

By Senator Jones

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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 county administrators,
6 deputy county administrators, assistant county
7 administrators, city managers, deputy city managers,
8 and assistant city managers, including the names and
9 personal identifying and location information of the
10 spouses and children of current county administrators,
11 deputy county administrators, assistant county
12 administrators, city managers, deputy city managers,
13 and assistant city managers; providing for future
14 legislative review and repeal; providing for
15 retroactive application; providing a statement of
16 public necessity; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Paragraph (d) of subsection (4) of section
21 119.071, Florida Statutes, is amended to read:

22 119.071 General exemptions from inspection or copying of
23 public records.—

24 (4) AGENCY PERSONNEL INFORMATION.—

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

26 a. "Home addresses" means the dwelling location at which an
27 individual resides and includes the physical address, mailing
28 address, street address, parcel identification number, plot
29 identification number, legal property description, neighborhood

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30 name and lot number, GPS coordinates, and any other descriptive
31 property information that may reveal the home address.

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

34 c. "Telephone numbers" includes home telephone numbers,
35 personal cellular telephone numbers, personal pager telephone
36 numbers, and telephone numbers associated with personal
37 communications devices.

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

56 b. The home addresses, telephone numbers, dates of birth,
57 and photographs of current or former nonsworn investigative
58 personnel of the Department of Financial Services whose duties

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59 include the investigation of fraud, theft, workers' compensation
60 coverage requirements and compliance, other related criminal
61 activities, or state regulatory requirement violations; the
62 names, home addresses, telephone numbers, dates of birth, and
63 places of employment of the spouses and children of such
64 personnel; and the names and locations of schools and day care
65 facilities attended by the children of such personnel are exempt
66 from s. 119.07(1) and s. 24(a), Art. I of the State
67 Constitution.

68 c. The home addresses, telephone numbers, dates of birth,
69 and photographs of current or former nonsworn investigative
70 personnel of the Office of Financial Regulation's Bureau of
71 Financial Investigations whose duties include the investigation
72 of fraud, theft, other related criminal activities, or state
73 regulatory requirement violations; the names, home addresses,
74 telephone numbers, dates of birth, and places of employment of
75 the spouses and children of such personnel; and the names and
76 locations of schools and day care facilities attended by the
77 children of such personnel are exempt from s. 119.07(1) and s.
78 24(a), Art. I of the State Constitution.

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

87 e. The home addresses, dates of birth, and telephone

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

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

114 g. The home addresses, dates of birth, and telephone
115 numbers 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; the names, home addresses, telephone numbers,
119 dates of birth, and places of employment of the spouses and
120 children of general magistrates, special magistrates, judges of
121 compensation claims, administrative law judges of the Division
122 of Administrative Hearings, and child support enforcement
123 hearing officers; and the names and locations of schools and day
124 care facilities attended by the children of general magistrates,
125 special magistrates, judges of compensation claims,
126 administrative law judges of the Division of Administrative
127 Hearings, and child support enforcement hearing officers are
128 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
129 Constitution.

130 h. The home addresses, telephone numbers, dates of birth,
131 and photographs of current or former human resource, labor
132 relations, or employee relations directors, assistant directors,
133 managers, or assistant managers of any local government agency
134 or water management district whose duties include hiring and
135 firing employees, labor contract negotiation, administration, or
136 other personnel-related duties; the names, home addresses,
137 telephone numbers, dates of birth, and places of employment of
138 the spouses and children of such personnel; and the names and
139 locations of schools and day care facilities attended by the
140 children of such personnel are exempt from s. 119.07(1) and s.
141 24(a), Art. I of the State Constitution.

142 i. The home addresses, telephone numbers, dates of birth,
143 and photographs of current or former code enforcement officers;
144 the names, home addresses, telephone numbers, dates of birth,
145 and places of employment of the spouses and children of such

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

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

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

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175 1. The home addresses, telephone numbers, dates of birth,
176 and photographs of current or former public defenders, assistant
177 public defenders, criminal conflict and civil regional counsel,
178 and assistant criminal conflict and civil regional counsel; the
179 names, home addresses, telephone numbers, dates of birth, and
180 places of employment of the spouses and children of current or
181 former public defenders, assistant public defenders, criminal
182 conflict and civil regional counsel, and assistant criminal
183 conflict and civil regional counsel; and the names and locations
184 of schools and day care facilities attended by the children of
185 current or former public defenders, assistant public defenders,
186 criminal conflict and civil regional counsel, and assistant
187 criminal conflict and civil regional counsel are exempt from s.
188 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

199 n. The home addresses, telephone numbers, and dates of
200 birth of county tax collectors; the names, home addresses,
201 telephone numbers, dates of birth, and places of employment of
202 the spouses and children of such tax collectors; and the names
203 and locations of schools and day care facilities attended by the

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204 children of such tax collectors are exempt from s. 119.07(1) and
205 s. 24(a), Art. I of the State Constitution.

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

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

231 q. The home addresses, telephone numbers, dates of birth,
232 and photographs of current or former emergency medical

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233 technicians or paramedics certified under chapter 401; the
234 names, home addresses, telephone numbers, dates of birth, and
235 places of employment of the spouses and children of such
236 emergency medical technicians or paramedics; and the names and
237 locations of schools and day care facilities attended by the
238 children of such emergency medical technicians or paramedics are
239 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
240 Constitution.

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

253 s. The home addresses, telephone numbers, dates of birth,
254 and photographs of current or former directors, managers,
255 supervisors, nurses, and clinical employees of an addiction
256 treatment facility; the home addresses, telephone numbers,
257 photographs, dates of birth, and places of employment of the
258 spouses and children of such personnel; and the names and
259 locations of schools and day care facilities attended by the
260 children of such personnel are exempt from s. 119.07(1) and s.
261 24(a), Art. I of the State Constitution. For purposes of this

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262 sub-subparagraph, the term "addiction treatment facility" means
263 a county government, or agency thereof, that is licensed
264 pursuant to s. 397.401 and provides substance abuse prevention,
265 intervention, or clinical treatment, including any licensed
266 service component described in s. 397.311(26).

267 t. The home addresses, telephone numbers, dates of birth,
268 and photographs of current or former directors, managers,
269 supervisors, and clinical employees of a child advocacy center
270 that meets the standards of s. 39.3035(2) and fulfills the
271 screening requirement of s. 39.3035(3), and the members of a
272 Child Protection Team as described in s. 39.303 whose duties
273 include supporting the investigation of child abuse or sexual
274 abuse, child abandonment, child neglect, and child exploitation
275 or to provide services as part of a multidisciplinary case
276 review team; the names, home addresses, telephone numbers,
277 photographs, dates of birth, and places of employment of the
278 spouses and children of such personnel and members; and the
279 names and locations of schools and day care facilities attended
280 by the children of such personnel and members are exempt from s.
281 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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291 from s. 119.07(1) and s. 24(a), Art. I of the State
292 Constitution.

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

306 w. The home addresses, telephone numbers, and dates of
307 birth of current county administrators, deputy county
308 administrators, assistant county administrators, city managers,
309 deputy city managers, and assistant city managers; the names,
310 home addresses, telephone numbers, dates of birth, photographs,
311 and places of employment of the spouses and children of current
312 county administrators, deputy county administrators, assistant
313 county administrators, city managers, deputy city managers, and
314 assistant city managers; and the names and locations of schools
315 and day care facilities attended by the children of current
316 county administrators, deputy county administrators, assistant
317 county administrators, city managers, deputy city managers, and
318 assistant city managers are exempt from s. 119.07(1) and s.
319 24(a), Art. I of the State Constitution. This sub-subparagraph

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320 is subject to the Open Government Sunset Review Act in
321 accordance with s. 119.15 and shall stand repealed on October 2,
322 2029, unless reviewed and saved from repeal through reenactment
323 by the Legislature.

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

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

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349 records so long as a name or personal information otherwise
350 exempt from inspection and copying pursuant to this section is
351 not associated with the property or otherwise displayed in the
352 public records of the agency.

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

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

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

367 7. Information made exempt under this paragraph may be
368 disclosed pursuant to s. 28.2221 to a title insurer authorized
369 pursuant to s. 624.401 and its affiliates as defined in s.
370 624.10; a title insurance agent or title insurance agency as
371 defined in s. 626.841(1) or (2), respectively; or an attorney
372 duly admitted to practice law in this state and in good standing
373 with The Florida Bar.

374 8. The exempt status of a home address contained in the
375 Official Records is maintained only during the period when a
376 protected party resides at the dwelling location. Upon
377 conveyance of real property after October 1, 2021, and when such

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378 real property no longer constitutes a protected party's home
379 address as defined in sub-subparagraph 1.a., the protected party
380 must submit a written request to release the removed information
381 to the county recorder. The written request to release the
382 removed information must be notarized, must confirm that a
383 protected party's request for release is pursuant to a
384 conveyance of his or her dwelling location, and must specify the
385 Official Records book and page, instrument number, or clerk's
386 file number for each document containing the information to be
387 released.

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

403 10. Except as otherwise expressly provided in this
404 paragraph, this paragraph is subject to the Open Government
405 Sunset Review Act in accordance with s. 119.15 and shall stand
406 repealed on October 2, 2024, unless reviewed and saved from

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407 repeal through reenactment by the Legislature.

408 Section 2. The Legislature finds that it is a public
409 necessity that the home addresses, telephone numbers, and dates
410 of birth of current county administrators, deputy county
411 administrators, assistant county administrators, city managers,
412 deputy city managers, and assistant city managers; the names,
413 home addresses, telephone numbers, dates of birth, photographs,
414 and places of employment of the spouses and children of current
415 county administrators, deputy county administrators, assistant
416 county administrators, city managers, deputy city managers, and
417 assistant city managers; and the names and locations of schools
418 and day care facilities attended by the children of current
419 county administrators, deputy county administrators, assistant
420 county administrators, city managers, deputy city managers, and
421 assistant city managers be made exempt from s. 119.07(1),
422 Florida Statutes, and s. 24(a), Article I of the State
423 Constitution. Such identifying and location information can be
424 used as a tool to perpetrate fraud against an individual or to
425 acquire sensitive personal, financial, medical, or familial
426 information, the release of which could cause great financial or
427 professional harm to the individual. In the course of performing
428 their managerial functions, current county administrators,
429 deputy county administrators, assistant county administrators,
430 city managers, deputy city managers, and assistant city managers
431 may make decisions and determinations that upset members of the
432 public and may incur the ill will of those residents, making
433 current county administrators, deputy county administrators,
434 assistant county administrators, city managers, deputy city
435 managers, and assistant city managers and their spouses and

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436 children targets for acts of revenge. If such identifying and
437 location information is released, the safety of current county
438 administrators, deputy county administrators, assistant county
439 administrators, city managers, deputy city managers, and
440 assistant city managers and their spouses and children could be
441 seriously jeopardized. For these reasons, the Legislature finds
442 that it is a public necessity that such information be made
443 exempt from public records requirements.

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