

By the Committee on Governmental Oversight and Accountability

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., which
4 provides public records exemptions for certain
5 personal identifying and location information of
6 specified agency personnel, and the spouses and
7 children thereof; abrogating the scheduled repeal of
8 the exemptions; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (d) of subsection (4) of section
13 119.071, Florida Statutes, is amended to read:

14 119.071 General exemptions from inspection or copying of
15 public records.—

16 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

26 c. "Telephone numbers" includes home telephone numbers,
27 personal cellular telephone numbers, personal pager telephone
28 numbers, and telephone numbers associated with personal
29 communications devices.

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

48 b. The home addresses, telephone numbers, dates of birth,
49 and photographs of current or former nonsworn investigative
50 personnel of the Department of Financial Services whose duties
51 include the investigation of fraud, theft, workers' compensation
52 coverage requirements and compliance, other related criminal
53 activities, or state regulatory requirement violations; the
54 names, home addresses, telephone numbers, dates of birth, and
55 places of employment of the spouses and children of such
56 personnel; and the names and locations of schools and day care
57 facilities attended by the children of such personnel are exempt
58 from s. 119.07(1) and s. 24(a), Art. I of the State

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59 Constitution.

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

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

79 e. The home addresses, dates of birth, and telephone
80 numbers of current or former justices of the Supreme Court,
81 district court of appeal judges, circuit court judges, and
82 county court judges, and of current judicial assistants; the
83 names, home addresses, telephone numbers, dates of birth, and
84 places of employment of the spouses and children of current or
85 former justices and judges and of current judicial assistants;
86 and the names and locations of schools and day care facilities
87 attended by the children of current or former justices and

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

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

106 g. The home addresses, dates of birth, and telephone
107 numbers of general magistrates, special magistrates, judges of
108 compensation claims, administrative law judges of the Division
109 of Administrative Hearings, and child support enforcement
110 hearing officers; the names, home addresses, telephone numbers,
111 dates of birth, and places of employment of the spouses and
112 children 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; and the names and locations of schools and day
116 care facilities attended by the children of general magistrates,

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117 special magistrates, judges of compensation claims,
118 administrative law judges of the Division of Administrative
119 Hearings, and child support enforcement hearing officers are
120 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
121 Constitution.

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

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

142 j. The home addresses, telephone numbers, places of
143 employment, dates of birth, and photographs of current or former
144 guardians ad litem, as defined in s. 39.820; the names, home
145 addresses, telephone numbers, dates of birth, and places of

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

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

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

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

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

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

198 o. The home addresses, telephone numbers, dates of birth,
199 and photographs of current or former personnel of the Department
200 of Health whose duties include, or result in, the determination
201 or adjudication of eligibility for social security disability
202 benefits, the investigation or prosecution of complaints filed
203 against health care practitioners, or the inspection of health

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204 care practitioners or health care facilities licensed by the
205 Department of Health; the names, home addresses, telephone
206 numbers, dates of birth, and places of employment of the spouses
207 and children of such personnel; and the names and locations of
208 schools and day care facilities attended by the children of such
209 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
210 the State Constitution.

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

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

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

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

259 t. The home addresses, telephone numbers, dates of birth,
260 and photographs of current or former directors, managers,
261 supervisors, and clinical employees of a child advocacy center

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

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

285 v. The home addresses, telephone numbers, dates of birth,
286 and photographs of current or former inspectors or investigators
287 of the Department of Agriculture and Consumer Services; the
288 names, home addresses, telephone numbers, dates of birth, and
289 places of employment of the spouses and children of current or
290 former inspectors or investigators; and the names and locations

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

298 3. An agency that is the custodian of the information
299 specified in subparagraph 2. and that is not the employer of the
300 officer, employee, justice, judge, or other person specified in
301 subparagraph 2. must maintain the exempt status of that
302 information only if the officer, employee, justice, judge, other
303 person, or employing agency of the designated employee submits a
304 written and notarized request for maintenance of the exemption
305 to the custodial agency. The request must state under oath the
306 statutory basis for the individual's exemption request and
307 confirm the individual's status as a party eligible for exempt
308 status.

309 4.a. A county property appraiser, as defined in s.
310 192.001(3), or a county tax collector, as defined in s.
311 192.001(4), who receives a written and notarized request for
312 maintenance of the exemption pursuant to subparagraph 3. must
313 comply by removing the name of the individual with exempt status
314 and the instrument number or Official Records book and page
315 number identifying the property with the exempt status from all
316 publicly available records maintained by the property appraiser
317 or tax collector. For written requests received on or before
318 July 1, 2021, a county property appraiser or county tax
319 collector must comply with this sub-subparagraph by October 1,

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320 2021. A county property appraiser or county tax collector may
321 not remove the street address, legal description, or other
322 information identifying real property within the agency's
323 records so long as a name or personal information otherwise
324 exempt from inspection and copying pursuant to this section is
325 not associated with the property or otherwise displayed in the
326 public records of the agency.

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

330 5. An officer, an employee, a justice, a judge, or other
331 person specified in subparagraph 2. may submit a written request
332 for the release of his or her exempt information to the
333 custodial agency. The written request must be notarized and must
334 specify the information to be released and the party authorized
335 to receive the information. Upon receipt of the written request,
336 the custodial agency must release the specified information to
337 the party authorized to receive such information.

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

341 7. Information made exempt under this paragraph may be
342 disclosed pursuant to s. 28.2221 to a title insurer authorized
343 pursuant to s. 624.401 and its affiliates as defined in s.
344 624.10; a title insurance agent or title insurance agency as
345 defined in s. 626.841(1) or (2), respectively; or an attorney
346 duly admitted to practice law in this state and in good standing
347 with The Florida Bar.

348 8. The exempt status of a home address contained in the

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349 Official Records is maintained only during the period when a
350 protected party resides at the dwelling location. Upon
351 conveyance of real property after October 1, 2021, and when such
352 real property no longer constitutes a protected party's home
353 address as defined in sub-subparagraph 1.a., the protected party
354 must submit a written request to release the removed information
355 to the county recorder. The written request to release the
356 removed information must be notarized, must confirm that a
357 protected party's request for release is pursuant to a
358 conveyance of his or her dwelling location, and must specify the
359 Official Records book and page, instrument number, or clerk's
360 file number for each document containing the information to be
361 released.

362 9. Upon the death of a protected party as verified by a
363 certified copy of a death certificate or court order, any party
364 can request the county recorder to release a protected
365 decedent's removed information unless there is a related request
366 on file with the county recorder for continued removal of the
367 decedent's information or unless such removal is otherwise
368 prohibited by statute or by court order. The written request to
369 release the removed information upon the death of a protected
370 party must attach the certified copy of a death certificate or
371 court order and must be notarized, must confirm the request for
372 release is due to the death of a protected party, and must
373 specify the Official Records book and page number, instrument
374 number, or clerk's file number for each document containing the
375 information to be released. A fee may not be charged for the
376 release of any document pursuant to such request.

377 ~~10. Except as otherwise expressly provided in this~~

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378 ~~paragraph, this paragraph is subject to the Open Government~~
379 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
380 ~~repealed on October 2, 2024, unless reviewed and saved from~~
381 ~~repeal through reenactment by the Legislature.~~

382 Section 2. This act shall take effect October 1, 2024.