

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

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

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

16 119.071 General exemptions from inspection or copying of
17 public records.—

18 (4) AGENCY PERSONNEL INFORMATION.—

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

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

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

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

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

50 b. The home addresses, telephone numbers, dates of birth,

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

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

73 d. The home addresses, telephone numbers, dates of birth,
74 and photographs of current or former firefighters certified in
75 compliance with s. 633.408; the names, home addresses, telephone

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

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

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

h. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor

relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; 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.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; 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.

j. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.01; the names, home addresses, telephone numbers, dates of birth, and places of 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

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

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

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

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

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

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

200 o. The home addresses, telephone numbers, dates of birth,

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

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

225 q. (I) The home addresses, telephone numbers, dates of

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

235 (II) (A) As used in this sub-sub-subparagraph, the term
236 "emergency physician" means any physician licensed under chapter
237 458 or chapter 459 whose duties are performed in a hospital
238 emergency department licensed pursuant to chapter 395.

239 (B) The home addresses, telephone numbers, dates of birth,
240 places of employment, and photographs of current or former
241 emergency physicians; the names, home addresses, telephone
242 numbers, dates of birth, and places of employment of the spouses
243 and children of such emergency physicians; and the names and
244 locations of schools and day care facilities attended by the
245 children of such emergency physicians are exempt from s.
246 119.07(1) and s. 24(a), Art. I of the State Constitution.

247 (C) The exemption in sub-sub-sub-subparagraph (B) applies
248 to information held by an agency before, on, or after the
249 effective date of the exemption.

250 (D) This sub-sub-subparagraph is subject to the Open

251 Government Sunset Review Act in accordance with s. 119.15 and
252 shall stand repealed on October 2, 2031, unless reviewed and
253 saved from repeal through reenactment by the Legislature.

254 r. The home addresses, telephone numbers, dates of birth,
255 and photographs of current or former personnel employed in an
256 agency's office of inspector general or internal audit
257 department whose duties include auditing or investigating waste,
258 fraud, abuse, theft, exploitation, or other activities that
259 could lead to criminal prosecution or administrative discipline;
260 the names, home addresses, telephone numbers, dates of birth,
261 and places of employment of spouses and children of such
262 personnel; and the names and locations of schools and day care
263 facilities attended by the children of such personnel are exempt
264 from s. 119.07(1) and s. 24(a), Art. I of the State
265 Constitution.

266 s. The home addresses, telephone numbers, dates of birth,
267 and photographs of current or former directors, managers,
268 supervisors, nurses, and clinical employees of an addiction
269 treatment facility; the home addresses, telephone numbers,
270 photographs, dates of birth, and places of employment of the
271 spouses and children of such personnel; and the names and
272 locations of schools and day care facilities attended by the
273 children of such personnel are exempt from s. 119.07(1) and s.
274 24(a), Art. I of the State Constitution. For purposes of this
275 sub-subparagraph, the term "addiction treatment facility" means

276 a county government, or agency thereof, that is licensed
277 pursuant to s. 397.401 and provides substance abuse prevention,
278 intervention, or clinical treatment, including any licensed
279 service component described in s. 397.311(27).

280 t. The home addresses, telephone numbers, dates of birth,
281 and photographs of current or former directors, managers,
282 supervisors, and clinical employees of a child advocacy center
283 that meets the standards of s. 39.3035(2) and fulfills the
284 screening requirement of s. 39.3035(3), and the members of a
285 Child Protection Team as described in s. 39.303 whose duties
286 include supporting the investigation of child abuse or sexual
287 abuse, child abandonment, child neglect, and child exploitation
288 or to provide services as part of a multidisciplinary case
289 review team; the names, home addresses, telephone numbers,
290 photographs, dates of birth, and places of employment of the
291 spouses and children of such personnel and members; and the
292 names and locations of schools and day care facilities attended
293 by the children of such personnel and members are exempt from s.
294 119.07(1) and s. 24(a), Art. I of the State Constitution.

295 u. The home addresses, telephone numbers, places of
296 employment, dates of birth, and photographs of current or former
297 staff and domestic violence advocates, as defined in s.
298 90.5036(1)(b), of domestic violence centers certified by the
299 Department of Children and Families under chapter 39; the names,
300 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, 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,

351 unless reviewed and saved from repeal through reenactment by the
352 Legislature.

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

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

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

373 (B) "Partial home address" means the dwelling location at
374 which an individual resides and includes the physical address,
375 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.

3.a. An agency that is the custodian of the information

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

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

subparagraph 2.z. until the qualifying conditions for the exemption no longer apply to the person subject to the exemption.

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

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

5. An officer, an employee, a justice, a judge, or other

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

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

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

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

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

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

497 **Section 2.** The Legislature finds that it is a public
498 necessity that the home addresses, telephone numbers, dates of
499 birth, places of employment, and photographs of current and
500 former emergency physicians; the names, home addresses,

501 telephone numbers, and places of employment of the spouses and
502 children of such emergency physicians; and the names and
503 locations of schools and day care facilities attended by the
504 children of such emergency physicians be exempt from s.
505 119.07(1), Florida Statutes, and s. 24(a), Article I of the
506 State Constitution. Emergency physicians, by the nature of their
507 duties, are often placed in traumatic circumstances in which
508 loss of life and severe bodily injuries have occurred. Such
509 emergency physicians are particularly vulnerable to physical
510 violence, harassment, and intimidation perpetrated by patients
511 or relatives of patients who may be violent, angry, or mentally
512 unstable. As a result, the Legislature finds that the release of
513 identifying and location information of emergency physicians and
514 the spouses and children of such emergency physicians may place
515 such emergency physicians and their spouses and children in
516 danger of being physically or emotionally harmed or stalked by a
517 person who has a hostile reaction to his or her encounter with
518 such emergency physician. The Legislature further finds that the
519 harm that may result from the release of such identifying and
520 location information outweighs any public benefit that may be
521 derived from the disclosure of the information.

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