

By Senator Collins

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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 certain current or former
6 personnel of the Agency for Health Care Administration
7 and their spouses and children; providing for future
8 legislative review and repeal of the exemption;
9 providing for retroactive application; providing a
10 statement of public necessity; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (d) of subsection (4) of section
16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying of
18 public records.—

19 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

29 c. "Telephone numbers" includes home telephone numbers,

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30 personal cellular telephone numbers, personal pager telephone
31 numbers, and telephone numbers associated with personal
32 communications devices.

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

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

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

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

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

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

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

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

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

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

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

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

145 j. The home addresses, telephone numbers, places of

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

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

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

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

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

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

201 o. The home addresses, telephone numbers, dates of birth,
202 and photographs of current or former personnel of the Department
203 of Health whose duties include, or result in, the determination

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

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

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

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233 children of such emergency medical technicians or paramedics are
234 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
235 Constitution.

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

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

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

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

288 v. The home addresses, telephone numbers, dates of birth,
289 and photographs of current or former inspectors or investigators
290 of the Department of Agriculture and Consumer Services; the

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

301 w. The home addresses, telephone numbers, dates of birth,
302 and photographs of current or former personnel of the Agency for
303 Health Care Administration whose duties include the
304 investigation of complaints filed against health care facilities
305 or the inspection of health care facilities licensed or
306 certified by agency; the names, home addresses, telephone
307 numbers, dates of birth, and places of employment of the spouses
308 and children of such personnel; and the names and locations of
309 schools and day care facilities attended by the children of such
310 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
311 the State Constitution. This sub-subparagraph is subject to the
312 Open Government Sunset Review Act in accordance with s. 119.15
313 and shall stand repealed on October 2, 2029, unless reviewed and
314 saved from repeal through reenactment by the Legislature.

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

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

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

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

347 5. An officer, an employee, a justice, a judge, or other
348 person specified in subparagraph 2. may submit a written request

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

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

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

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

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378 released.

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

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

399 Section 2. The Legislature finds that it is a public
400 necessity that the home addresses, telephone numbers, dates of
401 birth, and photographs of current or former personnel of the
402 Agency for Health Care Administration whose duties include the
403 investigation of complaints filed against health care facilities
404 or the inspection of health care facilities licensed or
405 certified by the Agency for Health Care Administration; the
406 names, home addresses, telephone numbers, dates of birth, and

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407 places of employment of the spouses and children of such
408 personnel; and the names and locations of schools and day care
409 facilities attended by the children of such personnel be made
410 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
411 Article I of the State Constitution. The Legislature finds that
412 the release of such personal identifying and location
413 information might place the agency's current or former personnel
414 and their family members in danger of physical and emotional
415 harm from disgruntled individuals who have contentious reactions
416 to actions carried out by such personnel or whose business or
417 professional practices have come under scrutiny as a result of
418 such investigations and agency actions. The Legislature further
419 finds that the harm that may result from the release of such
420 personal identifying and location information outweighs any
421 public benefit that may be derived from the disclosure of the
422 information.

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