

**FOR CONSIDERATION** 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.