

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 current and former county  
6       attorneys, assistant county attorneys, deputy county  
7       attorneys, city attorneys, assistant city attorneys,  
8       and deputy city attorneys and the names and personal  
9       identifying and location information of the spouses  
10      and children of such attorneys; providing an  
11      exception; providing for future legislative review and  
12      repeal of the exemption; providing a statement of  
13      public necessity; providing an effective date.

14  
15   Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Paragraph (d) of subsection (4) of section  
18       119.071, Florida Statutes, is amended to read:

19           119.071 General exemptions from inspection or copying of  
20       public records.—

21           (4) AGENCY PERSONNEL INFORMATION.—

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

23           a. "Home addresses" means the dwelling location at which  
24       an individual resides and includes the physical address, mailing  
25       address, street address, parcel identification number, plot

26 identification number, legal property description, neighborhood  
27 name and lot number, GPS coordinates, and any other descriptive  
28 property information that may reveal the home address.

29 b. "Telephone numbers" includes home telephone numbers,  
30 personal cellular telephone numbers, personal pager telephone  
31 numbers, and telephone numbers associated with personal  
32 communications devices.

33 2.a. The home addresses, telephone numbers, dates of  
34 birth, and photographs of active or former sworn law enforcement  
35 personnel or of active or former civilian personnel employed by  
36 a law enforcement agency, including correctional and  
37 correctional probation officers, personnel of the Department of  
38 Children and Families whose duties include the investigation of  
39 abuse, neglect, exploitation, fraud, theft, or other criminal  
40 activities, personnel of the Department of Health whose duties  
41 are to support the investigation of child abuse or neglect, and  
42 personnel of the Department of Revenue or local governments  
43 whose responsibilities include revenue collection and  
44 enforcement or child support enforcement; the names, home  
45 addresses, telephone numbers, photographs, 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           b. The home addresses, telephone numbers, dates of birth,  
52 and photographs of current or former nonsworn investigative  
53 personnel of the Department of Financial Services whose duties  
54 include the investigation of fraud, theft, workers' compensation  
55 coverage requirements and compliance, other related criminal  
56 activities, or state regulatory requirement violations; the  
57 names, home addresses, telephone numbers, dates of birth, and  
58 places of employment of the spouses and children of such  
59 personnel; and the names and locations of schools and day care  
60 facilities attended by the children of such personnel are exempt  
61 from s. 119.07(1) and s. 24(a), Art. I of the State  
62 Constitution.

63           c. The home addresses, telephone numbers, dates of birth,  
64 and photographs of current or former nonsworn investigative  
65 personnel of the Office of Financial Regulation's Bureau of  
66 Financial Investigations whose duties include the investigation  
67 of fraud, theft, other related criminal activities, or state  
68 regulatory requirement violations; the names, home addresses,  
69 telephone numbers, dates of birth, and places of employment of  
70 the spouses and children of such personnel; and the names and  
71 locations of schools and day care facilities attended by the  
72 children of such personnel are exempt from s. 119.07(1) and s.  
73 24(a), Art. I of the State Constitution.

74           d. The home addresses, telephone numbers, dates of birth,  
75 and photographs of current or former firefighters certified in

76 compliance with s. 633.408; the names, home addresses, telephone  
77 numbers, photographs, dates of birth, and places of employment  
78 of the spouses and children of such firefighters; and the names  
79 and locations of schools and day care facilities attended by the  
80 children of such firefighters are exempt from s. 119.07(1) and  
81 s. 24(a), Art. I of the State Constitution.

82 e. The home addresses, dates of birth, and telephone  
83 numbers of current or former justices of the Supreme Court,  
84 district court of appeal judges, circuit court judges, and  
85 county court judges; the names, home addresses, telephone  
86 numbers, dates of birth, and places of employment of the spouses  
87 and children of current or former justices and judges; and the  
88 names and locations of schools and day care facilities attended  
89 by the children of current or former justices and judges are  
90 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
91 Constitution.

92 f. The home addresses, telephone numbers, dates of birth,  
93 and photographs of current or former state attorneys, assistant  
94 state attorneys, statewide prosecutors, or assistant statewide  
95 prosecutors; the names, home addresses, telephone numbers,  
96 photographs, dates of birth, and places of employment of the  
97 spouses and children of current or former state attorneys,  
98 assistant state attorneys, statewide prosecutors, or assistant  
99 statewide prosecutors; and the names and locations of schools  
100 and day care facilities attended by the children of current or

101 former state attorneys, assistant state attorneys, statewide  
102 prosecutors, or assistant statewide prosecutors are exempt from  
103 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

120 h. The home addresses, telephone numbers, dates of birth,  
121 and photographs of current or former human resource, labor  
122 relations, or employee relations directors, assistant directors,  
123 managers, or assistant managers of any local government agency  
124 or water management district whose duties include hiring and  
125 firing employees, labor contract negotiation, administration, or

126 other personnel-related duties; the names, home addresses,  
 127 telephone numbers, dates of birth, and places of employment of  
 128 the spouses and children of such personnel; and the names and  
 129 locations of schools and day care facilities attended by the  
 130 children of such personnel are exempt from s. 119.07(1) and s.  
 131 24(a), Art. I of the State Constitution.

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

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

148 k. The home addresses, telephone numbers, dates of birth,  
 149 and photographs of current or former juvenile probation  
 150 officers, juvenile probation supervisors, detention

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

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

176 criminal conflict and civil regional counsel, and assistant  
 177 criminal conflict and civil regional counsel are exempt from s.  
 178 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

196 o. The home addresses, telephone numbers, dates of birth,  
 197 and photographs of current or former personnel of the Department  
 198 of Health whose duties include, or result in, the determination  
 199 or adjudication of eligibility for social security disability  
 200 benefits, the investigation or prosecution of complaints filed



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

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

221 q. The home addresses, telephone numbers, dates of birth,  
 222 and photographs of current or former emergency medical  
 223 technicians or paramedics certified under chapter 401; the  
 224 names, home addresses, telephone numbers, dates of birth, and  
 225 places of employment of the spouses and children of such

226 emergency medical technicians or paramedics; and the names and  
227 locations of schools and day care facilities attended by the  
228 children of such emergency medical technicians or paramedics are  
229 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
230 Constitution.

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

243 s. The home addresses, telephone numbers, dates of birth,  
244 and photographs of current or former directors, managers,  
245 supervisors, nurses, and clinical employees of an addiction  
246 treatment facility; the home addresses, telephone numbers,  
247 photographs, dates of birth, and places of employment of the  
248 spouses and children of such personnel; and the names and  
249 locations of schools and day care facilities attended by the  
250 children of such personnel are exempt from s. 119.07(1) and s.

251 24(a), Art. I of the State Constitution. For purposes of this  
252 sub-subparagraph, the term "addiction treatment facility" means  
253 a county government, or agency thereof, that is licensed  
254 pursuant to s. 397.401 and provides substance abuse prevention,  
255 intervention, or clinical treatment, including any licensed  
256 service component described in s. 397.311(26).

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

272 u. The home addresses, telephone numbers, places of  
273 employment, dates of birth, and photographs of current or former  
274 staff and domestic violence advocates, as defined in s.  
275 90.5036(1)(b), of domestic violence centers certified by the

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

283 v. The home addresses, telephone numbers, dates of birth,  
284 and photographs of current or former county attorneys, assistant  
285 county attorneys, deputy county attorneys, city attorneys,  
286 assistant city attorneys, and deputy city attorneys; the names,  
287 home addresses, telephone numbers, photographs, dates of birth,  
288 and places of employment of the spouses and children of current  
289 or former county attorneys, assistant county attorneys, deputy  
290 county attorneys, city attorneys, assistant city attorneys, and  
291 deputy city attorneys; and the names and locations of schools  
292 and day care facilities attended by the children of current or  
293 former county attorneys, assistant county attorneys, deputy  
294 county attorneys, city attorneys, assistant city attorneys, and  
295 deputy city attorneys are exempt from s. 119.07(1) and s. 24(a),  
296 Art. I of the State Constitution. This exemption does not apply  
297 to a current or former county attorney, assistant county  
298 attorney, deputy county attorney, city attorney, assistant city  
299 attorney, or deputy city attorney who qualifies as a candidate  
300 for election to public office.

301           3. An agency that is the custodian of the information  
302 specified in subparagraph 2. and that is not the employer of the  
303 officer, employee, justice, judge, or other person specified in  
304 subparagraph 2. must maintain the exempt status of that  
305 information only if the officer, employee, justice, judge, other  
306 person, or employing agency of the designated employee submits a  
307 written and notarized request for maintenance of the exemption  
308 to the custodial agency. The request must state under oath the  
309 statutory basis for the individual's exemption request and  
310 confirm the individual's status as a party eligible for exempt  
311 status.

312           4.a. A county property appraiser, as defined in s.  
313 192.001(3), or a county tax collector, as defined in s.  
314 192.001(4), who receives a written and notarized request for  
315 maintenance of the exemption pursuant to subparagraph 3. must  
316 comply by removing the name of the individual with exempt status  
317 and the instrument number or Official Records book and page  
318 number identifying the property with the exempt status from all  
319 publicly available records maintained by the property appraiser  
320 or tax collector. For written requests received on or before  
321 July 1, 2021, a county property appraiser or county tax  
322 collector must comply with this sub-subparagraph by October 1,  
323 2021. A county property appraiser or county tax collector may  
324 not remove the street address, legal description, or other  
325 information identifying real property within the agency's

326 records so long as a name or personal information otherwise  
327 exempt from inspection and copying pursuant to this section are  
328 not associated with the property or otherwise displayed in the  
329 public records of the agency.

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

333 5. An officer, an employee, a justice, a judge, or other  
334 person specified in subparagraph 2. may submit a written request  
335 for the release of his or her exempt information to the  
336 custodial agency. The written request must be notarized and must  
337 specify the information to be released and the party authorized  
338 to receive the information. Upon receipt of the written request,  
339 the custodial agency must release the specified information to  
340 the party authorized to receive such information.

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

344 7. Information made exempt under this paragraph may be  
345 disclosed pursuant to s. 28.2221 to a title insurer authorized  
346 pursuant to s. 624.401 and its affiliates as defined in s.  
347 624.10; a title insurance agent or title insurance agency as  
348 defined in s. 626.841(1) or (2), respectively; or an attorney  
349 duly admitted to practice law in this state and in good standing  
350 with The Florida Bar.

351           8. The exempt status of a home address contained in the  
352 Official Records is maintained only during the period when a  
353 protected party resides at the dwelling location. Upon  
354 conveyance of real property after October 1, 2021, and when such  
355 real property no longer constitutes a protected party's home  
356 address as defined in sub-subparagraph 1.a., the protected party  
357 must submit a written request to release the removed information  
358 to the county recorder. The written request to release the  
359 removed information must be notarized, must confirm that a  
360 protected party's request for release is pursuant to a  
361 conveyance of his or her dwelling location, and must specify the  
362 Official Records book and page, instrument number, or clerk's  
363 file number for each document containing the information to be  
364 released.

365           9. Upon the death of a protected party as verified by a  
366 certified copy of a death certificate or court order, any party  
367 can request the county recorder to release a protected  
368 decedent's removed information unless there is a related request  
369 on file with the county recorder for continued removal of the  
370 decedent's information or unless such removal is otherwise  
371 prohibited by statute or by court order. The written request to  
372 release the removed information upon the death of a protected  
373 party must attach the certified copy of a death certificate or  
374 court order and must be notarized, must confirm the request for  
375 release is due to the death of a protected party, and must

376 specify the Official Records book and page number, instrument  
377 number, or clerk's file number for each document containing the  
378 information to be released. A fee may not be charged for the  
379 release of any document pursuant to such request.

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

384 Section 2. The Legislature finds that it is a public  
385 necessity that the home addresses, telephone numbers, dates of  
386 birth, and photographs of current or former county attorneys,  
387 assistant county attorneys, deputy county attorneys, city  
388 attorneys, assistant city attorneys, and deputy city attorneys  
389 be made exempt from s. 119.07(1), Florida Statutes, and s.  
390 24(a), Article I of the State Constitution. The Legislature  
391 further finds that it is a public necessity that the names, home  
392 addresses, telephone numbers, photographs, dates of birth, and  
393 places of employment of the spouses and children, and the names  
394 and locations of schools and day care facilities attended by  
395 such children, of current or former county attorneys, assistant  
396 county attorneys, deputy county attorneys, city attorneys,  
397 assistant city attorneys, and deputy city attorneys be made  
398 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
399 Article I of the State Constitution. The responsibilities of  
400 county attorneys, assistant county attorneys, deputy county



401 attorneys, city attorneys, assistant city attorneys, and deputy  
402 city attorneys regularly involve legal enforcement proceedings  
403 in areas of neglect and abuse related to violations of codes and  
404 ordinances. Legal enforcement proceedings have led to  
405 retribution and threats by defendants and other persons on  
406 numerous occasions. Such attorneys have received death threats  
407 and e-mails from disgruntled persons advocating the murder of  
408 other attorneys. Other incidents have included the stalking of  
409 such attorneys and their spouses and children. The Legislature  
410 finds that the release of such personal identifying and location  
411 information could place such attorneys and their spouses and  
412 children in danger of being physically and emotionally harmed or  
413 stalked by a defendant or other person. The Legislature finds  
414 that the harm that may result from the release of such personal  
415 identifying and location information outweighs any public  
416 benefit that may be derived from the disclosure of the  
417 information, except in the case of a current or former county  
418 attorney, assistant county attorney, deputy county attorney,  
419 city attorney, assistant city attorney, or deputy city attorney  
420 who qualifies as a candidate for election to public office.

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