

Committee on Criminal Justice

CS/CS/CS/SB 248 — Public Records/Civilian Personnel Employed by a Law Enforcement Agency

by Rules Committee; Governmental Oversight and Accountability Committee; Criminal Justice Committee; and Senators Hooper, Baxley, Simpson, Perry, and Book

The bill (Chapter 2019-12, L.O.F.) amends s. 119.071(4)(d), F.S., which contains several public records exemptions for home addresses and various other information identifying specified agency personnel and officials and their families. The bill expands these public records exemptions by defining the term “home addresses,” a previously undefined term, as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

The bill also amends s. 119.071(4)(d)2.a., F.S., to create a new public records exemption for:

- Home addresses, telephone numbers, dates of birth, and photographs of active or former civilian personnel employed by a law enforcement agency;
- Names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and
- Names and locations of schools and day care facilities attended by the children of such personnel.

The bill allows an officer, employee, justice, judge, or other person covered by the public records exemptions to file a written request for 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 that is 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.

The bill provides statements of public necessity for expanding public records exemptions and creating a new public records exemption as required by the State Constitution.

The bill provides that the public records exemptions in s. 119.071(4)(d), F.S., are subject to the Open Government Sunset Review Act, and stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

These provisions were approved by the Governor and take effect July 1, 2019.

Vote: Senate 39-1; House 116-0