

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

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Paragraph (d) of subsection (4) of section
 18 119.071, Florida Statutes, is amended to read:

19 119.071 General exemptions from inspection or copying of
 20 public records.—

21 (4) AGENCY PERSONNEL INFORMATION.—

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

23 a. "Home addresses" means the dwelling location at which
 24 an individual resides and includes the physical address, mailing
 25 address, street address, parcel identification number, plot

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

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

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

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

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

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

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

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

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

99 f. The home addresses, telephone numbers, dates of birth,
 100 and photographs of current or former state attorneys, assistant

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

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

126 Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

250 s. The home addresses, telephone numbers, dates of birth,

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

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

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

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

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

301 October 2, 2028, unless reviewed and saved from repeal through
302 reenactment by the Legislature.

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

318 3. An agency that is the custodian of the information
319 specified in subparagraph 2. and that is not the employer of the
320 officer, employee, justice, judge, or other person specified in
321 subparagraph 2. must maintain the exempt status of that
322 information only if the officer, employee, justice, judge, other
323 person, or employing agency of the designated employee submits a
324 written and notarized request for maintenance of the exemption
325 to the custodial agency. The request must state under oath the

326 statutory basis for the individual's exemption request and
327 confirm the individual's status as a party eligible for exempt
328 status.

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

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

350 5. An officer, an employee, a justice, a judge, or other

351 person specified in subparagraph 2. may submit a written request
352 for the release of his or her exempt information to the
353 custodial agency. The written request must be notarized and must
354 specify the information to be released and the party authorized
355 to receive the information. Upon receipt of the written request,
356 the custodial agency must release the specified information to
357 the party authorized to receive such information.

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

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

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

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

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

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

401 repeal through reenactment by the Legislature.

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

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426 | in danger of being physically or emotionally harmed or stalked.
427 | The Legislature finds that the harm that may result from the
428 | release of such personal identifying and location information
429 | outweighs any public benefit that may be derived from the
430 | disclosure of the information.

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