

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 county attorneys,
 6 assistant county attorneys, deputy county attorneys,
 7 city attorneys, assistant city attorneys, and deputy
 8 city attorneys and the names and personal identifying
 9 and location information of the spouses and children
 10 of such attorneys; providing an exception; providing
 11 for future legislative review and repeal of the
 12 exemption; providing a statement of public necessity;
 13 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. "Judicial assistant" means a court employee assigned to
30 the following class codes: 8140, 8150, 8310, and 8320.

31 c. "Telephone numbers" includes home telephone numbers,
32 personal cellular telephone numbers, personal pager telephone
33 numbers, and telephone numbers associated with personal
34 communications devices.

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

65 c. The home addresses, telephone numbers, dates of birth,
66 and photographs of current or former nonsworn investigative
67 personnel of the Office of Financial Regulation's Bureau of
68 Financial Investigations whose duties include the investigation
69 of fraud, theft, other related criminal activities, or state
70 regulatory requirement violations; the names, home addresses,
71 telephone numbers, dates of birth, and places of employment of
72 the spouses and children of such personnel; and the names and
73 locations of schools and day care facilities attended by the
74 children of such personnel are exempt from s. 119.07(1) and s.
75 24(a), Art. I of the State Constitution.

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

84 e. The home addresses, dates of birth, and telephone
 85 numbers of current or former justices of the Supreme Court,
 86 district court of appeal judges, circuit court judges, and
 87 county court judges, and of current judicial assistants; the
 88 names, home addresses, telephone numbers, dates of birth, and
 89 places of employment of the spouses and children of current or
 90 former justices and judges and of current judicial assistants;
 91 and the names and locations of schools and day care facilities
 92 attended by the children of current or former justices and
 93 judges and of current judicial assistants are exempt from s.
 94 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 95 sub-subparagraph is subject to the Open Government Sunset Review
 96 Act in accordance with s. 119.15 and shall stand repealed on
 97 October 2, 2028, unless reviewed and saved from repeal through
 98 reenactment by the Legislature.

99 f. The home addresses, telephone numbers, dates of birth,
 100 and photographs of current or former state attorneys, assistant

101 state attorneys, statewide prosecutors, or assistant statewide
 102 prosecutors; the names, home addresses, telephone numbers,
 103 photographs, dates of birth, and places of employment of the
 104 spouses and children of current or former state attorneys,
 105 assistant state attorneys, statewide prosecutors, or assistant
 106 statewide prosecutors; and the names and locations of schools
 107 and day care facilities attended by the children of current or
 108 former state attorneys, assistant state attorneys, statewide
 109 prosecutors, or assistant statewide prosecutors are exempt from
 110 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

126 Constitution.

127 h. The home addresses, telephone numbers, dates of birth,
 128 and photographs of current or former human resource, labor
 129 relations, or employee relations directors, assistant directors,
 130 managers, or assistant managers of any local government agency
 131 or water management district whose duties include hiring and
 132 firing employees, labor contract negotiation, administration, or
 133 other personnel-related duties; the names, home addresses,
 134 telephone numbers, dates of birth, and places of employment of
 135 the spouses and children of such personnel; and the names and
 136 locations of schools and day care facilities attended by the
 137 children of such personnel are exempt from s. 119.07(1) and s.
 138 24(a), Art. I of the State Constitution.

139 i. The home addresses, telephone numbers, dates of birth,
 140 and photographs of current or former code enforcement officers;
 141 the names, home addresses, telephone numbers, dates of birth,
 142 and places of employment of the spouses and children of such
 143 personnel; and the names and locations of schools and day care
 144 facilities attended by the children of such personnel are exempt
 145 from s. 119.07(1) and s. 24(a), Art. I of the State
 146 Constitution.

147 j. The home addresses, telephone numbers, places of
 148 employment, dates of birth, and photographs of current or former
 149 guardians ad litem, as defined in s. 39.820; the names, home
 150 addresses, telephone numbers, dates of birth, and places of

151 employment of the spouses and children of such persons; and the
152 names and locations of schools and day care facilities attended
153 by the children of such persons are exempt from s. 119.07(1) and
154 s. 24(a), Art. I of the State Constitution.

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

172 l. The home addresses, telephone numbers, dates of birth,
173 and photographs of current or former public defenders, assistant
174 public defenders, criminal conflict and civil regional counsel,
175 and assistant criminal conflict and civil regional counsel; the

176 names, home addresses, telephone numbers, dates of birth, and
177 places of employment of the spouses and children of current or
178 former public defenders, assistant public defenders, criminal
179 conflict and civil regional counsel, and assistant criminal
180 conflict and civil regional counsel; and the names and locations
181 of schools and day care facilities attended by the children of
182 current or former public defenders, assistant public defenders,
183 criminal conflict and civil regional counsel, and assistant
184 criminal conflict and civil regional counsel are exempt from s.
185 119.07(1) and s. 24(a), Art. I of the State Constitution.

186 m. The home addresses, telephone numbers, dates of birth,
187 and photographs of current or former investigators or inspectors
188 of the Department of Business and Professional Regulation; the
189 names, home addresses, telephone numbers, dates of birth, and
190 places of employment of the spouses and children of such current
191 or former investigators and inspectors; and the names and
192 locations of schools and day care facilities attended by the
193 children of such current or former investigators and inspectors
194 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
195 Constitution.

196 n. The home addresses, telephone numbers, and dates of
197 birth of county tax collectors; the names, home addresses,
198 telephone numbers, dates of birth, and places of employment of
199 the spouses and children of such tax collectors; and the names
200 and locations of schools and day care facilities attended by the

201 children of such tax collectors are exempt from s. 119.07(1) and
202 s. 24(a), Art. I of the State Constitution.

203 o. The home addresses, telephone numbers, dates of birth,
204 and photographs of current or former personnel of the Department
205 of Health whose duties include, or result in, the determination
206 or adjudication of eligibility for social security disability
207 benefits, the investigation or prosecution of complaints filed
208 against health care practitioners, or the inspection of health
209 care practitioners or health care facilities licensed by the
210 Department of Health; the names, home addresses, telephone
211 numbers, dates of birth, and places of employment of the spouses
212 and children of such personnel; and the names and locations of
213 schools and day care facilities attended by the children of such
214 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
215 the State Constitution.

216 p. The home addresses, telephone numbers, dates of birth,
217 and photographs of current or former impaired practitioner
218 consultants who are retained by an agency or current or former
219 employees of an impaired practitioner consultant whose duties
220 result in a determination of a person's skill and safety to
221 practice a licensed profession; the names, home addresses,
222 telephone numbers, dates of birth, and places of employment of
223 the spouses and children of such consultants or their employees;
224 and the names and locations of schools and day care facilities
225 attended by the children of such consultants or employees are

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

228 q. The home addresses, telephone numbers, dates of birth,
229 and photographs of current or former emergency medical
230 technicians or paramedics certified under chapter 401; the
231 names, home addresses, telephone numbers, dates of birth, and
232 places of employment of the spouses and children of such
233 emergency medical technicians or paramedics; and the names and
234 locations of schools and day care facilities attended by the
235 children of such emergency medical technicians or paramedics are
236 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
237 Constitution.

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

250 s. The home addresses, telephone numbers, dates of birth,

251 and photographs of current or former directors, managers,
252 supervisors, nurses, and clinical employees of an addiction
253 treatment facility; the home addresses, telephone numbers,
254 photographs, dates of birth, and places of employment of the
255 spouses and children of such personnel; and the names and
256 locations of schools and day care facilities attended by the
257 children of such personnel are exempt from s. 119.07(1) and s.
258 24(a), Art. I of the State Constitution. For purposes of this
259 sub-subparagraph, the term "addiction treatment facility" means
260 a county government, or agency thereof, that is licensed
261 pursuant to s. 397.401 and provides substance abuse prevention,
262 intervention, or clinical treatment, including any licensed
263 service component described in s. 397.311(26).

264 t. The home addresses, telephone numbers, dates of birth,
265 and photographs of current or former directors, managers,
266 supervisors, and clinical employees of a child advocacy center
267 that meets the standards of s. 39.3035(2) and fulfills the
268 screening requirement of s. 39.3035(3), and the members of a
269 Child Protection Team as described in s. 39.303 whose duties
270 include supporting the investigation of child abuse or sexual
271 abuse, child abandonment, child neglect, and child exploitation
272 or to provide services as part of a multidisciplinary case
273 review team; the names, home addresses, telephone numbers,
274 photographs, dates of birth, and places of employment of the
275 spouses and children of such personnel and members; and the

276 names and locations of schools and day care facilities attended
 277 by the children of such personnel and members are exempt from s.
 278 119.07(1) and s. 24(a), Art. I of the State Constitution.

279 u. The home addresses, telephone numbers, places of
 280 employment, dates of birth, and photographs of current or former
 281 staff and domestic violence advocates, as defined in s.
 282 90.5036(1)(b), of domestic violence centers certified by the
 283 Department of Children and Families under chapter 39; the names,
 284 home addresses, telephone numbers, places of employment, dates
 285 of birth, and photographs of the spouses and children of such
 286 personnel; and the names and locations of schools and day care
 287 facilities attended by the children of such personnel are exempt
 288 from s. 119.07(1) and s. 24(a), Art. I of the State
 289 Constitution.

290 v. The home addresses, telephone numbers, dates of birth,
 291 and photographs of current or former inspectors or investigators
 292 of the Department of Agriculture and Consumer Services; the
 293 names, home addresses, telephone numbers, dates of birth, and
 294 places of employment of the spouses and children of current or
 295 former inspectors or investigators; and the names and locations
 296 of schools and day care facilities attended by the children of
 297 current or former inspectors or investigators are exempt from s.
 298 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 299 sub-subparagraph is subject to the Open Government Sunset Review
 300 Act in accordance with s. 119.15 and shall stand repealed on

301 October 2, 2028, unless reviewed and saved from repeal through
302 reenactment by the Legislature.

303 w. The home addresses, telephone numbers, dates of birth,
304 and photographs of current county attorneys, assistant county
305 attorneys, deputy county attorneys, city attorneys, assistant
306 city attorneys, and deputy city attorneys; the names, home
307 addresses, telephone numbers, photographs, dates of birth, and
308 places of employment of the spouses and children of current
309 county attorneys, assistant county attorneys, deputy county
310 attorneys, city attorneys, assistant city attorneys, and deputy
311 city attorneys; and the names and locations of schools and day
312 care facilities attended by the children of current county
313 attorneys, assistant county attorneys, deputy county attorneys,
314 city attorneys, assistant city attorneys, and deputy city
315 attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of
316 the State Constitution. This exemption does not apply to a
317 county attorney, assistant county attorney, deputy county
318 attorney, city attorney, assistant city attorney, or deputy city
319 attorney who qualifies as a candidate for election to public
320 office. This sub-subparagraph is subject to the Open Government
321 Sunset Review Act in accordance with s. 119.15 and shall stand
322 repealed on October 2, 2029, unless reviewed and saved from
323 repeal through reenactment by the Legislature.

324 3. An agency that is the custodian of the information
325 specified in subparagraph 2. and that is not the employer of the

326 officer, employee, justice, judge, or other person specified in
327 subparagraph 2. must maintain the exempt status of that
328 information only if the officer, employee, justice, judge, other
329 person, or employing agency of the designated employee submits a
330 written and notarized request for maintenance of the exemption
331 to the custodial agency. The request must state under oath the
332 statutory basis for the individual's exemption request and
333 confirm the individual's status as a party eligible for exempt
334 status.

335 4.a. A county property appraiser, as defined in s.
336 192.001(3), or a county tax collector, as defined in s.
337 192.001(4), who receives a written and notarized request for
338 maintenance of the exemption pursuant to subparagraph 3. must
339 comply by removing the name of the individual with exempt status
340 and the instrument number or Official Records book and page
341 number identifying the property with the exempt status from all
342 publicly available records maintained by the property appraiser
343 or tax collector. For written requests received on or before
344 July 1, 2021, a county property appraiser or county tax
345 collector must comply with this sub-subparagraph by October 1,
346 2021. A county property appraiser or county tax collector may
347 not remove the street address, legal description, or other
348 information identifying real property within the agency's
349 records so long as a name or personal information otherwise
350 exempt from inspection and copying pursuant to this section is

351 not associated with the property or otherwise displayed in the
352 public records of the agency.

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

356 5. An officer, an employee, a justice, a judge, or other
357 person specified in subparagraph 2. may submit a written request
358 for the release of his or her exempt information to the
359 custodial agency. The written request must be notarized and must
360 specify the information to be released and the party authorized
361 to receive the information. Upon receipt of the written request,
362 the custodial agency must release the specified information to
363 the party authorized to receive such information.

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

367 7. Information made exempt under this paragraph may be
368 disclosed pursuant to s. 28.2221 to a title insurer authorized
369 pursuant to s. 624.401 and its affiliates as defined in s.
370 624.10; a title insurance agent or title insurance agency as
371 defined in s. 626.841(1) or (2), respectively; or an attorney
372 duly admitted to practice law in this state and in good standing
373 with The Florida Bar.

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

376 | protected party resides at the dwelling location. Upon
377 | conveyance of real property after October 1, 2021, and when such
378 | real property no longer constitutes a protected party's home
379 | address as defined in sub-subparagraph 1.a., the protected party
380 | must submit a written request to release the removed information
381 | to the county recorder. The written request to release the
382 | removed information must be notarized, must confirm that a
383 | protected party's request for release is pursuant to a
384 | conveyance of his or her dwelling location, and must specify the
385 | Official Records book and page, instrument number, or clerk's
386 | file number for each document containing the information to be
387 | released.

388 | 9. Upon the death of a protected party as verified by a
389 | certified copy of a death certificate or court order, any party
390 | can request the county recorder to release a protected
391 | decedent's removed information unless there is a related request
392 | on file with the county recorder for continued removal of the
393 | decedent's information or unless such removal is otherwise
394 | prohibited by statute or by court order. The written request to
395 | release the removed information upon the death of a protected
396 | party must attach the certified copy of a death certificate or
397 | court order and must be notarized, must confirm the request for
398 | release is due to the death of a protected party, and must
399 | specify the Official Records book and page number, instrument
400 | number, or clerk's file number for each document containing the

401 information to be released. A fee may not be charged for the
402 release of any document pursuant to such request.

403 10. Except as otherwise expressly provided in this
404 paragraph, this paragraph is subject to the Open Government
405 Sunset Review Act in accordance with s. 119.15 and shall stand
406 repealed on October 2, 2024, unless reviewed and saved from
407 repeal through reenactment by the Legislature.

408 Section 2. The Legislature finds that it is a public
409 necessity that the home addresses, telephone numbers, dates of
410 birth, and photographs of current county attorneys, assistant
411 county attorneys, deputy county attorneys, city attorneys,
412 assistant city attorneys, and deputy city attorneys be made
413 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
414 Article I of the State Constitution. The Legislature further
415 finds that it is a public necessity that the names, home
416 addresses, telephone numbers, photographs, dates of birth, and
417 places of employment of the spouses and children of current
418 county attorneys, assistant county attorneys, deputy county
419 attorneys, city attorneys, assistant city attorneys, and deputy
420 city attorneys, and the names and locations of schools and day
421 care facilities attended by such children, be made exempt from
422 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
423 State Constitution. The responsibilities of county attorneys,
424 assistant county attorneys, deputy county attorneys, city
425 attorneys, assistant city attorneys, and deputy city attorneys

426 regularly involve legal enforcement proceedings related to
427 violations of codes and ordinances. Legal enforcement
428 proceedings have led to retribution and threats by defendants
429 and other persons on numerous occasions. Such attorneys have
430 received death threats and e-mails from disgruntled persons
431 advocating the murder of other attorneys. Other incidents have
432 included the stalking of such attorneys and their spouses and
433 children. The Legislature finds that the release of such
434 personal identifying and location information could place such
435 attorneys and their spouses and children in danger of being
436 stalked or physically and emotionally harmed by a defendant or
437 other person. The Legislature finds that the harm that may
438 result from the release of such personal identifying and
439 location information outweighs any public benefit that may be
440 derived from the disclosure of the information, except in the
441 case of a current county attorney, assistant county attorney,
442 deputy county attorney, city attorney, assistant city attorney,
443 or deputy city attorney who qualifies as a candidate for
444 election to public office.

445 Section 3. This act shall take effect July 1, 2024.