

By Senator Burgess

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

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

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

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

(4) AGENCY PERSONNEL INFORMATION.—

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

a. "Home addresses" 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 home address.

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

c. "Telephone numbers" includes home telephone numbers,

23-00294-26

2026258__

personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn law enforcement personnel or of active or former civilian personnel employed by a law enforcement agency, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, 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.

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such

23-00294-26

2026258__

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

23-00294-26

2026258__

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

23-00294-26

2026258__

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

23-00294-26

2026258__

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

23-00294-26

2026258__

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

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

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

201 o. The home addresses, telephone numbers, dates of birth,
202 and photographs of current or former personnel of the Department
203 of Health whose duties include, or result in, the determination

23-00294-26

2026258__

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.

q. The home addresses, telephone numbers, dates of birth, and photographs of current or former emergency medical technicians or paramedics certified under chapter 401; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such emergency medical technicians or paramedics; and the names and locations of schools and day care facilities attended by the

23-00294-26

2026258__

children of such emergency medical technicians or paramedics are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

r. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; 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.

s. The home addresses, telephone numbers, dates of birth, 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).

23-00294-26

2026258__

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

23-00294-26

2026258__

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

23-00294-26

2026258__

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

23-00294-26

2026258__

349 saved from repeal through reenactment by the Legislature.

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

351 (A) "Congressional member" means a person who is elected to
352 serve as a member of the United States House of Representatives
353 or is elected or appointed to serve as a member of the United
354 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 member
373 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
376 public officer and the name and location of the school or day
377 care facility attended by the minor child.

23-00294-26

2026258__

(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 current or former medical examiners; and the names and locations of schools and day care facilities attended by the children of 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

23-00294-26

2026258__

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 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

23-00294-26

2026258__

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

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

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

23-00294-26

2026258__

with The Florida Bar.

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

23-00294-26

2026258__

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 current and former medical examiners; and the names and locations of schools and day care facilities attended by the children of 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.