

By Senator Bernard

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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 certain current and former
6 personnel and commissioners of the Florida Commission
7 on Human Relations and the names and personal
8 identifying and location information of the spouses
9 and children of such personnel and commissioners;
10 providing for future legislative review and repeal of
11 the exemption; providing retroactive application;
12 providing a statement of public necessity; providing
13 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 an
24 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

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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 birth,
36 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

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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 current judicial assistants; the names,

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96 accordance with s. 119.15 and shall stand repealed on October 2,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

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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

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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. 39.01; 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,

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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,

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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

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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,

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262 intervention, or clinical treatment, including any licensed
263 service component described in s. 397.311(27).

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,

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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 county attorneys, assistant county
305 attorneys, deputy county attorneys, city attorneys, assistant
306 city attorneys, and deputy city attorneys; the names, home
307 addresses, telephone numbers, photographs, dates of birth, and
308 places of employment of the spouses and children of current
309 county attorneys, assistant county attorneys, deputy county
310 attorneys, city attorneys, assistant city attorneys, and deputy
311 city attorneys; and the names and locations of schools and day
312 care facilities attended by the children of current county
313 attorneys, assistant county attorneys, deputy county attorneys,
314 city attorneys, assistant city attorneys, and deputy city
315 attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of
316 the State Constitution. This exemption does not apply to a
317 county attorney, assistant county attorney, deputy county
318 attorney, city attorney, assistant city attorney, or deputy city
319 attorney who qualifies as a candidate for election to public

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

324 x. The home addresses, telephone numbers, dates of birth,
325 and photographs of current or former commissioners of the
326 Florida Gaming Control Commission; the names, home addresses,
327 telephone numbers, dates of birth, photographs, and places of
328 employment of the spouses and children of such current or former
329 commissioners; and the names and locations of schools and day
330 care facilities attended by the children of such current or
331 former commissioners are exempt from s. 119.07(1) and s. 24(a),
332 Art. I of the State Constitution. This sub-subparagraph is
333 subject to the Open Government Sunset Review Act in accordance
334 with s. 119.15 and shall stand repealed on October 2, 2029,
335 unless reviewed and saved from repeal through reenactment by the
336 Legislature.

337 y. The home addresses, telephone numbers, dates of birth,
338 and photographs of current clerks of the circuit court, deputy
339 clerks of the circuit court, and clerk of the circuit court
340 personnel; the names, home addresses, telephone numbers, dates
341 of birth, and places of employment of the spouses and children
342 of current clerks of the circuit court, deputy clerks of the
343 circuit court, and clerk of the circuit court personnel; and the
344 names and locations of schools and day care facilities attended
345 by the children of current clerks of the circuit court, deputy
346 clerks of the circuit court, and clerk of the circuit court
347 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
348 the State Constitution. This sub-subparagraph is subject to the

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349 Open Government Sunset Review Act in accordance with s. 119.15
350 and shall stand repealed on October 2, 2029, unless reviewed and
351 saved from repeal through reenactment by the Legislature.

352 z. The home addresses, telephone numbers, dates of birth,
353 and photographs of current or former personnel and commissioners
354 of the Florida Commission on Human Relations whose duties
355 include, or result in, the determination or adjudication of
356 unlawful discrimination or retaliation, the investigation or
357 prosecution of such complaints, or the intake or dismissal of
358 such complaints; the names, home addresses, telephone numbers,
359 dates of birth, photographs, and places of employment of the
360 spouses and children of such personnel and commissioners; and
361 the names and locations of schools and day care facilities
362 attended by the children of such personnel and commissioners are
363 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
364 Constitution. This sub-subparagraph is subject to the Open
365 Government Sunset Review Act in accordance with s. 119.15 and
366 shall stand repealed on October 2, 2030, unless reviewed and
367 saved from repeal through reenactment by the Legislature.

368 3. An agency that is the custodian of the information
369 specified in subparagraph 2. and that is not the employer of the
370 officer, employee, justice, judge, or other person specified in
371 subparagraph 2. must maintain the exempt status of that
372 information only if the officer, employee, justice, judge, other
373 person, or employing agency of the designated employee submits a
374 written and notarized request for maintenance of the exemption
375 to the custodial agency. The request must state under oath the
376 statutory basis for the individual's exemption request and
377 confirm the individual's status as a party eligible for exempt

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378 status.

379 4.a. A county property appraiser, as defined in s.
380 192.001(3), or a county tax collector, as defined in s.
381 192.001(4), who receives a written and notarized request for
382 maintenance of the exemption pursuant to subparagraph 3. must
383 comply by removing the name of the individual with exempt status
384 and the instrument number or Official Records book and page
385 number identifying the property with the exempt status from all
386 publicly available records maintained by the property appraiser
387 or tax collector. For written requests received on or before
388 July 1, 2021, a county property appraiser or county tax
389 collector must comply with this sub-subparagraph by October 1,
390 2021. A county property appraiser or county tax collector may
391 not remove the street address, legal description, or other
392 information identifying real property within the agency's
393 records so long as a name or personal information otherwise
394 exempt from inspection and copying pursuant to this section is
395 not associated with the property or otherwise displayed in the
396 public records of the agency.

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

400 5. An officer, an employee, a justice, a judge, or other
401 person specified in subparagraph 2. may submit a written request
402 for the release of his or her exempt information to the
403 custodial agency. The written request must be notarized and must
404 specify the information to be released and the party authorized
405 to receive the information. Upon receipt of the written request,
406 the custodial agency must release the specified information to

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407 the party authorized to receive such information.

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

411 7. Information made exempt under this paragraph may be
412 disclosed pursuant to s. 28.2221 to a title insurer authorized
413 pursuant to s. 624.401 and its affiliates as defined in s.
414 624.10; a title insurance agent or title insurance agency as
415 defined in s. 626.841(1) or (2), respectively; or an attorney
416 duly admitted to practice law in this state and in good standing
417 with The Florida Bar.

418 8. The exempt status of a home address contained in the
419 Official Records is maintained only during the period when a
420 protected party resides at the dwelling location. Upon
421 conveyance of real property after October 1, 2021, and when such
422 real property no longer constitutes a protected party's home
423 address as defined in sub-subparagraph 1.a., the protected party
424 must submit a written request to release the removed information
425 to the county recorder. The written request to release the
426 removed information must be notarized, must confirm that a
427 protected party's request for release is pursuant to a
428 conveyance of his or her dwelling location, and must specify the
429 Official Records book and page, instrument number, or clerk's
430 file number for each document containing the information to be
431 released.

432 9. Upon the death of a protected party as verified by a
433 certified copy of a death certificate or court order, any party
434 can request the county recorder to release a protected
435 decedent's removed information unless there is a related request

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436 on file with the county recorder for continued removal of the
437 decedent's information or unless such removal is otherwise
438 prohibited by statute or by court order. The written request to
439 release the removed information upon the death of a protected
440 party must attach the certified copy of a death certificate or
441 court order and must be notarized, must confirm the request for
442 release is due to the death of a protected party, and must
443 specify the Official Records book and page number, instrument
444 number, or clerk's file number for each document containing the
445 information to be released. A fee may not be charged for the
446 release of any document pursuant to such request.

447 Section 2. The Legislature finds that it is a public
448 necessity that the home addresses, telephone numbers, dates of
449 birth, and photographs of current and former personnel and
450 commissioners of the Florida Commission on Human Relations whose
451 duties include, or result in, the determination or adjudication
452 of unlawful discrimination or retaliation, the investigation or
453 prosecution of such complaints, or the intake or dismissal of
454 such complaints; the names, home addresses, telephone numbers,
455 dates of birth, photographs, and places of employment of the
456 spouses and children of such personnel and commissioners; and
457 the names and locations of schools and day care facilities
458 attended by the children of such personnel and commissioners be
459 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
460 Article I of the State Constitution. Such personnel and
461 commissioners and their families are at a heightened risk of
462 physical and emotional harm from dissatisfied individuals who
463 have contentious reactions to actions taken by the Florida
464 Commission on Human Relations. In addition, such personnel and

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465 commissioners may be subject to threats or acts of revenge
466 because of the duties they perform. The families of such
467 personnel and commissioners are also endangered by people who
468 may seek to intimidate or harm such personnel and commissioners.
469 The Legislature finds that the harm that may result from the
470 release of such personal identifying and location information
471 outweighs any public benefit that may be derived from the
472 disclosure of the information.

473 Section 3. This act shall take effect July 1, 2025.