

By Representative Smith

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; exempting from disclosure under
4 s. 119.07(1), F.S., and s. 24(a), Art. I of the
5 State Constitution, certain information
6 pertaining to county and municipal code
7 enforcement officers and their families;
8 providing for future repeal and prior
9 legislative review of these exemptions;
10 providing a statement of public necessity for
11 the exemptions; providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Paragraph (i) of subsection (3) of section
16 119.07, Florida Statutes, is amended to read:

17 119.07 Inspection, examination, and duplication of
18 records; exemptions.--

19 (3)

20 (i)1. The home addresses, telephone numbers, social
21 security numbers, and photographs of active or former law
22 enforcement personnel, including correctional and correctional
23 probation officers, personnel of the Department of Children
24 and Family Services whose duties include the investigation of
25 abuse, neglect, exploitation, fraud, theft, or other criminal
26 activities, personnel of the Department of Health whose duties
27 are to support the investigation of child abuse or neglect,
28 ~~and~~ personnel of the Department of Revenue or local
29 governments whose responsibilities include revenue collection
30 and enforcement or child support enforcement, and code
31 enforcement officers; the home addresses, telephone numbers,

1 social security numbers, photographs, and places of employment
2 of the spouses and children of such personnel; and the names
3 and locations of schools and day care facilities attended by
4 the children of such personnel are exempt from the provisions
5 of subsection (1). The home addresses, telephone numbers, and
6 photographs of firefighters certified in compliance with s.
7 633.35; the home addresses, telephone numbers, photographs,
8 and places of employment of the spouses and children of such
9 firefighters; and the names and locations of schools and day
10 care facilities attended by the children of such firefighters
11 are exempt from subsection (1). The home addresses and
12 telephone numbers of justices of the Supreme Court, district
13 court of appeal judges, circuit court judges, and county court
14 judges; the home addresses, telephone numbers, and places of
15 employment of the spouses and children of justices and judges;
16 and the names and locations of schools and day care facilities
17 attended by the children of justices and judges are exempt
18 from the provisions of subsection (1). The home addresses,
19 telephone numbers, social security numbers, and photographs of
20 current or former state attorneys, assistant state attorneys,
21 statewide prosecutors, or assistant statewide prosecutors; the
22 home addresses, telephone numbers, social security numbers,
23 photographs, and places of employment of the spouses and
24 children of current or former state attorneys, assistant state
25 attorneys, statewide prosecutors, or assistant statewide
26 prosecutors; and the names and locations of schools and day
27 care facilities attended by the children of current or former
28 state attorneys, assistant state attorneys, statewide
29 prosecutors, or assistant statewide prosecutors are exempt
30 from subsection (1) and s. 24(a), Art. I of the State
31 Constitution. ~~The home addresses and home telephone numbers of~~

1 ~~county and municipal code inspectors and code enforcement~~
2 ~~officers are confidential and exempt from the provisions of~~
3 ~~subsection (1) and s. 24(a), Art. I of the State Constitution.~~

4 2. An agency that is the custodian of the personal
5 information specified in subparagraph 1. and that is not the
6 employer of the officer, employee, justice, judge, or other
7 person specified in subparagraph 1. shall maintain the
8 confidentiality of the personal information only if the
9 officer, employee, justice, judge, other person, or employing
10 agency of the designated employee submits a written request
11 for confidentiality to the custodial agency.

12 Section 2. The exemptions from section 119.07(1) and
13 s. 24(a) of Art. I of the State Constitution which are
14 provided under section 1 of this act are repealed effective
15 October 2, 2006, and must be reviewed by the Legislature
16 before that date in accordance with section 119.15, Florida
17 Statutes, the Open Government Sunset Review Act of 1995.

18 Section 3. The Legislature finds that the exemptions
19 provided for in section 1 of this act are a public necessity.
20 The current exemption of names and addresses has not
21 completely shielded the identities of the county and municipal
22 code enforcement officers. The responsibilities of these
23 employees regularly take them into areas of neglect, abuse,
24 and personal danger. Citations issued in response to
25 violations that they encounter often lead to retribution by
26 the offenders. Their personnel files are reviewed on numerous
27 occasions by code violators seeking information relating to
28 the code enforcement officers and their families. The
29 disclosure of this personal information has led to threats,
30 acts of violence, and unwarranted risk to the officers and
31 their families.

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Section 4. This act shall take effect July 1, 2001.

SENATE SUMMARY

Provides exemptions from public records requirements for the social security numbers and photographs of county and municipal code enforcement officers and for information relating to the spouses and children of those officers. Provides for future repeal and prior legislative review of these exemptions under the Open Government Sunset Review Act of 1995.