

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Health Professions &
 2 Programs Subcommittee

3 Representative Esposito offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Paragraph (1) is added to subsection (5) of**
 8 **section 119.071, Florida Statutes, to read:**

9 119.071 General exemptions from inspection or copying of
 10 public records.-

11 (5) OTHER PERSONAL INFORMATION.-

12 (1) For purposes of this paragraph, the term "emergency
 13 department physician" means a physician licensed under chapter
 14 458 or chapter 459 whose duties are performed in a hospital
 15 emergency department licensed under chapter 395.

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16 2. The home addresses, personal telephone numbers, and
17 dates of birth of current emergency department physicians; the
18 names, home addresses, personal telephone numbers, dates of
19 birth, and places of employment of the spouses and children
20 younger than 26 years of age of such emergency department
21 physicians; and the names and locations of schools and day care
22 facilities attended by the children younger than 26 years of age
23 of such emergency department physicians are exempt from s.
24 119.07(1) and s. 24(a), Art. I of the State Constitution.

25 3. The exemption in subparagraph 2. applies to information
26 held by an agency before, on, or after the effective date of the
27 exemption.

28 4. An agency that is the custodian of information
29 specified in subparagraph 2. and that is not the employer of the
30 emergency department physician must maintain the exempt status
31 of that information only if the individual requests the
32 maintenance of an exemption under subparagraph 2. on the basis
33 of eligibility as a current emergency department physician or
34 the spouse or child of such emergency department physician and
35 the individual submits a written and notarized request for
36 maintenance of the exemption to the custodial agency. The
37 request must state under oath the statutory basis for the
38 individual's exemption request and confirm the individual's
39 eligibility for the exemption. An individual who has submitted
40 such a request has a duty to withdraw the request if the

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41 exemption no longer applies to the individual. If a custodial
42 agency receives a request meeting the requirements of this
43 subparagraph, the custodial agency must maintain the exempt
44 status of such information applicable to the individual until
45 the qualifying conditions for the exemption under subparagraph
46 2. no longer apply to the individual subject to the exemption.

47 5. This paragraph is subject to the Open Government Sunset
48 Review Act in accordance with s. 119.15 and shall stand repealed
49 on October 2, 2031, unless reviewed and saved from repeal
50 through reenactment by the Legislature.

51 **Section 2.** The Legislature finds that it is a public
52 necessity that the home addresses, personal telephone numbers,
53 and dates of birth of current emergency department physicians;
54 the names, home addresses, personal telephone numbers, and
55 places of employment of the spouses and children younger than 26
56 years of age of such emergency department physicians; and the
57 names and locations of schools and day care facilities attended
58 by the children younger than 26 years of age of such emergency
59 department physicians be made exempt from public records
60 requirements. Emergency department physicians, by the nature of
61 their duties, are often placed in traumatic circumstances in
62 which loss of life and severe bodily injuries have occurred.
63 Such emergency department physicians are particularly vulnerable
64 to physical violence, harassment, and intimidation perpetrated
65 by patients or relatives of patients who can be violent, angry,

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66 or mentally unstable. As a result, the Legislature finds that
67 the release of personal identifying and location information of
68 emergency department physicians, or of the spouses and children
69 of such emergency department physicians, could place them in
70 danger of being physically or emotionally harmed or stalked by a
71 person who has a hostile reaction to his or her encounter with
72 such physicians. The Legislature further finds that the harm
73 that may result from the release of such personal identifying
74 and location information outweighs any public benefit that may
75 be derived from the disclosure of the information.

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

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79 **T I T L E A M E N D M E N T**

80 Remove everything before the enacting clause and insert:
81 An act relating to public records; providing an
82 exemption from public records requirements for the
83 personal identifying information of current emergency
84 department physicians and the spouses and children of
85 such emergency department physicians; providing for
86 retroactive application; requiring certain agencies
87 that are custodians of exempt information to maintain
88 the exempt status of such information under certain
89 circumstances; specifying procedures for requesting an
90 agency to maintain the exempt status of such

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91 information until the exemption no longer applies to
92 the individual; providing for future legislative
93 review and repeal of the exemption; providing a
94 statement of public necessity; providing and effective
95 date.