

By Senator Rouson

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; defining the term "appellate court
clerk"; providing an exemption from public records
requirements for the personal identifying and location
information of current appellate court clerks and the
spouses and children of such appellate court clerks;
providing for future legislative review and repeal of
the exemption; providing for retroactive application;
amending s. 744.21031, F.S.; conforming a cross-
reference; 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. "Appellate court clerk" means a person appointed as a
clerk of the Florida Supreme Court pursuant to s. 3(c), Art. V
of the State Constitution, a person appointed as a clerk of a
district court of appeal pursuant to s. 4(c), Art. V of the
State Constitution, or a court employee assigned to the 2610 or
2620 class code.

b. "Home addresses" means the dwelling location at which an
individual resides and includes the physical address, mailing

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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.

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

~~d.e.~~ "Telephone numbers" includes home telephone numbers, 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,

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

70 c. The home addresses, telephone numbers, dates of birth,
71 and photographs of current or former nonsworn investigative
72 personnel of the Office of Financial Regulation's Bureau of
73 Financial Investigations whose duties include the investigation
74 of fraud, theft, other related criminal activities, or state
75 regulatory requirement violations; the names, home addresses,
76 telephone numbers, dates of birth, and places of employment of
77 the spouses and children of such personnel; and the names and
78 locations of schools and day care facilities attended by the
79 children of such personnel are exempt from s. 119.07(1) and s.
80 24(a), Art. I of the State Constitution.

81 d. The home addresses, telephone numbers, dates of birth,
82 and photographs of current or former firefighters certified in
83 compliance with s. 633.408; the names, home addresses, telephone
84 numbers, photographs, dates of birth, and places of employment
85 of the spouses and children of such firefighters; and the names
86 and locations of schools and day care facilities attended by the
87 children of such firefighters are exempt from s. 119.07(1) and

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

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges, and of current judicial assistants and appellate court clerks; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and of current judicial assistants and appellate court clerks; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants and appellate court 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 ~~2028~~, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant 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.

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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,

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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 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

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

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

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses,

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204 telephone numbers, dates of birth, and places of employment of
205 the spouses and children of such tax collectors; and the names
206 and locations of schools and day care facilities attended by the
207 children of such tax collectors are exempt from s. 119.07(1) and
208 s. 24(a), Art. I of the State Constitution.

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

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

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233 Constitution.

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

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

256 s. The home addresses, telephone numbers, dates of birth,
257 and photographs of current or former directors, managers,
258 supervisors, nurses, and clinical employees of an addiction
259 treatment facility; the home addresses, telephone numbers,
260 photographs, dates of birth, and places of employment of the
261 spouses and children of such personnel; and the names and

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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

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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,

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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, 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

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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 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:

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(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 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 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

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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 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.

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

439 5. An officer, an employee, a justice, a judge, or other
440 person specified in subparagraph 2. may submit a written request
441 for the release of his or her exempt information to the
442 custodial agency. The written request must be notarized and must
443 specify the information to be released and the party authorized
444 to receive the information. Upon receipt of the written request,
445 the custodial agency must release the specified information to
446 the party authorized to receive such information.

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

450 7. Information made exempt under this paragraph may be
451 disclosed pursuant to s. 28.2221 to a title insurer authorized
452 pursuant to s. 624.401 and its affiliates as defined in s.
453 624.10; a title insurance agent or title insurance agency as
454 defined in s. 626.841(1) or (2), respectively; or an attorney
455 duly admitted to practice law in this state and in good standing
456 with The Florida Bar.

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

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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 release of any document pursuant to such request.

Section 2. Paragraph (c) of subsection (1) of section 744.21031, Florida Statutes, is amended to read:

744.21031 Public records exemption.—

(1) For purposes of this section, the term:

(c) "Telephone numbers" has the same meaning as provided in s. 119.071(4)(d)1.d. ~~s. 119.071(4)(d)1.e.~~

Section 3. The Legislature finds that it is a public necessity that the home addresses, dates of birth, and telephone

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494 numbers of current appellate court clerks; the names, home
495 addresses, telephone numbers, dates of birth, and places of
496 employment of the spouses and children of such appellate court
497 clerks; and the names and locations of schools and day care
498 facilities attended by children of such appellate court clerks
499 be made exempt from s. 119.07(1), Florida Statutes, and s.
500 24(a), Article I of the State Constitution. While performing
501 their duties to issue court orders, maintain case dockets,
502 answer telephone calls, respond to correspondence, and interact
503 with visitors to the courthouse, appellate court clerks may
504 incur the ill will of litigants and their associates and
505 families. As a result, current appellate court clerks and their
506 spouses and children may be targets for acts of revenge. If such
507 identifying and location information is released, the safety of
508 current appellate court clerks and their spouses and children
509 could be seriously jeopardized. For this reason, the Legislature
510 finds that it is a public necessity that such information be
511 made exempt from public records requirements.

512 Section 4. This act shall take effect July 1, 2026.