

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 emergency department
6 physicians and the spouses and certain children of
7 such emergency department physicians; providing for
8 retroactive application; requiring certain agencies
9 that are custodians of exempt information to maintain
10 the exempt status of such information under certain
11 circumstances; specifying procedures for requesting an
12 agency to maintain the exempt status of such
13 information until the exemption no longer applies to
14 the individual; providing for future legislative
15 review and repeal of the exemption; providing a
16 statement of public necessity; providing an effective
17 date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 119.071 General exemptions from inspection or copying of
24 public records.—

25 (5) OTHER PERSONAL INFORMATION.—

26 (1) For purposes of this paragraph, the term "emergency
27 department physician" means a physician licensed under chapter
28 458 or chapter 459 whose duties are performed in a hospital
29 emergency department licensed under chapter 395.

30 1. The home addresses, personal telephone numbers, and
31 dates of birth of current emergency department physicians; the
32 names, home addresses, personal telephone numbers, dates of
33 birth, and places of employment of the spouses and children
34 younger than 26 years of age of such emergency department
35 physicians; and the names and locations of schools and day care
36 facilities attended by the children younger than 26 years of age
37 of such emergency department physicians are exempt from s.
38 119.07(1) and s. 24(a), Art. I of the State Constitution.

39 2. The exemption in subparagraph 1. applies to information
40 held by an agency before, on, or after July 1, 2026.

41 3. An agency that is the custodian of information
42 specified in subparagraph 1. and that is not the employer of the
43 emergency department physician must maintain the exempt status
44 of that information only if the individual requests the
45 maintenance of an exemption under subparagraph 1. on the basis
46 of eligibility as a current emergency department physician or
47 the spouse or child younger than 26 years of age of such
48 emergency department physician and the individual submits a
49 written and notarized request for maintenance of the exemption
50 to the custodial agency. The request must state under oath the

51 statutory basis for the individual's exemption request and
52 confirm the individual's eligibility for the exemption. An
53 individual who has submitted such a request has a duty to
54 withdraw the request if the exemption no longer applies to the
55 individual. If a custodial agency receives a request meeting the
56 requirements of this subparagraph, the custodial agency must
57 maintain the exempt status of such information applicable to the
58 individual until the qualifying conditions for the exemption
59 under subparagraph 1. no longer apply to the individual subject
60 to the exemption.

61 4. This paragraph is subject to the Open Government Sunset
62 Review Act in accordance with s. 119.15 and shall stand repealed
63 on October 2, 2031, unless reviewed and saved from repeal
64 through reenactment by the Legislature.

65 **Section 2.** The Legislature finds that it is a public
66 necessity that the home addresses, personal telephone numbers,
67 and dates of birth of current emergency department physicians;
68 the names, home addresses, personal telephone numbers, dates of
69 birth, and places of employment of the spouses and children
70 younger than 26 years of age of such emergency department
71 physicians; and the names and locations of schools and day care
72 facilities attended by the children younger than 26 years of age
73 of such emergency department physicians be made exempt from s.
74 119.07(1), Florida Statutes, and s. 24(a), Article I of the
75 State Constitution. Emergency department physicians, by the

76 nature of their duties, are often placed in traumatic
77 circumstances in which loss of life and severe bodily injuries
78 have occurred. Such emergency department physicians are
79 particularly vulnerable to physical violence, harassment, and
80 intimidation perpetrated by patients or relatives of patients
81 who can be violent, angry, or mentally unstable. As a result,
82 the Legislature finds that the release of personal identifying
83 and location information of emergency department physicians, or
84 of the spouses and children younger than 26 years of age of such
85 emergency department physicians, could place them in danger of
86 being physically or emotionally harmed or stalked by a person
87 who has a hostile reaction to his or her encounter with such
88 emergency department physicians. The Legislature further finds
89 that the harm that may result from the release of such personal
90 identifying and location information outweighs any public
91 benefit that may be derived from the disclosure of the
92 information.

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