

By Senator Wright

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; defining the term "legal assistant";
providing an exemption from public records
requirements for the home addresses, telephone
numbers, dates of birth, and photographs of current
legal assistants employed by the office of the public
defender and the office of criminal conflict and civil
regional counsel and the personal identifying and
location information of the spouses and children of
such legal assistants; providing for future
legislative review and repeal of the exemption;
providing for retroactive application of the
exemption; providing a statement of public necessity;
amending s. 744.21031, F.S.; conforming a cross-
reference; 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

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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. "Legal assistant" means any employee of the office of the public defender or the office of criminal conflict and civil regional counsel other than a public defender, an assistant public defender, a criminal conflict and civil regional counsel, or an assistant criminal conflict and civil regional counsel.

~~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

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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 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.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, 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 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.

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

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88 of the spouses and children of such firefighters; and the names
89 and locations of schools and day care facilities attended by the
90 children of such firefighters are exempt from s. 119.07(1) and
91 s. 24(a), Art. I of the State Constitution.

92 e. The home addresses, dates of birth, and telephone
93 numbers of current or former justices of the Supreme Court,
94 district court of appeal judges, circuit court judges, and
95 county court judges and current judicial assistants; the names,
96 home addresses, telephone numbers, dates of birth, and places of
97 employment of the spouses and children of current or former
98 justices and judges and current judicial assistants; and the
99 names and locations of schools and day care facilities attended
100 by the children of current or former justices and judges and of
101 current judicial assistants are exempt from s. 119.07(1) and s.
102 24(a), Art. I of the State Constitution. This sub-subparagraph
103 is subject to the Open Government Sunset Review Act in
104 accordance with s. 119.15 and shall stand repealed on October 2,
105 2028, unless reviewed and saved from repeal through reenactment
106 by the Legislature.

107 f. The home addresses, telephone numbers, dates of birth,
108 and photographs of current or former state attorneys, assistant
109 state attorneys, statewide prosecutors, or assistant statewide
110 prosecutors; the names, home addresses, telephone numbers,
111 photographs, dates of birth, and places of employment of the
112 spouses and children of current or former state attorneys,
113 assistant state attorneys, statewide prosecutors, or assistant
114 statewide prosecutors; and the names and locations of schools
115 and day care facilities attended by the children of current or
116 former state attorneys, assistant state attorneys, statewide

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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.

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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 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,

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175 dates of birth, and places of employment of spouses and children
176 of such personnel; and the names and locations of schools and
177 day care facilities attended by the children of such personnel
178 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
179 Constitution.

180 1. The home addresses, telephone numbers, dates of birth,
181 and photographs of current or former public defenders, assistant
182 public defenders, criminal conflict and civil regional counsel,
183 ~~and~~ assistant criminal conflict and civil regional counsel, and
184 current legal assistants; the names, home addresses, telephone
185 numbers, dates of birth, and places of employment of the spouses
186 and children of current or former public defenders, assistant
187 public defenders, criminal conflict and civil regional counsel,
188 ~~and~~ assistant criminal conflict and civil regional counsel, and
189 current legal assistants; and the names and locations of schools
190 and day care facilities attended by the children of current or
191 former public defenders, assistant public defenders, criminal
192 conflict and civil regional counsel, ~~and~~ assistant criminal
193 conflict and civil regional counsel, and current legal
194 assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of
195 the State Constitution. This sub-subparagraph is subject to the
196 Open Government Sunset Review Act in accordance with s. 119.15
197 and shall stand repealed on October 2, 2031, unless reviewed and
198 saved from repeal through reenactment by the Legislature.

199 m. The home addresses, telephone numbers, dates of birth,
200 and photographs of current or former investigators or inspectors
201 of the Department of Business and Professional Regulation; the
202 names, home addresses, telephone numbers, dates of birth, and
203 places of employment of the spouses and children of such current

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

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

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233 result in a determination of a person's skill and safety to
234 practice a licensed profession; the names, home addresses,
235 telephone numbers, dates of birth, and places of employment of
236 the spouses and children of such consultants or their employees;
237 and the names and locations of schools and day care facilities
238 attended by the children of such consultants or employees are
239 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
240 Constitution.

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

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

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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).

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.

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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 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

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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, unless reviewed and saved from repeal through reenactment by the

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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 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

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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 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

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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 July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1,

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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 with The Florida Bar.

8. The exempt status of a home address contained in the

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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 release of any document pursuant to such request.

Section 2. The Legislature finds that it is a public

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494 necessity that the home addresses, telephone numbers, dates of
495 birth, and places of employment of current legal assistants
496 employed by the office of the public defender and the office of
497 criminal conflict and civil regional counsel; the names, home
498 addresses, telephone numbers, dates of birth, and places of
499 employment of the spouses and children of current legal
500 assistants employed by the office of the public defender and the
501 office of criminal conflict and civil regional counsel; and the
502 names and locations of schools and day care facilities attended
503 by the children of current legal assistants employed by the
504 office of the public defender and the office of criminal
505 conflict and civil regional counsel be made exempt from s.
506 119.07(1), Florida Statutes, and s. 24(a), Article I of the
507 State Constitution. While performing the duties of scheduling
508 meetings with criminal defendants, answering telephone calls,
509 responding to correspondence, and interacting in person with
510 criminal defendants, legal assistants may incur the ill will of
511 defendants and their associates and families. As a result, legal
512 assistants and their families may be targets for acts of
513 revenge. If such identifying and location information is
514 released, the safety of legal assistants and their families
515 could be seriously jeopardized. For this reason, the Legislature
516 finds that it is a public necessity that such identifying and
517 location information be made exempt from public records
518 requirements. The Legislature further finds that the harm that
519 may result from the release of such identifying and location
520 information outweighs any public benefit that may be derived
521 from the disclosure of the information.

522 Section 3. Paragraph (c) of subsection (1) of section

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523 744.21031, Florida Statutes, is amended to read:

524 744.21031 Public records exemption.—

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

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

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