



897282

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/25/2017	.	
	.	
	.	
	.	

The Committee on Rules (Galvano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) of subsection (4) of section
119.071, Florida Statutes, is amended to read:

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

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term "telephone
numbers" includes home telephone numbers, personal cellular



897282

12 telephone numbers, personal pager telephone numbers, and
13 telephone numbers associated with personal communications
14 devices.

15 2.a. ~~(I)~~ The home addresses, telephone numbers, ~~social~~
16 ~~security numbers,~~ dates of birth, and photographs of active or
17 former sworn or civilian law enforcement personnel, including
18 correctional and correctional probation officers, personnel of
19 the Department of Children and Families whose duties include the
20 investigation of abuse, neglect, exploitation, fraud, theft, or
21 other criminal activities, personnel of the Department of Health
22 whose duties are to support the investigation of child abuse or
23 neglect, and personnel of the Department of Revenue or local
24 governments whose responsibilities include revenue collection
25 and enforcement or child support enforcement; the names, home
26 addresses, telephone numbers, ~~social security numbers,~~
27 photographs, dates of birth, and places of employment of the
28 spouses and children of such personnel; and the names and
29 locations of schools and day care facilities attended by the
30 children of such personnel are exempt from s. 119.07(1) and s.
31 24(a), Art. I of the State Constitution. This sub-subparagraph
32 is subject to the Open Government Sunset Review Act in
33 accordance with s. 119.15 and shall stand repealed on October 2,
34 2022, unless reviewed and saved from repeal through reenactment
35 by the Legislature.

36 ~~(II) The names of the spouses and children of active or~~
37 ~~former sworn or civilian law enforcement personnel and the other~~
38 ~~specified agency personnel identified in sub-sub-subparagraph~~
39 ~~(I) are exempt from s. 119.07(1) and s. 24(a), Art. I of the~~
40 ~~State Constitution.~~



897282

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

45 b.~~(IV)~~ The home addresses, telephone numbers, dates of
46 birth, and photographs of current or former nonsworn
47 investigative personnel of the Department of Financial Services
48 whose duties include the investigation of fraud, theft, workers'
49 compensation coverage requirements and compliance, other related
50 criminal activities, or state regulatory requirement violations;
51 the names, home addresses, telephone numbers, dates of birth,
52 and places of employment of the spouses and children of such
53 personnel; and the names and locations of schools and day care
54 facilities attended by the children of such personnel are exempt
55 from s. 119.07(1) and s. 24(a), Art. I of the State
56 Constitution. This sub-subparagraph ~~sub-sub-subparagraph~~ is
57 subject to the Open Government Sunset Review Act in accordance
58 with s. 119.15 and shall stand repealed on October 2, 2021,
59 unless reviewed and saved from repeal through reenactment by the
60 Legislature.

61 c.~~b.~~ The home addresses, telephone numbers, dates of birth,
62 and photographs of firefighters certified in compliance with s.
63 633.408; the names, home addresses, telephone numbers,
64 photographs, dates of birth, and places of employment of the
65 spouses and children of such firefighters; and the names and
66 locations of schools and day care facilities attended by the
67 children of such firefighters are exempt from s. 119.07(1) and
68 s. 24(a), Art. I of the State Constitution. This sub-
69 subparagraph is subject to the Open Government Sunset Review Act



897282

70 in accordance with s. 119.15 and shall stand repealed on October
71 2, 2022, unless reviewed and saved from repeal through
72 reenactment by the Legislature.

73 ~~d.e.~~ The home addresses, dates of birth, and telephone
74 numbers of current or former justices of the Supreme Court,
75 district court of appeal judges, circuit court judges, and
76 county court judges; the names, home addresses, telephone
77 numbers, dates of birth, and places of employment of the spouses
78 and children of current or former justices and judges; and the
79 names and locations of schools and day care facilities attended
80 by the children of current or former justices and judges are
81 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
82 Constitution. This sub-subparagraph is subject to the Open
83 Government Sunset Review Act in accordance with s. 119.15 and
84 shall stand repealed on October 2, 2022, unless reviewed and
85 saved from repeal through reenactment by the Legislature.

86 ~~e.d.(I)~~ The home addresses, telephone numbers, ~~social~~
87 ~~security numbers,~~ dates of birth, and photographs of current or
88 former state attorneys, assistant state attorneys, statewide
89 prosecutors, or assistant statewide prosecutors; the names, home
90 addresses, telephone numbers, ~~social security numbers,~~
91 photographs, dates of birth, and places of employment of the
92 spouses and children of current or former state attorneys,
93 assistant state attorneys, statewide prosecutors, or assistant
94 statewide prosecutors; and the names and locations of schools
95 and day care facilities attended by the children of current or
96 former state attorneys, assistant state attorneys, statewide
97 prosecutors, or assistant statewide prosecutors are exempt from
98 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.



897282

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

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

107 f.e. The home addresses, dates of birth, and telephone
108 numbers of general magistrates, special magistrates, judges of
109 compensation claims, administrative law judges of the Division
110 of Administrative Hearings, and child support enforcement
111 hearing officers; the names, home addresses, telephone numbers,
112 dates of birth, and places of employment of the spouses and
113 children of general magistrates, special magistrates, judges of
114 compensation claims, administrative law judges of the Division
115 of Administrative Hearings, and child support enforcement
116 hearing officers; and the names and locations of schools and day
117 care facilities attended by the children of general magistrates,
118 special magistrates, judges of compensation claims,
119 administrative law judges of the Division of Administrative
120 Hearings, and child support enforcement hearing officers are
121 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
122 Constitution. This sub-subparagraph is subject to the Open
123 Government Sunset Review Act in accordance with s. 119.15 and
124 shall stand repealed on October 2, 2022, unless reviewed and
125 saved from repeal through reenactment by the Legislature ~~if the~~
126 ~~general magistrate, special magistrate, judge of compensation~~
127 ~~claims, administrative law judge of the Division of~~



897282

128 ~~Administrative Hearings, or child support hearing officer~~
129 ~~provides a written statement that the general magistrate,~~
130 ~~special magistrate, judge of compensation claims, administrative~~
131 ~~law judge of the Division of Administrative Hearings, or child~~
132 ~~support hearing officer has made reasonable efforts to protect~~
133 ~~such information from being accessible through other means~~
134 ~~available to the public.~~

135 ~~g.f.~~ The home addresses, telephone numbers, dates of birth,
136 and photographs of current or former human resource, labor
137 relations, or employee relations directors, assistant directors,
138 managers, or assistant managers of any local government agency
139 or water management district whose duties include hiring and
140 firing employees, labor contract negotiation, administration, or
141 other personnel-related duties; the names, home addresses,
142 telephone numbers, dates of birth, and places of employment of
143 the spouses and children of such personnel; and the names and
144 locations of schools and day care facilities attended by the
145 children of such personnel are exempt from s. 119.07(1) and s.
146 24(a), Art. I of the State Constitution.

147 ~~h.g.~~ The home addresses, telephone numbers, dates of birth,
148 and photographs of current or former code enforcement officers;
149 the names, home addresses, telephone numbers, dates of birth,
150 and places of employment of the spouses and children of such
151 personnel; and the names and locations of schools and day care
152 facilities attended by the children of such personnel are exempt
153 from s. 119.07(1) and s. 24(a), Art. I of the State
154 Constitution.

155 ~~i.h.~~ The home addresses, telephone numbers, places of
156 employment, dates of birth, and photographs of current or former



897282

157 guardians ad litem, as defined in s. 39.820; the names, home
158 addresses, telephone numbers, dates of birth, and places of
159 employment of the spouses and children of such persons; and the
160 names and locations of schools and day care facilities attended
161 by the children of such persons are exempt from s. 119.07(1) and
162 s. 24(a), Art. I of the State Constitution. This sub-
163 subparagraph is subject to the Open Government Sunset Review Act
164 in accordance with s. 119.15 and shall stand repealed on October
165 2, 2022, unless reviewed and saved from repeal through
166 reenactment by the Legislature, if the guardian ad litem
167 provides a written statement that the guardian ad litem has made
168 reasonable efforts to protect such information from being
169 accessible through other means available to the public.

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



897282

186 Constitution.

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

197 ~~(II) The names of the spouses and children of the specified~~
198 ~~agency personnel identified in sub-sub-subparagraph (I) are~~
199 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
200 ~~Constitution. This sub-sub-subparagraph is subject to the Open~~
201 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
202 ~~shall stand repealed on October 2, 2019, unless reviewed and~~
203 ~~saved from repeal through reenactment by the Legislature.~~

204 ~~l.k.~~ The home addresses, telephone numbers, dates of birth,
205 and photographs of current or former investigators or inspectors
206 of the Department of Business and Professional Regulation; the
207 names, home addresses, telephone numbers, dates of birth, and
208 places of employment of the spouses and children of such current
209 or former investigators and inspectors; and the names and
210 locations of schools and day care facilities attended by the
211 children of such current or former investigators and inspectors
212 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
213 Constitution ~~if the investigator or inspector has made~~
214 ~~reasonable efforts to protect such information from being~~



897282

215 ~~accessible through other means available to the public.~~ This
216 sub-subparagraph is subject to the Open Government Sunset Review
217 Act in accordance with s. 119.15 and shall stand repealed on
218 October 2, 2022 ~~2017~~, unless reviewed and saved from repeal
219 through reenactment by the Legislature.

220 ~~m.1.~~ The home addresses, ~~and~~ and telephone numbers, and dates
221 of birth of county tax collectors; the names, home addresses,
222 telephone numbers, dates of birth, and places of employment of
223 the spouses and children of such tax collectors; and the names
224 and locations of schools and day care facilities attended by the
225 children of such tax collectors are exempt from s. 119.07(1) and
226 s. 24(a), Art. I of the State Constitution ~~if the county tax~~
227 ~~collector has made reasonable efforts to protect such~~
228 ~~information from being accessible through other means available~~
229 ~~to the public.~~ This sub-subparagraph is subject to the Open
230 Government Sunset Review Act in accordance with s. 119.15 and
231 shall stand repealed on October 2, 2022 ~~2017~~, unless reviewed
232 and saved from repeal through reenactment by the Legislature.

233 ~~n.m.~~ The home addresses, telephone numbers, dates of birth,
234 and photographs of current or former personnel of the Department
235 of Health whose duties include, or result in, the determination
236 or adjudication of eligibility for social security disability
237 benefits, the investigation or prosecution of complaints filed
238 against health care practitioners, or the inspection of health
239 care practitioners or health care facilities licensed by the
240 Department of Health; the names, home addresses, telephone
241 numbers, dates of birth, and places of employment of the spouses
242 and children of such personnel; and the names and locations of
243 schools and day care facilities attended by the children of such



897282

244 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
245 the State Constitution ~~if the personnel have made reasonable~~
246 ~~efforts to protect such information from being accessible~~
247 ~~through other means available to the public.~~ This sub-
248 subparagraph is subject to the Open Government Sunset Review Act
249 in accordance with s. 119.15 and shall stand repealed on October
250 2, 2019, unless reviewed and saved from repeal through
251 reenactment by the Legislature.

252 ~~o.n.~~ The home addresses, telephone numbers, dates of birth,
253 and photographs of current or former impaired practitioner
254 consultants who are retained by an agency or current or former
255 employees of an impaired practitioner consultant whose duties
256 result in a determination of a person's skill and safety to
257 practice a licensed profession; the names, home addresses,
258 telephone numbers, dates of birth, and places of employment of
259 the spouses and children of such consultants or their employees;
260 and the names and locations of schools and day care facilities
261 attended by the children of such consultants or employees are
262 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
263 Constitution ~~if a consultant or employee has made reasonable~~
264 ~~efforts to protect such information from being accessible~~
265 ~~through other means available to the public.~~ This sub-
266 subparagraph is subject to the Open Government Sunset Review Act
267 in accordance with s. 119.15 and shall stand repealed on October
268 2, 2020, unless reviewed and saved from repeal through
269 reenactment by the Legislature.

270 ~~p.e.~~ The home addresses, telephone numbers, dates of birth,
271 and photographs of current or former emergency medical
272 technicians or paramedics certified under chapter 401; the



897282

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

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



897282

302 saved from repeal through reenactment by the Legislature.

303 3. An agency that is the custodian of the information
304 specified in subparagraph 2. and that is not the employer of the
305 officer, employee, justice, judge, or other person specified in
306 subparagraph 2. shall maintain the exempt status of that
307 information only if the officer, employee, justice, judge, other
308 person, or employing agency of the designated employee submits a
309 written request for maintenance of the exemption to the
310 custodial agency.

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

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

319 Section 2. (1) (a) The Legislature finds that it is a public
320 necessity that the following information be made exempt from s.
321 24(a), Article I of the State Constitution:

322 1. The home addresses, telephone numbers, dates of birth,
323 and photographs of active or former sworn or civilian law
324 enforcement personnel, including correctional and correctional
325 probation officers; personnel of the Department of Children and
326 Families whose duties include the investigation of abuse,
327 neglect, exploitation, fraud, theft, or other criminal
328 activities; personnel of the Department of Health whose duties
329 are to support the investigation of child abuse or neglect; and
330 personnel of the Department of Revenue or local governments



331 whose responsibilities include revenue collection and
332 enforcement or child support enforcement; the home addresses,
333 telephone numbers, photographs, dates of birth, and places of
334 employment of the spouses and children of such personnel; and
335 the names and locations of schools and day care facilities
336 attended by the children of such personnel;

337 2. The home addresses, telephone numbers, dates of birth,
338 and photographs of firefighters certified in compliance with s.
339 633.408, Florida Statutes; the home addresses, telephone
340 numbers, photographs, dates of birth, and places of employment
341 of the spouses and children of such firefighters; and the names
342 and locations of schools and day care facilities attended by the
343 children of such firefighters; and

344 3. The home addresses, dates of birth, and telephone
345 numbers of current or former justices of the Supreme Court,
346 district court of appeal judges, circuit court judges, and
347 county court judges; the home addresses, telephone numbers,
348 dates of birth, and places of employment of the spouses and
349 children of current or former justices and judges; and the names
350 and locations of schools and day care facilities attended by the
351 children of current or former justices and judges.

352 (b) The Legislature finds that it is a public necessity to
353 exempt this information from s. 24(a), Article I of the State
354 Constitution in order to prevent disclosure of information that
355 can be used to identify or locate these governmental personnel
356 and their spouses and children. These governmental personnel
357 perform duties that can adversely affect the rights of members
358 of the public. Adversely affected people and their families or
359 friends may place blame on these governmental personnel for



897282

360 arrests, investigations, or judicial intervention. Governmental
361 personnel may also be threatened or harmed by victims who
362 believe governmental personnel did not adequately perform their
363 duties. Such governmental personnel are subject to threats and
364 violence on and off duty, and these threats persist after such
365 personnel leave work. The threat of danger and revenge extends
366 to the spouses and children of these governmental personnel.

367 (c) Furthermore, the combination of personal identification
368 and location information can be used as a tool to perpetuate
369 fraud against these governmental personnel and to acquire
370 sensitive personal, financial, medical, and familial
371 information, the release of which could cause great financial
372 harm to these individuals and their families. Identity theft can
373 also harm these governmental personnel and their families'
374 reputations. It is in the public interest to protect fully these
375 governmental employees and their families and to ensure that
376 their identifying and location information is exempt from public
377 disclosure when it is held by an entity in the executive,
378 legislative, or judicial branch of government.

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

383 1. Firefighters certified in compliance with s. 633.408,
384 Florida Statutes;

385 2. Current or former justices of the Supreme Court,
386 district court of appeal judges, circuit court judges, and
387 county court judges; and

388 3. General magistrates, special magistrates, judges of



897282

389 compensation claims, administrative law judges of the Division
390 of Administrative Hearings, and child support enforcement
391 hearing officers.

392 (b) Such personnel are often required to interact with
393 members of the public who are in difficult circumstances. These
394 personnel and their families are subject to threats by members
395 of the public who may seek revenge against them. Allowing public
396 access to the names of children and spouses of such personnel
397 will make the children and spouses of these personnel easy to
398 find and expose them to threats or acts of revenge. Threats or
399 acts of revenge against the children and spouses of such
400 personnel could compromise the governmental personnel's ability
401 to perform their duties without fear of retaliation.

402 (3) (a) The Legislature finds that it is a public necessity
403 to make the following information exempt from s. 119.07(1),
404 Florida Statutes, and s. 24(a), Article I of the State
405 Constitution, regardless of whether such individuals made
406 reasonable efforts to protect such information from being
407 public:

408 1. The home addresses, dates of birth, and telephone
409 numbers of general magistrates, special magistrates, judges of
410 compensation claims, administrative law judges of the Division
411 of Administrative Hearings, and child support enforcement
412 hearing officers; the names, home addresses, telephone numbers,
413 dates of birth, and places of employment of the spouses and
414 children of general magistrates, special magistrates, judges of
415 compensation claims, administrative law judges of the Division
416 of Administrative Hearings, and child support enforcement
417 hearing officers; and the names and locations of schools and day



897282

418 care facilities attended by the children of general magistrates,
419 special magistrates, judges of compensation claims,
420 administrative law judges of the Division of Administrative
421 Hearings, and child support enforcement hearing officers.

422 2. The home addresses, telephone numbers, places of
423 employment, dates of birth, and photographs of current or former
424 guardians ad litem, as defined in s. 39.820, Florida Statutes;
425 the names, home addresses, telephone numbers, dates of birth,
426 and places of employment of the spouses and children of such
427 persons; and the names and locations of schools and day care
428 facilities attended by the children of such persons.

429 3. The home addresses, telephone numbers, dates of birth,
430 and photographs of current or former investigators or inspectors
431 of the Department of Business and Professional Regulation; the
432 names, home addresses, telephone numbers, dates of birth, and
433 places of employment of the spouses and children of current or
434 former investigators and inspectors; and the names and locations
435 of schools and day care facilities attended by the children of
436 current or former investigators and inspectors.

437 4. The home addresses, telephone numbers, and dates of
438 birth of county tax collectors; the names, home addresses,
439 telephone numbers, dates of birth, and places of employment of
440 the spouses and children of such tax collectors; and the names
441 and locations of schools and day care facilities attended by the
442 children of such tax collectors.

443 5. The home addresses, telephone numbers, dates of birth,
444 and photographs of current or former personnel of the Department
445 of Health whose duties include, or result in, the determination
446 or adjudication of eligibility for social security disability



897282

447 benefits, the investigation or prosecution of complaints filed
448 against health care practitioners, or the inspection of health
449 care practitioners or health care facilities licensed by the
450 Department of Health; the names, home addresses, telephone
451 numbers, dates of birth, and places of employment of the spouses
452 and children of such personnel; and the names and locations of
453 schools and day care facilities attended by the children of such
454 personnel.

455 6. The home addresses, telephone numbers, dates of birth,
456 and photographs of current or former impaired practitioner
457 consultants who are retained by an agency or current or former
458 employees of an impaired practitioner consultant whose duties
459 result in a determination of a person's skill and safety to
460 practice a licensed profession; the names, home addresses,
461 telephone numbers, dates of birth, and places of employment of
462 the spouses and children of such consultants or their employees;
463 and the names and locations of schools and day care facilities
464 attended by the children of such consultants or employees.

465 7. The home addresses, telephone numbers, dates of birth,
466 and photographs of current or former emergency medical
467 technicians or paramedics certified under chapter 401, Florida
468 Statutes; the names, home addresses, telephone numbers, dates of
469 birth, and places of employment of the spouses and children of
470 such emergency medical technicians or paramedics; and the names
471 and locations of schools and day care facilities attended by the
472 children of such emergency medical technicians or paramedics.

473 8. The home addresses, telephone numbers, dates of birth,
474 and photographs of current or former personnel employed in an
475 agency's office of inspector general or internal audit



897282

476 department whose duties include auditing or investigating waste,
477 fraud, abuse, theft, exploitation, or other activities that
478 could lead to criminal prosecution or administrative discipline;
479 the names, home addresses, telephone numbers, dates of birth,
480 and places of employment of spouses and children of such
481 personnel; and the names and locations of schools and day care
482 facilities attended by the children of such personnel.

483 (b) The Legislature finds that exempting identifying and
484 location information from public disclosure requirements
485 protects such personnel and their spouses and children from
486 danger of physical and emotional harm from disgruntled criminal
487 defendants, litigants, licensees, taxpayers, and other members
488 of the public. Such personnel may be subject to threats or acts
489 of revenge because of the duties they perform. The spouses and
490 children of such personnel are also endangered by people who may
491 seek to intimidate or harm such personnel. In addition,
492 criminals could use identification and location information for
493 identity theft that can cause financial harm to these personnel
494 and their spouses and children. The harm that might result from
495 the release of exempt information outweighs any public benefit
496 that could be derived from disclosure. For these reasons, the
497 exemptions should be applied without requiring such personnel
498 prove that they have not made their information public.

499 (c) In addition, requiring these personnel prove that they
500 made reasonable efforts to protect their identification and
501 location information is an added burden on these individuals as
502 well as on agencies receiving a public records request. The
503 extent to which these individuals must protect their information
504 from public accessibility is unclear. It is also unclear how



897282

505 much proof an agency needs in order to grant the exemption. The
506 burden on an agency to verify whether these individuals have
507 protected from public disclosure their identifying and location
508 information adversely impacts the effective and efficient
509 administration of government in establishing who is eligible for
510 an exemption. Relatively few public record exemptions require an
511 individual to prove that he or she made reasonable efforts to
512 protect his or her information from being available to the
513 public. Such inconsistencies among public record exemptions
514 reduce accuracy and efficiency when redacting exempt information
515 when a public records request for agency personnel information
516 is made. It is not in the public interest for the public to
517 receive inaccurately redacted information.

518 (4) (a) The Legislature finds that it is a public necessity
519 that the dates of birth of the following people be made exempt
520 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
521 the State Constitution:

522 1. Current or former investigators or inspectors of the
523 Department of Business and Professional Regulation and their
524 spouses and children; and

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

526 (b) Dates of birth can be used as a tool to perpetuate
527 fraud against an individual and to acquire sensitive personal,
528 financial, medical, and familial information, the release of
529 which could cause great financial harm to an individual and his
530 or her family. Identity theft can also be used to harm their
531 reputations and good name.

532 (5) The Legislature finds that the amendments to s.
533 119.071(4) (d), Florida Statutes, made by this act are necessary



897282

534 to bring greater uniformity among public record exemptions for
535 agency personnel information because exempted information
536 currently varies from exemption to exemption. Inconsistencies
537 between public record exemptions for agency personnel
538 information result in increased inaccuracy and inefficiency when
539 information must be redacted in response to a public record
540 request. Unnecessary complexity increases the likelihood that
541 public record custodians may inaccurately redact information in
542 a record. As a result, the public could receive an improperly
543 redacted record that contains information that is not exempt or
544 have access to exempt information that should have been
545 redacted. It is not in the interest of the public to receive
546 inaccurately redacted information, or to unnecessarily pay fees
547 for staff time associated with redacting extraneous information.
548 In addition, the accidental release of personal identifying and
549 location information can endanger personnel or otherwise negate
550 the purpose of the exemption.

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

552
553 ===== T I T L E A M E N D M E N T =====

554 And the title is amended as follows:

555 Delete everything before the enacting clause
556 and insert:

557 A bill to be entitled
558 An act relating to a review under the Open Government
559 Sunset Review Act; amending s. 119.071, F.S., which
560 provides exemptions from public record requirements
561 for certain personal identifying and location
562 information of specified agency personnel, and the



897282

563 spouses and children thereof; revising the exemptions;
564 removing redundant exemptions for social security
565 numbers; providing an exemption from public record
566 requirements for the names of the spouses and children
567 of certain agency personnel; providing an exemption
568 from public record requirements for the dates of birth
569 for certain agency personnel and their spouses and
570 children; removing the scheduled repeal of certain
571 exemptions; providing for retroactive application;
572 providing for future legislative review and repeal of
573 certain exemptions; providing statements of public
574 necessity; providing an effective date.