

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 or former clerks of  
 6           the circuit court, deputy clerks of the circuit court,  
 7           and clerk of the circuit court personnel and the names  
 8           and personal identifying and location information of  
 9           the spouses and children of such clerks, deputy  
 10          clerks, and clerk personnel; providing for future  
 11          legislative review and repeal of the exemption;  
 12          providing for retroactive application; providing a  
 13          statement of public necessity; providing an effective  
 14          date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

17  
 18           Section 1. Paragraph (d) of subsection (4) of section  
 19   119.071, Florida Statutes, is amended to read:

20           119.071 General exemptions from inspection or copying of  
 21   public records.—

22           (4) AGENCY PERSONNEL INFORMATION.—

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

24           a. "Home addresses" means the dwelling location at which  
 25   an individual resides and includes the physical address, mailing

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 address, street address, parcel identification number, plot  
27 identification number, legal property description, neighborhood  
28 name and lot number, GPS coordinates, and any other descriptive  
29 property information that may reveal the home address.

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

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

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

51 facilities attended by the children of such personnel are exempt  
52 from s. 119.07(1) and s. 24(a), Art. I of the State  
53 Constitution.

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

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

76 | 24(a), Art. I of the State Constitution.

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

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

100 |       f. The home addresses, telephone numbers, dates of birth,

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

112 g. The home addresses, dates of birth, and telephone  
113 numbers of general magistrates, special magistrates, judges of  
114 compensation claims, administrative law judges of the Division  
115 of Administrative Hearings, and child support enforcement  
116 hearing officers; the names, home addresses, telephone numbers,  
117 dates of birth, and places of employment of the spouses and  
118 children of general magistrates, special magistrates, judges of  
119 compensation claims, administrative law judges of the Division  
120 of Administrative Hearings, and child support enforcement  
121 hearing officers; and the names and locations of schools and day  
122 care facilities attended by the children of general magistrates,  
123 special magistrates, judges of compensation claims,  
124 administrative law judges of the Division of Administrative  
125 Hearings, and child support enforcement hearing officers are

126 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
127 Constitution.

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

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

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

151 addresses, telephone numbers, dates of birth, and places of  
 152 employment of the spouses and children of such persons; and the  
 153 names and locations of schools and day care facilities attended  
 154 by the children of such persons are exempt from s. 119.07(1) and  
 155 s. 24(a), Art. I of the State Constitution.

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

173 l. The home addresses, telephone numbers, dates of birth,  
 174 and photographs of current or former public defenders, assistant  
 175 public defenders, criminal conflict and civil regional counsel,

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

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

197 n. The home addresses, telephone numbers, and dates of  
198 birth of county tax collectors; the names, home addresses,  
199 telephone numbers, dates of birth, and places of employment of  
200 the spouses and children of such tax collectors; and the names



201 and locations of schools and day care facilities attended by the  
 202 children of such tax collectors are exempt from s. 119.07(1) and  
 203 s. 24(a), Art. I of the State Constitution.

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

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

226 attended by the children of such consultants or employees are  
227 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
228 Constitution.

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

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

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

265 t. The home addresses, telephone numbers, dates of birth,  
266 and photographs of current or former directors, managers,  
267 supervisors, and clinical employees of a child advocacy center  
268 that meets the standards of s. 39.3035(2) and fulfills the  
269 screening requirement of s. 39.3035(3), and the members of a  
270 Child Protection Team as described in s. 39.303 whose duties  
271 include supporting the investigation of child abuse or sexual  
272 abuse, child abandonment, child neglect, and child exploitation  
273 or to provide services as part of a multidisciplinary case  
274 review team; the names, home addresses, telephone numbers,  
275 photographs, dates of birth, and places of employment of the

276 spouses and children of such personnel and members; and the  
277 names and locations of schools and day care facilities attended  
278 by the children of such personnel and members are exempt from s.  
279 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

291 v. The home addresses, telephone numbers, dates of birth,  
292 and photographs of current or former inspectors or investigators  
293 of the Department of Agriculture and Consumer Services; the  
294 names, home addresses, telephone numbers, dates of birth, and  
295 places of employment of the spouses and children of current or  
296 former inspectors or investigators; and the names and locations  
297 of schools and day care facilities attended by the children of  
298 current or former inspectors or investigators are exempt from s.  
299 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
300 sub-subparagraph is subject to the Open Government Sunset Review

301 Act in accordance with s. 119.15 and shall stand repealed on  
302 October 2, 2028, unless reviewed and saved from repeal through  
303 reenactment by the Legislature.

304 w. The home addresses, telephone numbers, dates of birth,  
305 and photographs of current or former clerks of the circuit  
306 court, deputy clerks of the circuit court, and clerk of the  
307 circuit court personnel; the names, home addresses, telephone  
308 numbers, dates of birth, and places of employment of the spouses  
309 and children of current or former clerks of the circuit court,  
310 deputy clerks of the circuit court, and clerk of the circuit  
311 court personnel; and the names and locations of schools and day  
312 care facilities attended by the children of current or former  
313 clerks of the circuit court, deputy clerks of the circuit court,  
314 and clerk of the circuit court personnel are exempt from s.  
315 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
316 sub-subparagraph is subject to the Open Government Sunset Review  
317 Act in accordance with s. 119.15 and shall stand repealed on  
318 October 2, 2029, unless reviewed and saved from repeal through  
319 reenactment by the Legislature.

320 3. An agency that is the custodian of the information  
321 specified in subparagraph 2. and that is not the employer of the  
322 officer, employee, justice, judge, or other person specified in  
323 subparagraph 2. must maintain the exempt status of that  
324 information only if the officer, employee, justice, judge, other  
325 person, or employing agency of the designated employee submits a

326 written and notarized request for maintenance of the exemption  
327 to the custodial agency. The request must state under oath the  
328 statutory basis for the individual's exemption request and  
329 confirm the individual's status as a party eligible for exempt  
330 status.

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

349 b. Any information restricted from public display,  
350 inspection, or copying under sub-subparagraph a. must be

351 provided to the individual whose information was removed.

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

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

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

370 8. The exempt status of a home address contained in the  
371 Official Records is maintained only during the period when a  
372 protected party resides at the dwelling location. Upon  
373 conveyance of real property after October 1, 2021, and when such  
374 real property no longer constitutes a protected party's home  
375 address as defined in sub-subparagraph 1.a., the protected party

376 must submit a written request to release the removed information  
377 to the county recorder. The written request to release the  
378 removed information must be notarized, must confirm that a  
379 protected party's request for release is pursuant to a  
380 conveyance of his or her dwelling location, and must specify the  
381 Official Records book and page, instrument number, or clerk's  
382 file number for each document containing the information to be  
383 released.

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

399 10. Except as otherwise expressly provided in this  
400 paragraph, this paragraph is subject to the Open Government



401 Sunset Review Act in accordance with s. 119.15 and shall stand  
402 repealed on October 2, 2024, unless reviewed and saved from  
403 repeal through reenactment by the Legislature.

404       Section 2. The Legislature finds that it is a public  
405 necessity that the home addresses, telephone numbers, dates of  
406 birth, and photographs of current or former clerks of the  
407 circuit court, deputy clerks of the circuit court, and clerk of  
408 the circuit court personnel; the names, home addresses,  
409 telephone numbers, dates of birth, and places of employment of  
410 the spouses and children of current or former clerks of the  
411 circuit court, deputy clerks of the circuit court, and clerk of  
412 the circuit court personnel; and the names and locations of  
413 schools and day care facilities attended by the children of  
414 current or former clerks of the circuit court, deputy clerks of  
415 the circuit court, and clerk of the circuit court personnel be  
416 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
417 Article I of the State Constitution. The responsibilities of  
418 clerks of the circuit court, deputy clerks of the circuit court,  
419 and clerk of the circuit court personnel regularly include  
420 involvement in legal enforcement, divorce, and child support  
421 proceedings and, as a result, clerks of the circuit court,  
422 deputy clerks of the circuit court, and clerk of the circuit  
423 court personnel have received death threats, harassing telephone  
424 calls and e-mails, and threats of physical violence from  
425 disgruntled individuals. The Legislature finds that the release

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426 of such personal identifying and location information may place  
427 clerks of the circuit court, deputy clerks of the circuit court,  
428 and clerk of the circuit court personnel in danger of being  
429 physically or emotionally harmed or stalked. The Legislature  
430 finds that the harm that may result from the release of such  
431 personal identifying and location information outweighs any  
432 public benefit that may be derived from the disclosure of the  
433 information.

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