

**FOR CONSIDERATION By** the Committee on Governmental Oversight and Accountability

585-00279-17

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1                                   A bill to be entitled  
2           An act relating to a review under the Open Government  
3           Sunset Review Act; amending s. 119.071, F.S., which  
4           provides exemptions from public records requirements  
5           for certain personal identifying and location  
6           information of specified agency personnel, and the  
7           spouses and children thereof; revising and  
8           reorganizing the exemptions; removing redundant  
9           exemptions regarding social security numbers;  
10          providing an exemption from public records  
11          requirements for the names of the spouses and children  
12          of certified firefighters, current or former justices  
13          and judges, and certain magistrates, judges, and  
14          hearing officers; removing the requirement that  
15          specified agency personnel make reasonable efforts to  
16          protect access to personal identifying and location  
17          information in order be subject to an exemption;  
18          providing an exemption from public records  
19          requirements for the dates of birth for current or  
20          former investigators or inspectors for the Department  
21          of Business and Professional Regulation and county tax  
22          collectors, and the spouses and children thereof;  
23          removing the scheduled repeal of certain exemptions;  
24          providing for retroactive application; providing  
25          statements of public necessity; providing an effective  
26          date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Paragraph (d) of subsection (4) of section  
31 119.071, Florida Statutes, is amended to read:

32 119.071 General exemptions from inspection or copying of  
33 public records.—

34 (4) AGENCY PERSONNEL INFORMATION.—

35 (d)1. For purposes of this paragraph, the term "telephone  
36 numbers" includes home telephone numbers, personal cellular  
37 telephone numbers, personal pager telephone numbers, and  
38 telephone numbers associated with personal communications  
39 devices.

40 2.a. ~~(I)~~ The home addresses, telephone numbers, ~~social~~  
41 ~~security numbers~~, dates of birth, and photographs of active or  
42 former sworn or civilian law enforcement personnel, including  
43 correctional and correctional probation officers, personnel of  
44 the Department of Children and Families whose duties include the  
45 investigation of abuse, neglect, exploitation, fraud, theft, or  
46 other criminal activities, personnel of the Department of Health  
47 whose duties are to support the investigation of child abuse or  
48 neglect, and personnel of the Department of Revenue or local  
49 governments whose responsibilities include revenue collection  
50 and enforcement or child support enforcement; the names, home  
51 addresses, telephone numbers, ~~social security numbers~~,  
52 photographs, dates of birth, and places of employment of the  
53 spouses and children of such personnel; and the names and  
54 locations of schools and day care facilities attended by the  
55 children of such personnel are exempt from s. 119.07(1) and s.  
56 24(a), Art. I of the State Constitution.

57 ~~(II) The names of the spouses and children of active or~~  
58 ~~former sworn or civilian law enforcement personnel and the other~~

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59 ~~specified agency personnel identified in sub-sub-subparagraph~~  
60 ~~(I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the~~  
61 ~~State Constitution.~~

62 ~~(III) Sub-sub-subparagraph (II) is subject to the Open~~  
63 ~~Government Sunset Review Act in accordance with s. 119.15, and~~  
64 ~~shall stand repealed on October 2, 2018, unless reviewed and~~  
65 ~~saved from repeal through reenactment by the Legislature.~~

66 b. ~~(IV)~~ The home addresses, telephone numbers, dates of  
67 birth, and photographs of current or former nonsworn  
68 investigative personnel of the Department of Financial Services  
69 whose duties include the investigation of fraud, theft, workers'  
70 compensation coverage requirements and compliance, other related  
71 criminal activities, or state regulatory requirement violations;  
72 the names, home addresses, telephone numbers, dates of birth,  
73 and places of employment of the spouses and children of such  
74 personnel; and the names and locations of schools and day care  
75 facilities attended by the children of such personnel are exempt  
76 from s. 119.07(1) and s. 24(a), Art. I of the State  
77 Constitution. This sub-subparagraph ~~sub-sub-subparagraph~~ is  
78 subject to the Open Government Sunset Review Act in accordance  
79 with s. 119.15 and shall stand repealed on October 2, 2021,  
80 unless reviewed and saved from repeal through reenactment by the  
81 Legislature.

82 c. ~~b.~~ The home addresses, telephone numbers, dates of birth,  
83 and photographs of firefighters certified in compliance with s.  
84 633.408; the names, home addresses, telephone numbers,  
85 photographs, dates of birth, and places of employment of the  
86 spouses and children of such firefighters; and the names and  
87 locations of schools and day care facilities attended by the

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88 children of such firefighters are exempt from s. 119.07(1) and  
89 s. 24(a), Art. I of the State Constitution.

90 d.e. The home addresses, dates of birth, and telephone  
91 numbers of current or former justices of the Supreme Court,  
92 district court of appeal judges, circuit court judges, and  
93 county court judges; the names, home addresses, telephone  
94 numbers, dates of birth, and places of employment of the spouses  
95 and children of current or former justices and judges; and the  
96 names and locations of schools and day care facilities attended  
97 by the children of current or former justices and judges are  
98 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
99 Constitution.

100 e.d.(I) The home addresses, telephone numbers, ~~social~~  
101 ~~security numbers,~~ dates of birth, and photographs of current or  
102 former state attorneys, assistant state attorneys, statewide  
103 prosecutors, or assistant statewide prosecutors; the names, home  
104 addresses, telephone numbers, ~~social security numbers,~~  
105 photographs, dates of birth, and places of employment of the  
106 spouses and children of current or former state attorneys,  
107 assistant state attorneys, statewide prosecutors, or assistant  
108 statewide prosecutors; and the names and locations of schools  
109 and day care facilities attended by the children of current or  
110 former state attorneys, assistant state attorneys, statewide  
111 prosecutors, or assistant statewide prosecutors are exempt from  
112 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

113 ~~(II) The names of the spouses and children of current or~~  
114 ~~former state attorneys, assistant state attorneys, statewide~~  
115 ~~prosecutors, or assistant statewide prosecutors are exempt from~~  
116 ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~

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117 ~~(III) Sub-sub-subparagraph (II) is subject to the Open~~  
118 ~~Government Sunset Review Act in accordance with s. 119.15, and~~  
119 ~~shall stand repealed on October 2, 2018, unless reviewed and~~  
120 ~~saved from repeal through reenactment by the Legislature.~~

121 f.e. The home addresses, dates of birth, and telephone  
122 numbers of general magistrates, special magistrates, judges of  
123 compensation claims, administrative law judges of the Division  
124 of Administrative Hearings, and child support enforcement  
125 hearing officers; the names, home addresses, telephone numbers,  
126 dates of birth, and places of employment of the spouses and  
127 children of general magistrates, special magistrates, judges of  
128 compensation claims, administrative law judges of the Division  
129 of Administrative Hearings, and child support enforcement  
130 hearing officers; and the names and locations of schools and day  
131 care facilities attended by the children of general magistrates,  
132 special magistrates, judges of compensation claims,  
133 administrative law judges of the Division of Administrative  
134 Hearings, and child support enforcement hearing officers are  
135 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
136 Constitution ~~if the general magistrate, special magistrate,~~  
137 ~~judge of compensation claims, administrative law judge of the~~  
138 ~~Division of Administrative Hearings, or child support hearing~~  
139 ~~officer provides a written statement that the general~~  
140 ~~magistrate, special magistrate, judge of compensation claims,~~  
141 ~~administrative law judge of the Division of Administrative~~  
142 ~~Hearings, or child support hearing officer has made reasonable~~  
143 ~~efforts to protect such information from being accessible~~  
144 ~~through other means available to the public.~~

145 g.f. The home addresses, telephone numbers, dates of birth,

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146 and photographs of current or former human resource, labor  
147 relations, or employee relations directors, assistant directors,  
148 managers, or assistant managers of any local government agency  
149 or water management district whose duties include hiring and  
150 firing employees, labor contract negotiation, administration, or  
151 other personnel-related duties; the names, home addresses,  
152 telephone numbers, dates of birth, and places of employment of  
153 the spouses and children of such personnel; and the names and  
154 locations of schools and day care facilities attended by the  
155 children of such personnel are exempt from s. 119.07(1) and s.  
156 24(a), Art. I of the State Constitution.

157 ~~h.g.~~ The home addresses, telephone numbers, dates of birth,  
158 and photographs of current or former code enforcement officers;  
159 the names, home addresses, telephone numbers, dates of birth,  
160 and places of employment of the spouses and children of such  
161 personnel; and the names and locations of schools and day care  
162 facilities attended by the children of such personnel are exempt  
163 from s. 119.07(1) and s. 24(a), Art. I of the State  
164 Constitution.

165 ~~i.h.~~ The home addresses, telephone numbers, places of  
166 employment, dates of birth, and photographs of current or former  
167 guardians ad litem, as defined in s. 39.820; the names, home  
168 addresses, telephone numbers, dates of birth, and places of  
169 employment of the spouses and children of such persons; and the  
170 names and locations of schools and day care facilities attended  
171 by the children of such persons are exempt from s. 119.07(1) and  
172 s. 24(a), Art. I of the State Constitution, ~~if the guardian ad~~  
173 ~~litem provides a written statement that the guardian ad litem~~  
174 ~~has made reasonable efforts to protect such information from~~

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175 ~~being accessible through other means available to the public.~~

176 j.i. The home addresses, telephone numbers, dates of birth,  
177 and photographs of current or former juvenile probation  
178 officers, juvenile probation supervisors, detention  
179 superintendents, assistant detention superintendents, juvenile  
180 justice detention officers I and II, juvenile justice detention  
181 officer supervisors, juvenile justice residential officers,  
182 juvenile justice residential officer supervisors I and II,  
183 juvenile justice counselors, juvenile justice counselor  
184 supervisors, human services counselor administrators, senior  
185 human services counselor administrators, rehabilitation  
186 therapists, and social services counselors of the Department of  
187 Juvenile Justice; the names, home addresses, telephone numbers,  
188 dates of birth, and places of employment of spouses and children  
189 of such personnel; and the names and locations of schools and  
190 day care facilities attended by the children of such personnel  
191 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
192 Constitution.

193 k.j.(I) The home addresses, telephone numbers, dates of  
194 birth, and photographs of current or former public defenders,  
195 assistant public defenders, criminal conflict and civil regional  
196 counsel, and assistant criminal conflict and civil regional  
197 counsel; the names, home addresses, telephone numbers, dates of  
198 birth, and places of employment of the spouses and children of  
199 such defenders or counsel; and the names and locations of  
200 schools and day care facilities attended by the children of such  
201 defenders or counsel are exempt from s. 119.07(1) and s. 24(a),  
202 Art. I of the State Constitution.

203 ~~(II) The names of the spouses and children of the specified~~

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204 ~~agency personnel identified in sub-sub-subparagraph (I) are~~  
205 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
206 ~~Constitution. This sub-sub-subparagraph is subject to the Open~~  
207 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
208 ~~shall stand repealed on October 2, 2019, unless reviewed and~~  
209 ~~saved from repeal through reenactment by the Legislature.~~

210 l.k. The home addresses, telephone numbers, dates of birth,  
211 and photographs of current or former investigators or inspectors  
212 of the Department of Business and Professional Regulation; the  
213 names, home addresses, telephone numbers, dates of birth, and  
214 places of employment of the spouses and children of such current  
215 or former investigators and inspectors; and the names and  
216 locations of schools and day care facilities attended by the  
217 children of such current or former investigators and inspectors  
218 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
219 Constitution ~~if the investigator or inspector has made~~  
220 ~~reasonable efforts to protect such information from being~~  
221 ~~accessible through other means available to the public. This~~  
222 ~~sub-subparagraph is subject to the Open Government Sunset Review~~  
223 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
224 ~~October 2, 2017, unless reviewed and saved from repeal through~~  
225 ~~reenactment by the Legislature.~~

226 m.l. The home addresses, and telephone numbers, and dates  
227 of birth of county tax collectors; the names, home addresses,  
228 telephone numbers, dates of birth, and places of employment of  
229 the spouses and children of such tax collectors; and the names  
230 and locations of schools and day care facilities attended by the  
231 children of such tax collectors are exempt from s. 119.07(1) and  
232 s. 24(a), Art. I of the State Constitution ~~if the county tax~~



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233 ~~collector has made reasonable efforts to protect such~~  
234 ~~information from being accessible through other means available~~  
235 ~~to the public. This sub-subparagraph is subject to the Open~~  
236 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
237 ~~shall stand repealed on October 2, 2017, unless reviewed and~~  
238 ~~saved from repeal through reenactment by the Legislature.~~

239 n.m. The home addresses, telephone numbers, dates of birth,  
240 and photographs of current or former personnel of the Department  
241 of Health whose duties include, or result in, the determination  
242 or adjudication of eligibility for social security disability  
243 benefits, the investigation or prosecution of complaints filed  
244 against health care practitioners, or the inspection of health  
245 care practitioners or health care facilities licensed by the  
246 Department of Health; the names, home addresses, telephone  
247 numbers, dates of birth, and places of employment of the spouses  
248 and children of such personnel; and the names and locations of  
249 schools and day care facilities attended by the children of such  
250 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of  
251 the State Constitution if the personnel have made reasonable  
252 efforts to protect such information from being accessible  
253 through other means available to the public. This sub-  
254 subparagraph is subject to the Open Government Sunset Review Act  
255 in accordance with s. 119.15 and shall stand repealed on October  
256 2, 2019, unless reviewed and saved from repeal through  
257 reenactment by the Legislature.

258 o.n. The home addresses, telephone numbers, dates of birth,  
259 and photographs of current or former impaired practitioner  
260 consultants who are retained by an agency or current or former  
261 employees of an impaired practitioner consultant whose duties

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262 result in a determination of a person's skill and safety to  
263 practice a licensed profession; the names, home addresses,  
264 telephone numbers, dates of birth, and places of employment of  
265 the spouses and children of such consultants or their employees;  
266 and the names and locations of schools and day care facilities  
267 attended by the children of such consultants or employees are  
268 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
269 Constitution if a consultant or employee has made reasonable  
270 efforts to protect such information from being accessible  
271 through other means available to the public. This sub-  
272 subparagraph is subject to the Open Government Sunset Review Act  
273 in accordance with s. 119.15 and shall stand repealed on October  
274 2, 2020, unless reviewed and saved from repeal through  
275 reenactment by the Legislature.

276 ~~p.e.~~ The home addresses, telephone numbers, dates of birth,  
277 and photographs of current or former emergency medical  
278 technicians or paramedics certified under chapter 401; the  
279 names, home addresses, telephone numbers, dates of birth, and  
280 places of employment of the spouses and children of such  
281 emergency medical technicians or paramedics; and the names and  
282 locations of schools and day care facilities attended by the  
283 children of such emergency medical technicians or paramedics are  
284 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
285 Constitution if the emergency medical technicians or paramedics  
286 have made reasonable efforts to protect such information from  
287 being accessible through other means available to the public.  
288 This sub-subparagraph is subject to the Open Government Sunset  
289 Review Act in accordance with s. 119.15 and shall stand repealed  
290 on October 2, 2021, unless reviewed and saved from repeal

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291 through reenactment by the Legislature.

292 ~~g.p.~~ The home addresses, telephone numbers, dates of birth,  
293 and photographs of current or former personnel employed in an  
294 agency's office of inspector general or internal audit  
295 department whose duties include auditing or investigating waste,  
296 fraud, abuse, theft, exploitation, or other activities that  
297 could lead to criminal prosecution or administrative discipline;  
298 the names, home addresses, telephone numbers, dates of birth,  
299 and places of employment of spouses and children of such  
300 personnel; and the names and locations of schools and day care  
301 facilities attended by the children of such personnel are exempt  
302 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
303 if the personnel have made reasonable efforts to protect such  
304 information from being accessible through other means available  
305 to the public. This sub-subparagraph is subject to the Open  
306 Government Sunset Review Act in accordance with s. 119.15 and  
307 shall stand repealed on October 2, 2021, unless reviewed and  
308 saved from repeal through reenactment by the Legislature.

309 3. An agency that is the custodian of the information  
310 specified in subparagraph 2. and that is not the employer of the  
311 officer, employee, justice, judge, or other person specified in  
312 subparagraph 2. shall maintain the exempt status of that  
313 information only if the officer, employee, justice, judge, other  
314 person, or employing agency of the designated employee submits a  
315 written request for maintenance of the exemption to the  
316 custodial agency.

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

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320 ~~5. Except as otherwise expressly provided in this~~  
321 ~~paragraph, this paragraph is subject to the Open Government~~  
322 ~~Sunset Review Act in accordance with s. 119.15, and shall stand~~  
323 ~~repealed on October 2, 2017, unless reviewed and saved from~~  
324 ~~repeal through reenactment by the Legislature.~~

325 Section 2. (1) (a) The Legislature finds that it is a public  
326 necessity that the following information be exempt from s.  
327 24(a), Article I of the State Constitution:

328 1. The home addresses, telephone numbers, dates of birth,  
329 and photographs of active or former sworn or civilian law  
330 enforcement personnel, including correctional and correctional  
331 probation officers, personnel of the Department of Children and  
332 Families whose duties include the investigation of abuse,  
333 neglect, exploitation, fraud, theft, or other criminal  
334 activities, personnel of the Department of Health whose duties  
335 are to support the investigation of child abuse or neglect, and  
336 personnel of the Department of Revenue or local governments  
337 whose responsibilities include revenue collection and  
338 enforcement or child support enforcement; the home addresses,  
339 telephone numbers, photographs, dates of birth, and places of  
340 employment of the spouses and children of such personnel; and  
341 the names and locations of schools and day care facilities  
342 attended by the children of such personnel;

343 2. The home addresses, telephone numbers, dates of birth,  
344 and photographs of firefighters certified in compliance with s.  
345 633.408, Florida Statutes; the home addresses, telephone  
346 numbers, photographs, dates of birth, and places of employment  
347 of the spouses and children of such firefighters; and the names  
348 and locations of schools and day care facilities attended by the

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349 children of such firefighters; and

350 3. The home addresses, dates of birth, and telephone  
351 numbers of current or former justices of the Supreme Court,  
352 district court of appeal judges, circuit court judges, and  
353 county court judges; the home addresses, telephone numbers,  
354 dates of birth, and places of employment of the spouses and  
355 children of current or former justices and judges; and the names  
356 and locations of schools and day care facilities attended by the  
357 children of current or former justices and judges.

358 (b) The Legislature finds that it is a public necessity to  
359 exempt this information from s. 24(a), Article I of the State  
360 Constitution in order to prevent disclosure of information that  
361 can be used to identify or locate these governmental personnel  
362 and their spouses and children. These governmental personnel  
363 perform duties that can adversely affect the rights of members  
364 of public. Members of the public can face criminal and civil  
365 liability resulting in the loss of liberty, child custody,  
366 licensure, money, and access to entitlements because of the  
367 actions taken by these governmental personnel. Adversely  
368 affected people, their families, or their friends may place  
369 blame on these governmental personnel for arrests,  
370 investigations, or judicial intervention. Governmental personnel  
371 may also be threatened or harmed by victims who believe  
372 governmental personnel did not adequately perform their duties.  
373 Such governmental personnel are subject to threats and violence  
374 on and off duty, and these threats persist after they leave  
375 their jobs. The threat of danger and revenge extend to the  
376 spouses and children of these governmental personnel.

377 (c) Furthermore, the combination of personal identification

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378 and location information can be used as a tool to perpetuate  
379 fraud against these governmental personnel and to acquire  
380 sensitive personal, financial, medical, and familial  
381 information, the release of which could cause great financial  
382 harm to these individuals and their families. Identity theft can  
383 also harm these governmental personnel and their families'  
384 reputations. It is in the public interest to protect fully these  
385 governmental employees and their families and to ensure that  
386 their identifying and location information is exempt from public  
387 disclosure when it is held by an entity in the executive,  
388 legislative, or judicial branch of government.

389 (2) (a) The Legislature finds that it is a public necessity  
390 to exempt the names of the children and spouses of the following  
391 governmental personnel from s. 119.07(1), Florida Statutes, and  
392 s. 24(a), Article I of the State Constitution:

393 1. Firefighters certified in compliance with s. 633.408,  
394 Florida Statutes;

395 2. Current or former justices of the Supreme Court,  
396 district court of appeal judges, circuit court judges, and  
397 county court judges; and

398 3. General magistrates, special magistrates, judges of  
399 compensation claims, administrative law judges of the Division  
400 of Administrative Hearings, and child support enforcement  
401 hearing officers.

402 (b) Such personnel are often required to interact with  
403 members of the public while they are in difficult circumstances.  
404 These personnel and their families are subject to threats by  
405 members of the public who may seek revenge against them.

406 Allowing public access to the names of children and spouses will

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407 make the families of these personnel easy to find and expose  
408 them to threats or acts of revenge. Threats or acts of revenge  
409 against the children and spouses of such personnel could  
410 compromise the governmental personnel's ability to perform their  
411 duties without fear of retaliation.

412 (3) (a) The Legislature finds that it is a public necessity  
413 to make the following information exempt from s. 119.07(1),  
414 Florida Statutes, and s. 24(a), Article I of the State  
415 Constitution, regardless of whether such individuals made  
416 reasonable efforts to protect such information from being  
417 public:

418 1. The home addresses, dates of birth, and telephone  
419 numbers of general magistrates, special magistrates, judges of  
420 compensation claims, administrative law judges of the Division  
421 of Administrative Hearings, and child support enforcement  
422 hearing officers; the names, home addresses, telephone numbers,  
423 dates of birth, and places of employment of the spouses and  
424 children of general magistrates, special magistrates, judges of  
425 compensation claims, administrative law judges of the Division  
426 of Administrative Hearings, and child support enforcement  
427 hearing officers; and the names and locations of schools and day  
428 care facilities attended by the children of general magistrates,  
429 special magistrates, judges of compensation claims,  
430 administrative law judges of the Division of Administrative  
431 Hearings, and child support enforcement hearing officers;

432 2. The home addresses, telephone numbers, dates of birth,  
433 and photographs of current or former guardians ad litem, as  
434 defined in s. 39.820, Florida Statutes; the names, home  
435 addresses, telephone numbers, dates of birth, and places of

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436 employment of the spouses and children of such persons; and the  
437 names and locations of schools and day care facilities attended  
438 by the children of such persons;

439 3. The home addresses, telephone numbers, dates of birth,  
440 and photographs of current or former investigators or inspectors  
441 of the Department of Business and Professional Regulation; the  
442 names, home addresses, telephone numbers, dates of birth, and  
443 places of employment of the spouses and children of such current  
444 or former investigators and inspectors; and the names and  
445 locations of schools and day care facilities attended by the  
446 children of such current or former investigators and inspectors;  
447 and

448 4. The home addresses, telephone numbers, and dates of  
449 birth of county tax collectors; the names, home addresses,  
450 telephone numbers, dates of birth, and places of employment of  
451 the spouses and children of such tax collectors; and the names  
452 and locations of schools and day care facilities attended by the  
453 children of such tax collectors.

454 (b) The Legislature finds that exempting identifying and  
455 location information from public disclosure requirements  
456 protects governmental personnel, guardians ad litem, and their  
457 family members from danger of physical and emotional harm from  
458 disgruntled criminal defendants, litigants, licensees,  
459 taxpayers, and other members of the public. These individuals  
460 may be subject to threats or acts of revenge because of the  
461 duties they perform. Their family members are also endangered by  
462 people who may seek to intimidate or harm such personnel or  
463 guardians ad litem. In addition, criminals could use  
464 identification and location information for identity theft that



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465 can cause financial harm to these governmental personnel,  
466 guardians ad litem, and their families. The harm that might  
467 result from the release of exempt information outweighs any  
468 public benefit that could be derived from disclosure. For these  
469 reasons, the exemptions should be applied without requiring such  
470 governmental personnel or guardians ad litem prove that they  
471 have not made their information public.

472 (c) In addition, requiring these governmental personnel or  
473 guardians ad litem prove that they made reasonable efforts to  
474 protect their identification and location information is an  
475 added burden on these individuals as well as on agencies  
476 receiving a public records request. The extent to which these  
477 individuals must protect their information from public  
478 accessibility is unclear. It is also unclear how much proof an  
479 agency needs in order to grant the exemption. The burden on an  
480 agency to verify whether these individuals have protected from  
481 public disclosure their identifying and location information  
482 adversely impacts the effective and efficient administration of  
483 government in establishing who is eligible for an exemption.  
484 Relatively few public records exemptions require an individual  
485 to prove that he or she made reasonable efforts to protect his  
486 or her information from being available to the public. Such  
487 inconsistencies among public records exemptions reduce accuracy  
488 and efficiency when redacting exempt information when a public  
489 records request for agency personnel information is made. It is  
490 not in the public interest for the public to receive  
491 inaccurately redacted information.

492 (4) (a) The Legislature finds that it is a public necessity  
493 that the dates of birth of the following people be exempt from

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494 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
495 State Constitution:

496 1. Current or former investigators or inspectors of the  
497 Department of Business and Professional Regulation and their  
498 spouses and children; and

499 2. County tax collectors and their spouses and children.

500 (b) Dates of birth can be used as a tool to perpetuate  
501 fraud against an individual and to acquire sensitive personal,  
502 financial, medical, and familial information, the release of  
503 which could cause great financial harm to an individual and his  
504 or her family. Identity theft can also be used to harm their  
505 reputations and good name.

506 (5) The Legislature finds that the amendments to s.  
507 119.071(4)(d), Florida Statutes, made by this act are necessary  
508 to bring greater uniformity among public records exemptions for  
509 agency personnel information because exempted information  
510 currently varies from exemption to exemption. Inconsistencies  
511 between public records exemptions for agency personnel  
512 information result in increased inaccuracy and inefficiency when  
513 information must be redacted in response to a public records  
514 request. Unnecessary complexity increases the likelihood that  
515 public records custodians may inaccurately redact information in  
516 a record. As a result, the public could receive information that  
517 improperly redacts information that is not exempt or have access  
518 to exempt information that should have been redacted. It is not  
519 in the interest of the public to receive inaccurately redacted  
520 information, or to unnecessarily pay fees for staff time  
521 associated with redacting extraneous information. In addition,  
522 the accidental release of personal identifying and location

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523 information can endanger personnel or otherwise negate the  
524 purpose of the exemption.

525 Section 3. This act shall take effect October 1, 2017.