

By the Committee on Governmental Oversight and Accountability;
and Senators Yarborough and Hooper

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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 clerks of the circuit
6 court and deputy clerks of the circuit court and the
7 names and personal identifying and location
8 information of the spouses and children of such clerks
9 and deputy clerks; providing for future legislative
10 review and repeal of the exemption; providing for
11 retroactive application; providing a statement of
12 public necessity; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (d) of subsection (4) of section
17 119.071, Florida Statutes, is amended to read:

18 119.071 General exemptions from inspection or copying of
19 public records.—

20 (4) AGENCY PERSONNEL INFORMATION.—

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

22 a. "Home addresses" means the dwelling location at which an
23 individual resides and includes the physical address, mailing
24 address, street address, parcel identification number, plot
25 identification number, legal property description, neighborhood
26 name and lot number, GPS coordinates, and any other descriptive
27 property information that may reveal the home address.

28 b. "Judicial assistant" means a court employee assigned to
29 the following class codes: 8140, 8150, 8310, and 8320.

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

34 2.a. The home addresses, telephone numbers, dates of birth,
35 and photographs of active or former sworn law enforcement
36 personnel or of active or former civilian personnel employed by
37 a law enforcement agency, including correctional and
38 correctional probation officers, personnel of the Department of
39 Children and Families whose duties include the investigation of
40 abuse, neglect, exploitation, fraud, theft, or other criminal
41 activities, personnel of the Department of Health whose duties
42 are to support the investigation of child abuse or neglect, and
43 personnel of the Department of Revenue or local governments
44 whose responsibilities include revenue collection and
45 enforcement or child support enforcement; the names, home
46 addresses, telephone numbers, photographs, dates of birth, and
47 places of employment of the spouses and children of such
48 personnel; and the names and locations of schools and day care
49 facilities attended by the children of such personnel are exempt
50 from s. 119.07(1) and s. 24(a), Art. I of the State
51 Constitution.

52 b. The home addresses, telephone numbers, dates of birth,
53 and photographs of current or former nonsworn investigative
54 personnel of the Department of Financial Services whose duties
55 include the investigation of fraud, theft, workers' compensation
56 coverage requirements and compliance, other related criminal
57 activities, or state regulatory requirement violations; the
58 names, home addresses, telephone numbers, dates of birth, and

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59 places of employment of the spouses and children of such
60 personnel; and the names and locations of schools and day care
61 facilities attended by the children of such personnel are exempt
62 from s. 119.07(1) and s. 24(a), Art. I of the State
63 Constitution.

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

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

83 e. The home addresses, dates of birth, and telephone
84 numbers of current or former justices of the Supreme Court,
85 district court of appeal judges, circuit court judges, and
86 county court judges, and of current judicial assistants; the
87 names, home addresses, telephone numbers, dates of birth, and

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88 places of employment of the spouses and children of current or
89 former justices and judges and of current judicial assistants;
90 and the names and locations of schools and day care facilities
91 attended by the children of current or former justices and
92 judges and of current judicial assistants are exempt from s.
93 119.07(1) and s. 24(a), Art. I of the State Constitution. This
94 sub-subparagraph is subject to the Open Government Sunset Review
95 Act in accordance with s. 119.15 and shall stand repealed on
96 October 2, 2028, unless reviewed and saved from repeal through
97 reenactment by the Legislature.

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

110 g. The home addresses, dates of birth, and telephone
111 numbers of general magistrates, special magistrates, judges of
112 compensation claims, administrative law judges of the Division
113 of Administrative Hearings, and child support enforcement
114 hearing officers; the names, home addresses, telephone numbers,
115 dates of birth, and places of employment of the spouses and
116 children of general magistrates, special magistrates, judges of

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117 compensation claims, administrative law judges of the Division
118 of Administrative Hearings, and child support enforcement
119 hearing officers; and the names and locations of schools and day
120 care facilities attended by the children of general magistrates,
121 special magistrates, judges of compensation claims,
122 administrative law judges of the Division of Administrative
123 Hearings, and child support enforcement hearing officers are
124 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
125 Constitution.

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

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

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

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

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

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

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

195 n. The home addresses, telephone numbers, and dates of
196 birth of county tax collectors; the names, home addresses,
197 telephone numbers, dates of birth, and places of employment of
198 the spouses and children of such tax collectors; and the names
199 and locations of schools and day care facilities attended by the
200 children of such tax collectors are exempt from s. 119.07(1) and
201 s. 24(a), Art. I of the State Constitution.

202 o. The home addresses, telephone numbers, dates of birth,
203 and photographs of current or former personnel of the Department

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

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

227 q. The home addresses, telephone numbers, dates of birth,
228 and photographs of current or former emergency medical
229 technicians or paramedics certified under chapter 401; the
230 names, home addresses, telephone numbers, dates of birth, and
231 places of employment of the spouses and children of such
232 emergency medical technicians or paramedics; and the names and

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233 locations of schools and day care facilities attended by the
234 children of such emergency medical technicians or paramedics are
235 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
236 Constitution.

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

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

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262 service component described in s. 397.311(26).

263 t. The home addresses, telephone numbers, dates of birth,
264 and photographs of current or former directors, managers,
265 supervisors, and clinical employees of a child advocacy center
266 that meets the standards of s. 39.3035(2) and fulfills the
267 screening requirement of s. 39.3035(3), and the members of a
268 Child Protection Team as described in s. 39.303 whose duties
269 include supporting the investigation of child abuse or sexual
270 abuse, child abandonment, child neglect, and child exploitation
271 or to provide services as part of a multidisciplinary case
272 review team; the names, home addresses, telephone numbers,
273 photographs, dates of birth, and places of employment of the
274 spouses and children of such personnel and members; and the
275 names and locations of schools and day care facilities attended
276 by the children of such personnel and members are exempt from s.
277 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

289 v. The home addresses, telephone numbers, dates of birth,
290 and photographs of current or former inspectors or investigators

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291 of the Department of Agriculture and Consumer Services; the
292 names, home addresses, telephone numbers, dates of birth, and
293 places of employment of the spouses and children of current or
294 former inspectors or investigators; and the names and locations
295 of schools and day care facilities attended by the children of
296 current or former inspectors or investigators are exempt from s.
297 119.07(1) and s. 24(a), Art. I of the State Constitution. This
298 sub-subparagraph is subject to the Open Government Sunset Review
299 Act in accordance with s. 119.15 and shall stand repealed on
300 October 2, 2028, unless reviewed and saved from repeal through
301 reenactment by the Legislature.

302 w. The home addresses, telephone numbers, dates of birth,
303 and photographs of current clerks of the circuit court and
304 deputy clerks of the circuit court; the names, home addresses,
305 telephone numbers, dates of birth, and places of employment of
306 the spouses and children of current clerks of the circuit court
307 and deputy clerks of the circuit court; and the names and
308 locations of schools and day care facilities attended by the
309 children of current clerks of the circuit court and deputy
310 clerks of the circuit court are exempt from s. 119.07(1) and s.
311 24(a), Art. I of the State Constitution. This sub-subparagraph
312 is subject to the Open Government Sunset Review Act in
313 accordance with s. 119.15 and shall stand repealed on October 2,
314 2029, unless reviewed and saved from repeal through reenactment
315 by the Legislature.

316 3. An agency that is the custodian of the information
317 specified in subparagraph 2. and that is not the employer of the
318 officer, employee, justice, judge, or other person specified in
319 subparagraph 2. must maintain the exempt status of that

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320 information only if the officer, employee, justice, judge, other
321 person, or employing agency of the designated employee submits a
322 written and notarized request for maintenance of the exemption
323 to the custodial agency. The request must state under oath the
324 statutory basis for the individual's exemption request and
325 confirm the individual's status as a party eligible for exempt
326 status.

327 4.a. A county property appraiser, as defined in s.
328 192.001(3), or a county tax collector, as defined in s.
329 192.001(4), who receives a written and notarized request for
330 maintenance of the exemption pursuant to subparagraph 3. must
331 comply by removing the name of the individual with exempt status
332 and the instrument number or Official Records book and page
333 number identifying the property with the exempt status from all
334 publicly available records maintained by the property appraiser
335 or tax collector. For written requests received on or before
336 July 1, 2021, a county property appraiser or county tax
337 collector must comply with this sub-subparagraph by October 1,
338 2021. A county property appraiser or county tax collector may
339 not remove the street address, legal description, or other
340 information identifying real property within the agency's
341 records so long as a name or personal information otherwise
342 exempt from inspection and copying pursuant to this section is
343 not associated with the property or otherwise displayed in the
344 public records of the agency.

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

348 5. An officer, an employee, a justice, a judge, or other

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349 person specified in subparagraph 2. may submit a written request
350 for the release of his or her exempt information to the
351 custodial agency. The written request must be notarized and must
352 specify the information to be released and the party authorized
353 to receive the information. Upon receipt of the written request,
354 the custodial agency must release the specified information to
355 the party authorized to receive such information.

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

359 7. Information made exempt under this paragraph may be
360 disclosed pursuant to s. 28.2221 to a title insurer authorized
361 pursuant to s. 624.401 and its affiliates as defined in s.
362 624.10; a title insurance agent or title insurance agency as
363 defined in s. 626.841(1) or (2), respectively; or an attorney
364 duly admitted to practice law in this state and in good standing
365 with The Florida Bar.

366 8. The exempt status of a home address contained in the
367 Official Records is maintained only during the period when a
368 protected party resides at the dwelling location. Upon
369 conveyance of real property after October 1, 2021, and when such
370 real property no longer constitutes a protected party's home
371 address as defined in sub-subparagraph 1.a., the protected party
372 must submit a written request to release the removed information
373 to the county recorder. The written request to release the
374 removed information must be notarized, must confirm that a
375 protected party's request for release is pursuant to a
376 conveyance of his or her dwelling location, and must specify the
377 Official Records book and page, instrument number, or clerk's

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378 file number for each document containing the information to be
379 released.

380 9. Upon the death of a protected party as verified by a
381 certified copy of a death certificate or court order, any party
382 can request the county recorder to release a protected
383 decedent's removed information unless there is a related request
384 on file with the county recorder for continued removal of the
385 decedent's information or unless such removal is otherwise
386 prohibited by statute or by court order. The written request to
387 release the removed information upon the death of a protected
388 party must attach the certified copy of a death certificate or
389 court order and must be notarized, must confirm the request for
390 release is due to the death of a protected party, and must
391 specify the Official Records book and page number, instrument
392 number, or clerk's file number for each document containing the
393 information to be released. A fee may not be charged for the
394 release of any document pursuant to such request.

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

400 Section 2. The Legislature finds that it is a public
401 necessity that the home addresses, telephone numbers, dates of
402 birth, and photographs of current clerks of the circuit court
403 and deputy clerks of the circuit court; the names, home
404 addresses, telephone numbers, dates of birth, and places of
405 employment of the spouses and children of current clerks of the
406 circuit court and deputy clerks of the circuit court; and the

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407 names and locations of schools and day care facilities attended
408 by the children of current clerks of the circuit court and
409 deputy clerks of the circuit court be made exempt from s.
410 119.07(1), Florida Statutes, and s. 24(a), Article I of the
411 State Constitution. The responsibilities of clerks of the
412 circuit court and deputy clerks of the circuit court regularly
413 include involvement in legal enforcement, divorce, and child
414 support proceedings and, as a result, clerks of the circuit
415 court and deputy clerks of the circuit court have received death
416 threats, harassing telephone calls and e-mails, and threats of
417 physical violence from disgruntled individuals. The Legislature
418 finds that the release of such personal identifying and location
419 information may place clerks of the circuit court and deputy
420 clerks of the circuit court in danger of being physically or
421 emotionally harmed or stalked. The Legislature finds that the
422 harm that may result from the release of such personal
423 identifying and location information outweighs any public
424 benefit that may be derived from the disclosure of the
425 information.

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