

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

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

15
16 **Section 1. Paragraph (d) of subsection (4) of section**
17 **119.071, Florida Statutes, is amended to read:**

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

20 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

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

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

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

51 Constitution.

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

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

75 d. The home addresses, telephone numbers, dates of birth,

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

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

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

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

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

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

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

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

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

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of 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.

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

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

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

195 n. The home addresses, telephone numbers, and dates of
196 birth of county tax collectors; the names, home addresses,
197 telephone numbers, dates of birth, and places of employment of
198 the spouses and children of such tax collectors; and the names
199 and locations of schools and day care facilities attended by the
200 children of such tax collectors are exempt from s. 119.07(1) and

201 s. 24(a), Art. I of the State Constitution.

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

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

226 Constitution.

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

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

249 s. The home addresses, telephone numbers, dates of birth,
250 and photographs of current or former directors, managers,

supervisors, nurses, and clinical employees of an addiction treatment facility; the home addresses, telephone numbers, photographs, 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. For purposes of this sub-subparagraph, the term "addiction treatment facility" means a county government, or agency thereof, that is licensed pursuant to s. 397.401 and provides substance abuse prevention, intervention, or clinical treatment, including any licensed service component described in s. 397.311(27).

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

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

u. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former staff and domestic violence advocates, as defined in s. 90.5036(1)(b), of domestic violence centers certified by the Department of Children and Families under chapter 39; the names, home addresses, telephone numbers, places of employment, dates of birth, and photographs 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.

v. The home addresses, telephone numbers, dates of birth, and photographs of current or former inspectors or investigators of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators 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, 2028, unless reviewed and saved from repeal through

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,

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

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

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

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

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

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

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

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

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

(C) The name, home addresses, telephone numbers, and date

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. The home addresses, telephone numbers, dates of birth, and photographs of current or former municipal clerks and their staff, including elections filing officers, records management liaison officers, and deputy or assistant municipal clerks; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former municipal clerks and their staff, including elections filing officers, records management liaison officers, and deputy or assistant municipal clerks; and the names and locations of schools and day care facilities attended by the children of current or former municipal clerks and their staff, including elections filing officers, records management liaison officers, and deputy or assistant municipal clerks, 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, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

401 3.a. An agency that is the custodian of the information
402 specified in subparagraph 2. and that is not the employer of the
403 officer, employee, justice, judge, or other person specified in
404 subparagraph 2. must maintain the exempt status of that
405 information only if the officer, employee, justice, judge, other
406 person, or employing agency of the designated employee submits a
407 written and notarized request for maintenance of the exemption
408 to the custodial agency. The request must state under oath the
409 statutory basis for the individual's exemption request and
410 confirm the individual's status as a party eligible for exempt
411 status.

412 b. An agency that is the custodian of information
413 specified in sub-subparagraph 2.z. and that is not the employer
414 of the congressional member, public officer, or other person
415 specified in sub-subparagraph 2.z. must maintain the exempt
416 status of that information only if an individual requests the
417 maintenance of an exemption pursuant to sub-subparagraph 2.z. on
418 the basis of eligibility as a current congressional member or
419 public officer and his or her spouse or child submits, as part
420 of the written and notarized request required by sub-
421 subparagraph a., the date of the congressional member's or
422 public officer's election or appointment to public office, the
423 date on which that office is next subject to election, and, if
424 applicable, the date on which the current congressional member's
425 or public officer's minor child reaches the age of majority. The

426 | custodian must maintain an exemption granted pursuant to sub-
427 | subparagraph 2.z. until the qualifying conditions for the
428 | exemption no longer apply to the person subject to the
429 | exemption.

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

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

451 5. An officer, an employee, a justice, a judge, or other
452 person specified in subparagraph 2. may submit a written request
453 for the release of his or her exempt information to the
454 custodial agency. The written request must be notarized and must
455 specify the information to be released and the party authorized
456 to receive the information. Upon receipt of the written request,
457 the custodial agency must release the specified information to
458 the party authorized to receive such information.

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

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

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

476 to the county recorder. The written request to release the
477 removed information must be notarized, must confirm that a
478 protected party's request for release is pursuant to a
479 conveyance of his or her dwelling location, and must specify the
480 Official Records book and page, instrument number, or clerk's
481 file number for each document containing the information to be
482 released.

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

498 **Section 2.** The Legislature finds that it is a public
499 necessity that the home addresses, telephone numbers, dates of
500 birth, and photographs of current and former municipal clerks

501 and their staff, including elections filing officers, records
502 management liaison officers, and deputy or assistant municipal
503 clerks; the names, home addresses, telephone numbers, dates of
504 birth, and places of employment of the spouses and children of
505 current and former municipal clerks and their staff, including
506 elections filing officers, records management liaison officers,
507 and deputy or assistant municipal clerks; and the names and
508 locations of schools and day care facilities attended by the
509 children of current and former municipal clerks and their staff,
510 including elections filing officers, records management liaison
511 officers, and deputy or assistant municipal clerks, be made
512 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
513 Article I of the State Constitution. Municipal clerks and their
514 staff often handle sensitive information and perform critical
515 administrative functions. Many municipal staff members who
516 perform duties that include, or result in, investigations into
517 complaints regarding election fraud, legal enforcement of
518 special magistrate hearings related to neglect or abuse, or
519 other activities that could lead to a criminal prosecution are
520 exposed to threats and other acts of violence. Protecting their
521 personal information is essential to ensure their safety. The
522 Legislature further finds that the harm that may result from the
523 release of such personal identifying and location information
524 outweighs any public benefit that may be derived from the
525 disclosure of the information.

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526

Section 3. This act shall take effect July 1, 2026.