

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
 2 Representative Arrington offered the following:

**Amendment (with title amendment)**

Remove lines 284-418 and insert:

3  
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 6 and photographs of current county attorneys, assistant county  
 7 attorneys, deputy county attorneys, city attorneys, assistant  
 8 city attorneys, and deputy city attorneys; the names, home  
 9 addresses, telephone numbers, photographs, dates of birth, and  
 10 places of employment of the spouses and children of current  
 11 county attorneys, assistant county attorneys, deputy county  
 12 attorneys, city attorneys, assistant city attorneys, and deputy  
 13 city attorneys; and the names and locations of schools and day  
 14 care facilities attended by the children of current county  
 15 attorneys, assistant county attorneys, deputy county attorneys,  
 16 city attorneys, assistant city attorneys, and deputy city

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17 attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of  
18 the State Constitution. This exemption does not apply to a  
19 county attorney, assistant county attorney, deputy county  
20 attorney, city attorney, assistant city attorney, or deputy city  
21 attorney who qualifies as a candidate for election to public  
22 office.

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

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

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

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

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

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

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66 7. Information made exempt under this paragraph may be  
67 disclosed pursuant to s. 28.2221 to a title insurer authorized  
68 pursuant to s. 624.401 and its affiliates as defined in s.  
69 624.10; a title insurance agent or title insurance agency as  
70 defined in s. 626.841(1) or (2), respectively; or an attorney  
71 duly admitted to practice law in this state and in good standing  
72 with The Florida Bar.

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

87 9. Upon the death of a protected party as verified by a  
88 certified copy of a death certificate or court order, any party  
89 can request the county recorder to release a protected  
90 decedent's removed information unless there is a related request

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91 on file with the county recorder for continued removal of the  
92 decedent's information or unless such removal is otherwise  
93 prohibited by statute or by court order. The written request to  
94 release the removed information upon the death of a protected  
95 party must attach the certified copy of a death certificate or  
96 court order and must be notarized, must confirm the request for  
97 release is due to the death of a protected party, and must  
98 specify the Official Records book and page number, instrument  
99 number, or clerk's file number for each document containing the  
100 information to be released. A fee may not be charged for the  
101 release of any document pursuant to such request.

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

106 Section 2. The Legislature finds that it is a public  
107 necessity that the home addresses, telephone numbers, dates of  
108 birth, and photographs of current county attorneys, assistant  
109 county attorneys, deputy county attorneys, city attorneys,  
110 assistant city attorneys, and deputy city attorneys be made  
111 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
112 Article I of the State Constitution. The Legislature further  
113 finds that it is a public necessity that the names, home  
114 addresses, telephone numbers, photographs, dates of birth, and  
115 places of employment of the spouses and children, and the names

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116 and locations of schools and day care facilities attended by  
117 such children of current county attorneys, assistant county  
118 attorneys, deputy county attorneys, city attorneys, assistant  
119 city attorneys, and deputy city attorneys be made exempt from s.  
120 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
121 State Constitution. The responsibilities of county attorneys,  
122 assistant county attorneys, deputy county attorneys, city  
123 attorneys, assistant city attorneys, and deputy city attorneys  
124 regularly involve legal enforcement proceedings in areas of  
125 neglect and abuse related to violations of codes and ordinances.  
126 Legal enforcement proceedings have led to retribution and  
127 threats by defendants and other persons on numerous occasions.  
128 Such attorneys have received death threats and e-mails from  
129 disgruntled persons advocating the murder of other attorneys.  
130 Other incidents have included the stalking of such attorneys and  
131 their spouses and children. The Legislature finds that the  
132 release of such personal identifying and location information  
133 could place such attorneys and their spouses and children in  
134 danger of being physically and emotionally harmed or stalked by  
135 a defendant or other person. The Legislature finds that the harm  
136 that may result from the release of such personal identifying  
137 and location information outweighs any public benefit that may  
138 be derived from the disclosure of the information, except in the  
139 case of a current county attorney, assistant county attorney,  
140 deputy county attorney,

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**T I T L E   A M E N D M E N T**

Remove lines 5-6 and insert:  
location information of current county attorneys, assistant  
county attorneys, deputy county