

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.071, F.S.; defining the term "medical examiner";
4 providing an exemption from public records
5 requirements for the personal identifying and location
6 information of current and former medical examiners
7 and the spouses and children of such medical
8 examiners; providing for future legislative review and
9 repeal of the exemption; providing for retroactive
10 application; providing a statement of public
11 necessity; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 **Section 1. Paragraph (d) of subsection (4) of section**
16 **119.071, Florida Statutes, is amended to read:**

17 119.071 General exemptions from inspection or copying of
18 public records.—

19 (4) AGENCY PERSONNEL INFORMATION.—

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

21 a. "Home addresses" means the dwelling location at which
22 an individual resides and includes the physical address, mailing
23 address, street address, parcel identification number, plot
24 identification number, legal property description, neighborhood
25 name and lot number, GPS coordinates, and any other descriptive

26 property information that may reveal the home address.

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

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

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

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

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

74 d. The home addresses, telephone numbers, dates of birth,
75 and photographs of current or former firefighters certified in

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

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

97 f. The home addresses, telephone numbers, dates of birth,
98 and photographs of current or former state attorneys, assistant
99 state attorneys, statewide prosecutors, or assistant statewide
100 prosecutors; the names, home addresses, telephone numbers,

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

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

125 h. The home addresses, telephone numbers, dates of birth,

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

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

145 j. The home addresses, telephone numbers, places of
146 employment, dates of birth, and photographs of current or former
147 guardians ad litem, as defined in s. 39.01; the names, home
148 addresses, telephone numbers, dates of birth, and places of
149 employment of the spouses and children of such persons; and the
150 names and locations of schools and day care facilities attended

151 by the children of such persons are exempt from s. 119.07(1) and
152 s. 24(a), Art. I of the State Constitution.

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

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

former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

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

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

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

248 s. The home addresses, telephone numbers, dates of birth,
249 and photographs of current or former directors, managers,
250 supervisors, nurses, and clinical employees of an addiction

251 treatment facility; the home addresses, telephone numbers,
252 photographs, dates of birth, and places of employment of the
253 spouses and children of such personnel; and the names and
254 locations of schools and day care facilities attended by the
255 children of such personnel are exempt from s. 119.07(1) and s.
256 24(a), Art. I of the State Constitution. For purposes of this
257 sub-subparagraph, the term "addiction treatment facility" means
258 a county government, or agency thereof, that is licensed
259 pursuant to s. 397.401 and provides substance abuse prevention,
260 intervention, or clinical treatment, including any licensed
261 service component described in s. 397.311(27).

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

276 119.07(1) and s. 24(a), Art. I of the State Constitution.

277 u. The home addresses, telephone numbers, places of
278 employment, dates of birth, and photographs of current or former
279 staff and domestic violence advocates, as defined in s.

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

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

w. The home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and the names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

x. The home addresses, telephone numbers, dates of birth, and photographs of current or former commissioners of the Florida Gaming Control Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of

employment of the spouses and children of such current or former commissioners; and the names and locations of schools and day care facilities attended by the children of such current or former commissioners are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

351 (A) "Congressional member" means a person who is elected
352 to serve as a member of the United States House of
353 Representatives or is elected or appointed to serve as a member
354 of the United States Senate.

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

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

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

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

372 (B) The telephone numbers of a current congressional
373 member or public officer and his or her spouse or adult child.

374 (C) The name, home addresses, telephone numbers, and date
375 of birth of a minor child of a current congressional member or

public officer and the name and location of the school or day care facility attended by the minor child.

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

aa.(I) As used in this sub-subparagraph, the term "medical examiner" means any district medical examiner, associate medical examiner, or substitute medical examiner acting pursuant to chapter 406 and any employee, deputy, or agent of such a medical examiner.

(II) The home addresses, telephone numbers, dates of birth, and photographs of current or former medical examiners; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former medical examiners; and the names and locations of schools and day care facilities attended by the children of such current or former medical examiners are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(III) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

3.a. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the

officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

b. An agency that is the custodian of information specified in sub-subparagraph 2.z. and that is not the employer of the congressional member, public officer, or other person specified in sub-subparagraph 2.z. must maintain the exempt status of that information only if an individual requests the maintenance of an exemption pursuant to sub-subparagraph 2.z. on the basis of eligibility as a current congressional member or public officer and his or her spouse or child submits, as part of the written and notarized request required by sub-subparagraph a., the date of the congressional member's or public officer's election or appointment to public office, the date on which that office is next subject to election, and, if applicable, the date on which the current congressional member's or public officer's minor child reaches the age of majority. The custodian must maintain an exemption granted pursuant to sub-subparagraph 2.z. until the qualifying conditions for the

426 exemption no longer apply to the person subject to the
427 exemption.

428 4.a. A county property appraiser, as defined in s.
429 192.001(3), or a county tax collector, as defined in s.
430 192.001(4), who receives a written and notarized request for
431 maintenance of the exemption pursuant to subparagraph 3. must
432 comply by removing the name of the individual with exempt status
433 and the instrument number or Official Records book and page
434 number identifying the property with the exempt status from all
435 publicly available records maintained by the property appraiser
436 or tax collector. For written requests received on or before
437 July 1, 2021, a county property appraiser or county tax
438 collector must comply with this sub-subparagraph by October 1,
439 2021. A county property appraiser or county tax collector may
440 not remove the street address, legal description, or other
441 information identifying real property within the agency's
442 records so long as a name or personal information otherwise
443 exempt from inspection and copying pursuant to this section is
444 not associated with the property or otherwise displayed in the
445 public records of the agency.

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

449 5. An officer, an employee, a justice, a judge, or other
450 person specified in subparagraph 2. may submit a written request

451 for the release of his or her exempt information to the
452 custodial agency. The written request must be notarized and must
453 specify the information to be released and the party authorized
454 to receive the information. Upon receipt of the written request,
455 the custodial agency must release the specified information to
456 the party authorized to receive such information.

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

460 7. Information made exempt under this paragraph may be
461 disclosed pursuant to s. 28.2221 to a title insurer authorized
462 pursuant to s. 624.401 and its affiliates as defined in s.
463 624.10; a title insurance agent or title insurance agency as
464 defined in s. 626.841(1) or (2), respectively; or an attorney
465 duly admitted to practice law in this state and in good standing
466 with The Florida Bar.

467 8. The exempt status of a home address contained in the
468 Official Records is maintained only during the period when a
469 protected party resides at the dwelling location. Upon
470 conveyance of real property after October 1, 2021, and when such
471 real property no longer constitutes a protected party's home
472 address as defined in sub-subparagraph 1.a., the protected party
473 must submit a written request to release the removed information
474 to the county recorder. The written request to release the
475 removed information must be notarized, must confirm that a

protected party's request for release is pursuant to a conveyance of his or her dwelling location, and must specify the Official Records book and page, instrument number, or clerk's file number for each document containing the information to be released.

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

Section 2. The Legislature finds that it is a public necessity that the home addresses, telephone numbers, dates of birth, and photographs of current and former medical examiners; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such

current and former medical examiners; and the names and
locations of schools and day care facilities attended by the
children of such current and former medical examiners be made
exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
Article I of the State Constitution. The Legislature finds that
the release of such personal identifying and location
information poses potential security risks for and allows
unwarranted intrusion into the private lives of such current and
former medical examiners and their family members. Public
availability of such personal identifying and location
information may compromise the ability of such current and
former medical examiners to carry out their public duties and
may disrupt the operation of the medical examiners' offices. The
exemption of such personal identifying and location information
from public records requirements is necessary to protect the
personal privacy and safety of these public servants and their
families. The Legislature finds that the harm that may result
from the release of such personal identifying and location
information outweighs any public benefit that may be derived
from the disclosure of the information.

Section 3. This act shall take effect upon becoming a law.