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CS/HB 103

2024 Legislature

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An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the personal identifying and location information of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys and the names and personal identifying and location information of the spouses and children of such attorneys; providing an exception; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

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:

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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.

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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



ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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,

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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



ENROLLED

CS/HB 103

2024 Legislature

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

ENROLLED

CS/HB 103

2024 Legislature

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.