

By the Committees on Community Affairs; and Governmental Oversight and Accountability; and Senators Jones and Brodeur

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; defining terms; providing exemptions
4 from public records requirements for the partial home
5 addresses and telephone numbers of current
6 congressional members and public officers and their
7 spouses and adult children and the names, home
8 addresses, telephone numbers, and dates of birth of,
9 and the names and locations of schools and day care
10 facilities attended by, the minor children of such
11 congressional members and public officers; providing
12 for future legislative review and repeal of the
13 exemptions; providing methods for maintenance of an
14 exemption; providing for retroactive application of
15 the exemptions; providing a statement of public
16 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 current judicial assistants; the names,
91 home addresses, telephone numbers, dates of birth, and places of
92 employment of the spouses and children of current or former
93 justices and judges and current judicial assistants; and the
94 names and locations of schools and day care facilities attended
95 by the children of current or former justices and judges and
96 current judicial assistants are exempt from s. 119.07(1) and s.
97 24(a), Art. I of the State Constitution. This sub-subparagraph
98 is subject to the Open Government Sunset Review Act in
99 accordance with s. 119.15 and shall stand repealed on October 2,
100 2028, unless reviewed and saved from repeal through reenactment
101 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. 39.01; 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(27).

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

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320 county attorney, assistant county attorney, deputy county
321 attorney, city attorney, assistant city attorney, or deputy city
322 attorney who qualifies as a candidate for election to public
323 office. This sub-subparagraph is subject to the Open Government
324 Sunset Review Act in accordance with s. 119.15 and shall stand
325 repealed on October 2, 2029, unless reviewed and saved from
326 repeal through reenactment by the Legislature.

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

340 y. The home addresses, telephone numbers, dates of birth,
341 and photographs of current clerks of the circuit court, deputy
342 clerks of the circuit court, and clerk of the circuit court
343 personnel; the names, home addresses, telephone numbers, dates
344 of birth, and places of employment of the spouses and children
345 of current clerks of the circuit court, deputy clerks of the
346 circuit court, and clerk of the circuit court personnel; and the
347 names and locations of schools and day care facilities attended
348 by the children of current clerks of the circuit court, deputy

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349 clerks of the circuit court, and clerk of the circuit court
350 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
351 the State Constitution. This sub-subparagraph is subject to the
352 Open Government Sunset Review Act in accordance with s. 119.15
353 and shall stand repealed on October 2, 2029, unless reviewed and
354 saved from repeal through reenactment by the Legislature.

355 z.(I) As used in this sub-subparagraph, the term:

356 (A) "Congressional member" means a person who is elected to
357 serve as a member of the United States House of Representatives
358 or is elected or appointed to serve as a member of the United
359 States Senate.

360 (B) "Partial home address" means the dwelling location at
361 which an individual resides and includes the physical address,
362 mailing address, street address, parcel identification number,
363 plot identification number, legal property description,
364 neighborhood name and lot number, GPS coordinates, and any other
365 descriptive property information that may reveal the partial
366 home address, except for the city and zip code.

367 (C) "Public officer" means a person who holds one of the
368 following offices: Governor, Lieutenant Governor, Chief
369 Financial Officer, Attorney General, Agriculture Commissioner,
370 state representative, state senator, property appraiser,
371 supervisor of elections, school superintendent, school board
372 member, mayor, city commissioner, or county commissioner.

373 (II) The following information is exempt from s. 119.07(1)
374 and s. 24(a), Art. I of the State Constitution:

375 (A) The partial home addresses of a current congressional
376 member or public officer and his or her spouse or adult child.

377 (B) The telephone numbers of a current congressional member

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378 or public officer and his or her spouse or adult child.

379 (C) The name, home addresses, telephone numbers, and date
380 of birth of a minor child of a current congressional member or
381 public officer and the name and location of the school or day
382 care facility attended by the minor child.

383 (III) This sub-subparagraph is subject to the Open
384 Government Sunset Review Act in accordance with s. 119.15 and
385 shall stand repealed on October 2, 2030, unless reviewed and
386 saved from repeal through reenactment by the Legislature.

387 3.a. An agency that is the custodian of the information
388 specified in subparagraph 2. and that is not the employer of the
389 officer, employee, justice, judge, or other person specified in
390 subparagraph 2. must maintain the exempt status of that
391 information only if the officer, employee, justice, judge, other
392 person, or employing agency of the designated employee submits a
393 written and notarized request for maintenance of the exemption
394 to the custodial agency. The request must state under oath the
395 statutory basis for the individual's exemption request and
396 confirm the individual's status as a party eligible for exempt
397 status.

398 b. An agency that is the custodian of information specified
399 in sub-subparagraph 2.z. and that is not the employer of the
400 congressional member, public officer, or other person specified
401 in sub-subparagraph 2.z. must maintain the exempt status of that
402 information only if an individual requests the maintenance of an
403 exemption pursuant to sub-subparagraph 2.z. on the basis of
404 eligibility as a current congressional member or public officer
405 and his or her spouse or child submits, as part of the written
406 and notarized request required by sub-subparagraph a., the date

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407 of the congressional member's or public officer's election or
408 appointment to public office, the date on which that office is
409 next subject to election, and, if applicable, the date on which
410 the current congressional member's or public officer's minor
411 child reaches the age of majority. The custodian must maintain
412 an exemption granted pursuant to sub-subparagraph 2.z. until the
413 qualifying conditions for the exemption no longer apply to the
414 person subject to the exemption.

415 4.a. A county property appraiser, as defined in s.
416 192.001(3), or a county tax collector, as defined in s.
417 192.001(4), who receives a written and notarized request for
418 maintenance of the exemption pursuant to subparagraph 3. must
419 comply by removing the name of the individual with exempt status
420 and the instrument number or Official Records book and page
421 number identifying the property with the exempt status from all
422 publicly available records maintained by the property appraiser
423 or tax collector. For written requests received on or before
424 July 1, 2021, a county property appraiser or county tax
425 collector must comply with this sub-subparagraph by October 1,
426 2021. A county property appraiser or county tax collector may
427 not remove the street address, legal description, or other
428 information identifying real property within the agency's
429 records so long as a name or personal information otherwise
430 exempt from inspection and copying pursuant to this section is
431 not associated with the property or otherwise displayed in the
432 public records of the agency.

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

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436 5. An officer, an employee, a justice, a judge, or other
437 person specified in subparagraph 2. may submit a written request
438 for the release of his or her exempt information to the
439 custodial agency. The written request must be notarized and must
440 specify the information to be released and the party authorized
441 to receive the information. Upon receipt of the written request,
442 the custodial agency must release the specified information to
443 the party authorized to receive such information.

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

447 7. Information made exempt under this paragraph may be
448 disclosed pursuant to s. 28.2221 to a title insurer authorized
449 pursuant to s. 624.401 and its affiliates as defined in s.
450 624.10; a title insurance agent or title insurance agency as
451 defined in s. 626.841(1) or (2), respectively; or an attorney
452 duly admitted to practice law in this state and in good standing
453 with The Florida Bar.

454 8. The exempt status of a home address contained in the
455 Official Records is maintained only during the period when a
456 protected party resides at the dwelling location. Upon
457 conveyance of real property after October 1, 2021, and when such
458 real property no longer constitutes a protected party's home
459 address as defined in sub-subparagraph 1.a., the protected party
460 must submit a written request to release the removed information
461 to the county recorder. The written request to release the
462 removed information must be notarized, must confirm that a
463 protected party's request for release is pursuant to a
464 conveyance of his or her dwelling location, and must specify the

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465 Official Records book and page, instrument number, or clerk's
466 file number for each document containing the information to be
467 released.

468 9. Upon the death of a protected party as verified by a
469 certified copy of a death certificate or court order, any party
470 can request the county recorder to release a protected
471 decedent's removed information unless there is a related request
472 on file with the county recorder for continued removal of the
473 decedent's information or unless such removal is otherwise
474 prohibited by statute or by court order. The written request to
475 release the removed information upon the death of a protected
476 party must attach the certified copy of a death certificate or
477 court order and must be notarized, must confirm the request for
478 release is due to the death of a protected party, and must
479 specify the Official Records book and page number, instrument
480 number, or clerk's file number for each document containing the
481 information to be released. A fee may not be charged for the
482 release of any document pursuant to such request.

483 Section 2. The Legislature finds that it is a public
484 necessity that the partial home addresses and telephone numbers
485 of current congressional members and public officers and their
486 spouses and adult children; the names, home addresses, telephone
487 numbers, and dates of birth of the minor children of such
488 congressional members and officers; and the names and locations
489 of schools and day care facilities attended by the minor
490 children of such congressional members and officers be made
491 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
492 Article I of the State Constitution. Congressional members and
493 public officers are often confronted with making difficult and

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494 impactful policy decisions. As a result, congressional members
495 and public officers and their families may receive threats,
496 including, but not limited to, verbal threats, harassment, and
497 intimidation, while carrying out their official duties.
498 Vulnerability to such threats may discourage residents of this
499 state from seeking elected office in order to protect themselves
500 and their families. The Legislature further finds that the harm
501 that may result from the release of such personal identifying
502 and location information outweighs any public benefit that may
503 be derived from the disclosure of the information.

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