

By the Committee on Children, Families, and Elder Affairs; and
Senator Passidomo

586-01905-17

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 744.21031, F.S.; providing an exemption from public
4 records requirements for certain identifying and
5 location information of current or former public
6 guardians and the spouses and children thereof;
7 providing for retroactive application; providing for
8 future legislative review and repeal of the exemption;
9 providing a statement of public necessity; providing
10 an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 744.21031, Florida Statutes, is created
15 to read:

16 744.21031 Public records exemption.—The home addresses,
17 telephone numbers, dates of birth, places of employment, and
18 photographs of current or former public guardians; the names,
19 home addresses, telephone numbers, dates of birth, and places of
20 employment of the spouses and children of such persons; and the
21 names and locations of schools and day care facilities attended
22 by the children of such persons are exempt from s. 119.07(1) and
23 s. 24(a), Art. I of the State Constitution. An agency that is
24 the custodian of information specified in this section shall
25 maintain the exempt status of that information only if the
26 current or former public guardian submits a written request for
27 maintenance of the exemption to the custodial agency. The
28 exemption in this section applies to information held by an
29 agency before, on, or after the effective date of the exemption.

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30 This section is subject to the Open Government Sunset Review Act
31 in accordance with s. 119.15 and shall stand repealed on October
32 2, 2022, unless reviewed and saved from repeal through
33 reenactment by the Legislature.

34 Section 2. (1) The Legislature finds that it is a public
35 necessity that the following identifying and location
36 information be exempt from s. 119.07(1), Florida Statutes, and
37 s. 24(a), Article I of the State Constitution:

38 (a) The home addresses, telephone numbers, dates of birth,
39 places of employment, and photographs of current or former
40 public guardians;

41 (b) The names, home addresses, telephone numbers, dates of
42 birth, and places of employment of spouses and children of such
43 guardians; and

44 (c) The names and locations of schools and day care
45 facilities attended by the children of such guardians.

46 (2) The Legislature finds that the release of such
47 identifying and location information might place current or
48 former public guardians and their family members in danger of
49 physical and emotional harm from disgruntled individuals who may
50 react inappropriately to actions taken by the public guardians.
51 Public guardians provide a valuable service to the community by
52 helping some of the state's most vulnerable residents. Public
53 guardians help those who lack a willing and qualified family
54 member or friend and do not have the income or assets to pay a
55 professional guardian. Despite the value of this service,
56 however, some persons may become disgruntled with the assistance
57 provided or the decisions a public guardian makes, which may
58 result in a guardian or the guardian's family members becoming

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59 potential targets for an act of revenge. The risk continues
60 after a public guardian concludes his or her service because a
61 disgruntled individual may wait to commit an act of revenge
62 until the guardian concludes his or her service. The harm that
63 may result from the release of such personal identifying and
64 location information outweighs any public benefit that may be
65 derived from the disclosure of the information.

66 Section 3. This act shall take effect July 1, 2017.