

Committee on Governmental Oversight and Accountability

HB 7093 — OGSR/Agency Personnel Information

by Oversight, Transparency and Administration Subcommittee and Rep. Daniels (CS/SB 7018
by Rules Committee and Governmental Oversight and Accountability Committee)

The bill is the result of an Open Government Sunset Review (OGSR) of public records exemptions for personal identifying information of specified governmental agency personnel, their spouses, and their children. The bill renews exemptions for specified agency employees, as well as exemptions pertaining to the family of those employees, that were scheduled to repeal on October 2, 2017. The categories of agency personnel with specified exemptions are:

- Law enforcement;
- Department of Children and Families (DCF) personnel with certain duties;
- Department of Health (DOH) personnel who support the investigation of child abuse or neglect;
- Department of Revenue (DOR) and local government personnel who collect revenue or child support;
- Department of Financial Services (DFS) personnel with certain duties;
- Firefighters;
- Justices and Judges;
- State Attorneys and Statewide Prosecutors and their assistants;
- Magistrates, Administrative Law Judges, Judges of Compensation Claims, child support hearing officers;
- Human resources, labor relations personnel;
- Code enforcement personnel;
- Guardian ad Litem Program personnel;
- Certain Department of Juvenile Justice (DJJ) personnel;
- Public Defenders, Criminal Conflict and Civil Regional Counsel and their assistants;
- Department of Business and Professional Regulation (DBPR) investigators; and
- County Tax Collectors.

The bill also expands certain public record exemptions for agency personnel and their families in an effort to provide uniformity across the exemptions. Except where current law provides for earlier review, the bill provides for repeal of the expanded exemptions on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

In addition, the bill expands the public records exemptions for certain personnel by removing the requirement that certain personnel must prove they have made reasonable efforts to protect their information from being accessible to the public. The bill removes this requirement for the following personnel:

- Magistrates, judges of compensation claims, Division of Administrative Hearing (DOAH) administrative law judges, and child support enforcement hearing officers;
- Guardian ad Litem Program personnel;
- DBPR investigators;

- County Tax Collectors;
- DOH personnel with certain duties;
- Impaired practitioner consultants;
- Emergency medical technicians or paramedics; and
- Personnel employed in an agency's office of inspector general or internal audit department.

Removing this requirement constitutes an expansion of the exemption. As such, except where current law provides for earlier review, the bill provides for repeal of the expanded exemptions on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, these provisions take effect October 1, 2017.

Vote: Senate 36-0; House 115-4