the names, home addresses,
210 telephone numbers, dates of birth, and places of employment of
211 the spouses and children of such consultants or their employees;
212 and the names and locations of schools and day care facilities
213 attended by the children of such consultants or employees are



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214 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
215 Constitution.

216 q. The home addresses, telephone numbers, dates of birth,
217 and photographs of current or former emergency medical
218 technicians or paramedics certified under chapter 401; the
219 names, home addresses, telephone numbers, dates of birth, and
220 places of employment of the spouses and children of such
221 emergency medical technicians or paramedics; and the names and
222 locations of schools and day care facilities attended by the
223 children of such emergency medical technicians or paramedics are
224 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
225 Constitution.

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

238 s. The home addresses, telephone numbers, dates of birth,
239 and photographs of current or former directors, managers,
240 supervisors, nurses, and clinical employees of an addiction
241 treatment facility; the home addresses, telephone numbers,
242 photographs, dates of birth, and places of employment of the



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243 spouses and children of such personnel; and the names and
244 locations of schools and day care facilities attended by the
245 children of such personnel are exempt from s. 119.07(1) and s.
246 24(a), Art. I of the State Constitution. For purposes of this
247 sub-subparagraph, the term "addiction treatment facility" means
248 a county government, or agency thereof, that is licensed
249 pursuant to s. 397.401 and provides substance abuse prevention,
250 intervention, or clinical treatment, including any licensed
251 service component described in s. 397.311(26).

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

267 u. The home addresses, telephone numbers, places of
268 employment, dates of birth, and photographs of current or former
269 staff and domestic violence advocates, as defined in s.
270 90.5036(1)(b), of domestic violence centers certified by the
271 Department of Children and Families under chapter 39; the names,



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272 home addresses, telephone numbers, places of employment, dates
273 of birth, and photographs of the spouses and children of such
274 personnel; and the names and locations of schools and day care
275 facilities attended by the children of such personnel are exempt
276 from s. 119.07(1) and s. 24(a), Art. I of the State
277 Constitution.

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

289 4.a. A county property appraiser, as defined in s.
290 192.001(3), or a county tax collector, as defined in s.
291 192.001(4), who receives a written and notarized request for
292 maintenance of the exemption pursuant to subparagraph 3. must
293 comply by removing the name of the individual with exempt status
294 and the instrument number or Official Records book and page
295 number identifying the property with the exempt status from all
296 publicly available records maintained by the property appraiser
297 or tax collector. For written requests received on or before
298 July 1, 2021, a county property appraiser or county tax
299 collector must comply with this sub-subparagraph by October 1,
300 2021. A county property appraiser or county tax collector may



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301 not remove the street address, legal description, or other
302 information identifying real property within the agency's
303 records so long as a name or personal information otherwise
304 exempt from inspection and copying pursuant to this section are
305 not associated with the property or otherwise displayed in the
306 public records of the agency.

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

310 5. An officer, an employee, a justice, a judge, or other
311 person specified in subparagraph 2. may submit a written request
312 for the release of his or her exempt information to the
313 custodial agency. The written request must be notarized and must
314 specify the information to be released and the party authorized
315 to receive the information. Upon receipt of the written request,
316 the custodial agency must release the specified information to
317 the party authorized to receive such information.

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

321 7. Information made exempt under this paragraph may be
322 disclosed pursuant to s. 28.2221 to a title insurer authorized
323 pursuant to s. 624.401 and its affiliates as defined in s.
324 624.10; a title insurance agent or title insurance agency as
325 defined in s. 626.841(1) or (2), respectively; or an attorney
326 duly admitted to practice law in this state and in good standing
327 with The Florida Bar.

328 8. The exempt status of a home address contained in the
329 Official Records is maintained only during the period when a



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330 protected party resides at the dwelling location. Upon
331 conveyance of real property after October 1, 2021, and when such
332 real property no longer constitutes a protected party's home
333 address as defined in sub-subparagraph 1.a., the protected party
334 must submit a written request to release the removed information
335 to the county recorder. The written request to release the
336 removed information must be notarized, must confirm that a
337 protected party's request for release is pursuant to a
338 conveyance of his or her dwelling location, and must specify the
339 Official Records book and page, instrument number, or clerk's
340 file number for each document containing the information to be
341 released.

342 9. Upon the death of a protected party as verified by a
343 certified copy of a death certificate or court order, any party
344 can request the county recorder to release a protected
345 decedent's removed information unless there is a related request
346 on file with the county recorder for continued removal of the
347 decedent's information or unless such removal is otherwise
348 prohibited by statute or by court order. The written request to
349 release the removed information upon the death of a protected
350 party must attach the certified copy of a death certificate or
351 court order and must be notarized, must confirm the request for
352 release is due to the death of a protected party, and must
353 specify the Official Records book and page number, instrument
354 number, or clerk's file number for each document containing the
355 information to be released. A fee may not be charged for the
356 release of any document pursuant to such request.

357 10. Except as otherwise expressly provided in this
358 paragraph, this~~This~~ paragraph is subject to the Open Government



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359 Sunset Review Act in accordance with s. 119.15 and shall stand
360 repealed on October 2, 2024, unless reviewed and saved from
361 repeal through reenactment by the Legislature.

362 Section 2. The Legislature finds that it is a public
363 necessity that the home addresses, dates of birth, and telephone
364 numbers of current judicial assistants; the names, home
365 addresses, telephone numbers, dates of birth, and places of
366 employment of the spouses and children of such judicial
367 assistants; and the names and locations of schools and day care
368 facilities attended by the children of such judicial assistants
369 be made exempt from s. 119.07(1), Florida Statutes, and s.
370 24(a), Article I of the State Constitution. Such identifying and
371 location information can be used as a tool to perpetrate fraud
372 against an individual or to acquire sensitive personal,
373 financial, medical, and familial information, the release of
374 which could cause great financial harm to the individual. In the
375 course of assisting in reviewing cases, maintaining the court
376 docket, screening phone calls and visitors to a justice's or
377 judge's chambers, preparing orders, and coordinating and problem
378 solving with attorneys and litigants, judicial assistants may
379 incur the ill will of litigants, the accused, the convicted, and
380 their associates and families, thus making judicial assistants
381 and their spouses and children targets for acts of revenge. If
382 such identifying and location information is released, the
383 safety of current judicial assistants and their spouses and
384 children could be seriously jeopardized. For these reasons, the
385 Legislature finds that it is a public necessity that such
386 information be made exempt from public records requirements.

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



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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; providing a definition; adding current
judicial assistants and their spouses and children to
the specified agency personnel and family members to
whom an exemption from public records requirements
applies; providing for retroactive application of the
exemption; providing for future legislative review and
repeal of the exemption; providing a statement of
public necessity; providing an effective date.