

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; providing an exemption from public
 4 records requirements for certain identifying and
 5 location information of current and former judicial
 6 assistants and their spouses and children; providing
 7 for retroactive application of the exemption;
 8 providing a statement of public necessity; providing
 9 an effective date.

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

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 13 Section 1. Paragraph (d) of subsection (4) of section
 14 119.071, Florida Statutes, is amended to read:

15 119.071 General exemptions from inspection or copying of
 16 public records.—

17 (4) AGENCY PERSONNEL INFORMATION.—

18 (d)1. For purposes of this paragraph, the term:

19 a. "Home addresses" means the dwelling location at which
 20 an individual resides and includes the physical address, mailing
 21 address, street address, parcel identification number, plot
 22 identification number, legal property description, neighborhood
 23 name and lot number, GPS coordinates, and any other descriptive
 24 property information that may reveal the home address.

25 b. "Telephone numbers" includes home telephone numbers,

26 | personal cellular telephone numbers, personal pager telephone
27 | numbers, and telephone numbers associated with personal
28 | communications devices.

29 | 2.a. The home addresses, telephone numbers, dates of
30 | birth, and photographs of active or former sworn law enforcement
31 | personnel or of active or former civilian personnel employed by
32 | a law enforcement agency, including correctional and
33 | correctional probation officers, personnel of the Department of
34 | Children and Families whose duties include the investigation of
35 | abuse, neglect, exploitation, fraud, theft, or other criminal
36 | activities, personnel of the Department of Health whose duties
37 | are to support the investigation of child abuse or neglect, and
38 | personnel of the Department of Revenue or local governments
39 | whose responsibilities include revenue collection and
40 | enforcement or child support enforcement; the names, home
41 | addresses, telephone numbers, photographs, dates of birth, and
42 | places of employment of the spouses and children of such
43 | personnel; and the names and locations of schools and day care
44 | facilities attended by the children of such personnel are exempt
45 | from s. 119.07(1) and s. 24(a), Art. I of the State
46 | Constitution.

47 | b. The home addresses, telephone numbers, dates of birth,
48 | and photographs of current or former nonsworn investigative
49 | personnel of the Department of Financial Services whose duties
50 | include the investigation of fraud, theft, workers' compensation

51 coverage requirements and compliance, other related criminal
52 activities, or state regulatory requirement violations; the
53 names, home addresses, telephone numbers, dates of birth, and
54 places of employment of the spouses and children of such
55 personnel; and the names and locations of schools and day care
56 facilities attended by the children of such personnel are exempt
57 from s. 119.07(1) and s. 24(a), Art. I of the State
58 Constitution.

59 c. The home addresses, telephone numbers, dates of birth,
60 and photographs of current or former nonsworn investigative
61 personnel of the Office of Financial Regulation's Bureau of
62 Financial Investigations whose duties include the investigation
63 of fraud, theft, other related criminal activities, or state
64 regulatory requirement violations; the names, home addresses,
65 telephone numbers, dates of birth, and places of employment of
66 the spouses and children of such personnel; and the names and
67 locations of schools and day care facilities attended by the
68 children of such personnel are exempt from s. 119.07(1) and s.
69 24(a), Art. I of the State Constitution.

70 d. The home addresses, telephone numbers, dates of birth,
71 and photographs of current or former firefighters certified in
72 compliance with s. 633.408; the names, home addresses, telephone
73 numbers, photographs, dates of birth, and places of employment
74 of the spouses and children of such firefighters; and the names
75 and locations of schools and day care facilities attended by the

76 children of such firefighters are exempt from s. 119.07(1) and
77 s. 24(a), Art. I of the State Constitution.

78 e. The home addresses, dates of birth, and telephone
79 numbers of current or former justices of the Supreme Court,
80 district court of appeal judges, circuit court judges, ~~and~~
81 county court judges, and judicial assistants; the names, home
82 addresses, telephone numbers, dates of birth, and places of
83 employment of the spouses and children of current or former
84 justices, ~~and judges,~~ and judicial assistants; and the names and
85 locations of schools and day care facilities attended by the
86 children of current or former justices, ~~and judges,~~ and judicial
87 assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of
88 the State Constitution.

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

101 g. The home addresses, dates of birth, and telephone
102 numbers of general magistrates, special magistrates, judges of
103 compensation claims, administrative law judges of the Division
104 of Administrative Hearings, and child support enforcement
105 hearing officers; the names, home addresses, telephone numbers,
106 dates of birth, and places of employment of the spouses and
107 children of general magistrates, special magistrates, judges of
108 compensation claims, administrative law judges of the Division
109 of Administrative Hearings, and child support enforcement
110 hearing officers; and the names and locations of schools and day
111 care facilities attended by the children of general magistrates,
112 special magistrates, judges of compensation claims,
113 administrative law judges of the Division of Administrative
114 Hearings, and child support enforcement hearing officers are
115 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
116 Constitution.

117 h. The home addresses, telephone numbers, dates of birth,
118 and photographs of current or former human resource, labor
119 relations, or employee relations directors, assistant directors,
120 managers, or assistant managers of any local government agency
121 or water management district whose duties include hiring and
122 firing employees, labor contract negotiation, administration, or
123 other personnel-related duties; the names, home addresses,
124 telephone numbers, dates of birth, and places of employment of
125 the spouses and children of such personnel; and the names and

126 | locations of schools and day care facilities attended by the
 127 | children of such personnel are exempt from s. 119.07(1) and s.
 128 | 24(a), Art. I of the State Constitution.

129 | i. The home addresses, telephone numbers, dates of birth,
 130 | and photographs of current or former code enforcement officers;
 131 | the names, home addresses, telephone numbers, dates of birth,
 132 | and places of employment of the spouses and children of such
 133 | personnel; and the names and locations of schools and day care
 134 | facilities attended by the children of such personnel are exempt
 135 | from s. 119.07(1) and s. 24(a), Art. I of the State
 136 | Constitution.

137 | j. The home addresses, telephone numbers, places of
 138 | employment, dates of birth, and photographs of current or former
 139 | guardians ad litem, as defined in s. 39.820; the names, home
 140 | addresses, telephone numbers, dates of birth, and places of
 141 | employment of the spouses and children of such persons; and the
 142 | names and locations of schools and day care facilities attended
 143 | by the children of such persons are exempt from s. 119.07(1) and
 144 | s. 24(a), Art. I of the State Constitution.

145 | k. The home addresses, telephone numbers, dates of birth,
 146 | and photographs of current or former juvenile probation
 147 | officers, juvenile probation supervisors, detention
 148 | superintendents, assistant detention superintendents, juvenile
 149 | justice detention officers I and II, juvenile justice detention
 150 | officer supervisors, juvenile justice residential officers,

151 juvenile justice residential officer supervisors I and II,
152 juvenile justice counselors, juvenile justice counselor
153 supervisors, human services counselor administrators, senior
154 human services counselor administrators, rehabilitation
155 therapists, and social services counselors of the Department of
156 Juvenile Justice; the names, home addresses, telephone numbers,
157 dates of birth, and places of employment of spouses and children
158 of such personnel; and the names and locations of schools and
159 day care facilities attended by the children of such personnel
160 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
161 Constitution.

162 1. The home addresses, telephone numbers, dates of birth,
163 and photographs of current or former public defenders, assistant
164 public defenders, criminal conflict and civil regional counsel,
165 and assistant criminal conflict and civil regional counsel; the
166 names, home addresses, telephone numbers, dates of birth, and
167 places of employment of the spouses and children of current or
168 former public defenders, assistant public defenders, criminal
169 conflict and civil regional counsel, and assistant criminal
170 conflict and civil regional counsel; and the names and locations
171 of schools and day care facilities attended by the children of
172 current or former public defenders, assistant public defenders,
173 criminal conflict and civil regional counsel, and assistant
174 criminal conflict and civil regional counsel are exempt from s.
175 119.07(1) and s. 24(a), Art. I of the State Constitution.

176 m. The home addresses, telephone numbers, dates of birth,
177 and photographs of current or former investigators or inspectors
178 of the Department of Business and Professional Regulation; the
179 names, home addresses, telephone numbers, dates of birth, and
180 places of employment of the spouses and children of such current
181 or former investigators and inspectors; and the names and
182 locations of schools and day care facilities attended by the
183 children of such current or former investigators and inspectors
184 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
185 Constitution.

186 n. The home addresses, telephone numbers, and dates of
187 birth of county tax collectors; the names, home addresses,
188 telephone numbers, dates of birth, and places of employment of
189 the spouses and children of such tax collectors; and the names
190 and locations of schools and day care facilities attended by the
191 children of such tax collectors are exempt from s. 119.07(1) and
192 s. 24(a), Art. I of the State Constitution.

193 o. The home addresses, telephone numbers, dates of birth,
194 and photographs of current or former personnel of the Department
195 of Health whose duties include, or result in, the determination
196 or adjudication of eligibility for social security disability
197 benefits, the investigation or prosecution of complaints filed
198 against health care practitioners, or the inspection of health
199 care practitioners or health care facilities licensed by the
200 Department of Health; the names, home addresses, telephone

201 numbers, dates of birth, and places of employment of the spouses
202 and children of such personnel; and the names and locations of
203 schools and day care facilities attended by the children of such
204 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
205 the State Constitution.

206 p. The home addresses, telephone numbers, dates of birth,
207 and photographs of current or former impaired practitioner
208 consultants who are retained by an agency or current or former
209 employees of an impaired practitioner consultant whose duties
210 result in a determination of a person's skill and safety to
211 practice a licensed profession; the names, home addresses,
212 telephone numbers, dates of birth, and places of employment of
213 the spouses and children of such consultants or their employees;
214 and the names and locations of schools and day care facilities
215 attended by the children of such consultants or employees are
216 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
217 Constitution.

218 q. The home addresses, telephone numbers, dates of birth,
219 and photographs of current or former emergency medical
220 technicians or paramedics certified under chapter 401; the
221 names, home addresses, telephone numbers, dates of birth, and
222 places of employment of the spouses and children of such
223 emergency medical technicians or paramedics; and the names and
224 locations of schools and day care facilities attended by the
225 children of such emergency medical technicians or paramedics are

226 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
227 Constitution.

228 r. The home addresses, telephone numbers, dates of birth,
229 and photographs of current or former personnel employed in an
230 agency's office of inspector general or internal audit
231 department whose duties include auditing or investigating waste,
232 fraud, abuse, theft, exploitation, or other activities that
233 could lead to criminal prosecution or administrative discipline;
234 the names, home addresses, telephone numbers, dates of birth,
235 and places of employment of spouses and children of such
236 personnel; and the names and locations of schools and day care
237 facilities attended by the children of such personnel are exempt
238 from s. 119.07(1) and s. 24(a), Art. I of the State
239 Constitution.

240 s. The home addresses, telephone numbers, dates of birth,
241 and photographs of current or former directors, managers,
242 supervisors, nurses, and clinical employees of an addiction
243 treatment facility; the home addresses, telephone numbers,
244 photographs, dates of birth, and places of employment of the
245 spouses and children of such personnel; and the names and
246 locations of schools and day care facilities attended by the
247 children of such personnel are exempt from s. 119.07(1) and s.
248 24(a), Art. I of the State Constitution. For purposes of this
249 sub-subparagraph, the term "addiction treatment facility" means
250 a county government, or agency thereof, that is licensed

251 pursuant to s. 397.401 and provides substance abuse prevention,
252 intervention, or clinical treatment, including any licensed
253 service component described in s. 397.311(26).

254 t. The home addresses, telephone numbers, dates of birth,
255 and photographs of current or former directors, managers,
256 supervisors, and clinical employees of a child advocacy center
257 that meets the standards of s. 39.3035(1) and fulfills the
258 screening requirement of s. 39.3035(2), and the members of a
259 Child Protection Team as described in s. 39.303 whose duties
260 include supporting the investigation of child abuse or sexual
261 abuse, child abandonment, child neglect, and child exploitation
262 or to provide services as part of a multidisciplinary case
263 review team; the names, home addresses, telephone numbers,
264 photographs, dates of birth, and places of employment of the
265 spouses and children of such personnel and members; and the
266 names and locations of schools and day care facilities attended
267 by the children of such personnel and members are exempt from s.
268 119.07(1) and s. 24(a), Art. I of the State Constitution.

269 3. An agency that is the custodian of the information
270 specified in subparagraph 2. and that is not the employer of the
271 officer, employee, justice, judge, or other person specified in
272 subparagraph 2. shall maintain the exempt status of that
273 information only if the officer, employee, justice, judge, other
274 person, or employing agency of the designated employee submits a
275 written request for maintenance of the exemption to the

276 | custodial agency.

277 | 4. An officer, an employee, a justice, a judge, or other
278 | person specified in subparagraph 2. may submit a written request
279 | for the release of his or her exempt information to the
280 | custodial agency. The written request must be notarized and must
281 | specify the information to be released and the party that is
282 | authorized to receive the information. Upon receipt of the
283 | written request, the custodial agency shall release the
284 | specified information to the party authorized to receive such
285 | information.

286 | 5. The exemptions in this paragraph apply to information
287 | held by an agency before, on, or after the effective date of the
288 | exemption.

289 | 6. This paragraph is subject to the Open Government Sunset
290 | Review Act in accordance with s. 119.15 and shall stand repealed
291 | on October 2, 2024, unless reviewed and saved from repeal
292 | through reenactment by the Legislature.

293 | Section 2. The Legislature finds that it is a public
294 | necessity that the home addresses, dates of birth, and telephone
295 | numbers of current or former judicial assistants; the names,
296 | home addresses, telephone numbers, dates of birth, and places of
297 | employment of the spouses and children of such judicial
298 | assistants; and the names and locations of schools and day care
299 | facilities attended by the children of such judicial assistants
300 | be made exempt from s. 119.07(1), Florida Statutes, and s.

301 24(a), Article I of the State Constitution. Such identifying and
302 location information can be used as a tool to perpetuate fraud
303 against an individual and to acquire sensitive personal,
304 financial, medical, and familial information, the release of
305 which could cause great financial harm to the individual. In the
306 course of assisting in making rulings, entering judgments,
307 imposing sentences, or reviewing cases, judicial assistants
308 frequently do not create good will with litigants, the accused,
309 the convicted, and their associates and families, thus making
310 the judicial assistants, and their spouses and children, targets
311 for acts of revenge. This risk continues after judicial
312 assistants complete their public service. Disgruntled
313 individuals may wait to commit an act of revenge until the
314 employment of a judicial assistant ends. If such identifying and
315 location information is released, the safety of current or
316 former judicial assistants and their spouses and children could
317 be seriously jeopardized. For these reasons, the Legislature
318 finds that it is a public necessity that such information be
319 made exempt from public records requirements.

320 Section 3. This act shall take effect July 1, 2020.