

By Senator Davis

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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 and former personnel  
6       and commissioners of the Florida Commission on Human  
7       Relations and the names and personal identifying and  
8       location information of the spouses and children of  
9       such personnel and commissioners; providing for future  
10      legislative review and repeal of the exemption;  
11      providing retroactive application; providing a  
12      statement of public necessity; providing an effective  
13      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 an  
24       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

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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 birth,  
36 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

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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

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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

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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

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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,

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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,

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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



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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,

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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,

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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 or former personnel and commissioners  
305 of the Florida Commission on Human Relations whose duties  
306 include, or result in, the determination or adjudication of  
307 unlawful discrimination or retaliation, the investigation or  
308 prosecution of such complaints, or the intake or dismissal of  
309 such complaints; the names, home addresses, telephone numbers,  
310 dates of birth, photographs, and places of employment of the  
311 spouses and children of such personnel and commissioners; and  
312 the names and locations of schools and day care facilities  
313 attended by the children of such personnel and commissioners are  
314 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
315 Constitution. This sub-subparagraph is subject to the Open  
316 Government Sunset Review Act in accordance with s. 119.15 and  
317 shall stand repealed on October 2, 2029, unless reviewed and  
318 saved from repeal through reenactment by the Legislature.

319 3. An agency that is the custodian of the information

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320 specified in subparagraph 2. and that is not the employer of the  
321 officer, employee, justice, judge, or other person specified in  
322 subparagraph 2. must maintain the exempt status of that  
323 information only if the officer, employee, justice, judge, other  
324 person, or employing agency of the designated employee submits a  
325 written and notarized request for maintenance of the exemption  
326 to the custodial agency. The request must state under oath the  
327 statutory basis for the individual's exemption request and  
328 confirm the individual's status as a party eligible for exempt  
329 status.

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

348 b. Any information restricted from public display,

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349 inspection, or copying under sub-subparagraph a. must be  
350 provided to the individual whose information was removed.

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

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

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

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

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378 protected party's request for release is pursuant to a  
379 conveyance of his or her dwelling location, and must specify the  
380 Official Records book and page, instrument number, or clerk's  
381 file number for each document containing the information to be  
382 released.

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

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

403 Section 2. The Legislature finds that it is a public  
404 necessity that the home addresses, telephone numbers, dates of  
405 birth, and photographs of current and former personnel and  
406 commissioners of the Florida Commission on Human Relations whose

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407 duties include, or result in, the determination or adjudication  
408 of unlawful discrimination or retaliation, the investigation or  
409 prosecution of such complaints, or the intake or dismissal of  
410 such complaints; the names, home addresses, telephone numbers,  
411 dates of birth, photographs, and places of employment of the  
412 spouses and children of such personnel and commissioners; and  
413 the names and locations of schools and day care facilities  
414 attended by the children of such personnel and commissioners be  
415 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
416 Article I of the State Constitution. Such personnel and  
417 commissioners and their families are at a heightened risk of  
418 physical and emotional harm from dissatisfied individuals who  
419 have contentious reactions to actions taken by the Florida  
420 Commission on Human Relations. In addition, such personnel and  
421 commissioners may be subject to threats or acts of revenge  
422 because of the duties they perform. The families of such  
423 personnel and commissioners are also endangered by people who  
424 may seek to intimidate or harm such personnel and commissioners.  
425 The Legislature finds that the harm that may result from the  
426 release of such personal identifying and location information  
427 outweighs any public benefit that may be derived from the  
428 disclosure of the information.

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