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LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Burgess) 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:



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11 a. "Home addresses" means the dwelling location at which an
12 individual resides and includes the physical address, mailing
13 address, street address, parcel identification number, plot
14 identification number, legal property description, neighborhood
15 name and lot number, GPS coordinates, and any other descriptive
16 property information that may reveal the home address.

17 b. "Telephone numbers" includes home telephone numbers,
18 personal cellular telephone numbers, personal pager telephone
19 numbers, and telephone numbers associated with personal
20 communications devices.

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

39 b. The home addresses, telephone numbers, dates of birth,



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40 and photographs of current or former nonsworn investigative
41 personnel of the Department of Financial Services whose duties
42 include the investigation of fraud, theft, workers' compensation
43 coverage requirements and compliance, other related criminal
44 activities, or state regulatory requirement violations; the
45 names, home addresses, telephone numbers, dates of birth, and
46 places of employment of the spouses and children of such
47 personnel; and the names and locations of schools and day care
48 facilities attended by the children of such personnel are exempt
49 from s. 119.07(1) and s. 24(a), Art. I of the State
50 Constitution.

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

62 d. The home addresses, telephone numbers, dates of birth,
63 and photographs of current or former firefighters certified in
64 compliance with s. 633.408; the names, home addresses, telephone
65 numbers, photographs, dates of birth, and places of employment
66 of the spouses and children of such firefighters; and the names
67 and locations of schools and day care facilities attended by the
68 children of such firefighters are exempt from s. 119.07(1) and



69 s. 24(a), Art. I of the State Constitution.

70 e. The home addresses, dates of birth, and telephone
71 numbers of current or former justices of the Supreme Court,
72 district court of appeal judges, circuit court judges, and
73 county court judges; the names, home addresses, telephone
74 numbers, dates of birth, and places of employment of the spouses
75 and children of current or former justices and judges; and the
76 names and locations of schools and day care facilities attended
77 by the children of current or former justices and judges are
78 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
79 Constitution.

80 f. The home addresses, telephone numbers, dates of birth,
81 and photographs of current or former state attorneys, assistant
82 state attorneys, statewide prosecutors, or assistant statewide
83 prosecutors; the names, home addresses, telephone numbers,
84 photographs, dates of birth, and places of employment of the
85 spouses and children of current or former state attorneys,
86 assistant state attorneys, statewide prosecutors, or assistant
87 statewide prosecutors; and the names and locations of schools
88 and day care facilities attended by the children of current or
89 former state attorneys, assistant state attorneys, statewide
90 prosecutors, or assistant statewide prosecutors are exempt from
91 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

92 g. The home addresses, dates of birth, and telephone
93 numbers of general magistrates, special magistrates, judges of
94 compensation claims, administrative law judges of the Division
95 of Administrative Hearings, and child support enforcement
96 hearing officers; the names, home addresses, telephone numbers,
97 dates of birth, and places of employment of the spouses and



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98 children of general magistrates, special magistrates, judges of
99 compensation claims, administrative law judges of the Division
100 of Administrative Hearings, and child support enforcement
101 hearing officers; and the names and locations of schools and day
102 care facilities attended by the children of general magistrates,
103 special magistrates, judges of compensation claims,
104 administrative law judges of the Division of Administrative
105 Hearings, and child support enforcement hearing officers are
106 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
107 Constitution.

108 h. The home addresses, telephone numbers, dates of birth,
109 and photographs of current or former human resource, labor
110 relations, or employee relations directors, assistant directors,
111 managers, or assistant managers of any local government agency
112 or water management district whose duties include hiring and
113 firing employees, labor contract negotiation, administration, or
114 other personnel-related duties; the names, home addresses,
115 telephone numbers, dates of birth, and places of employment of
116 the spouses and children of such personnel; and the names and
117 locations of schools and day care facilities attended by the
118 children of such personnel are exempt from s. 119.07(1) and s.
119 24(a), Art. I of the State Constitution.

120 i. The home addresses, telephone numbers, dates of birth,
121 and photographs of current or former code enforcement officers;
122 the names, home addresses, telephone numbers, dates of birth,
123 and places of employment of the spouses and children of such
124 personnel; and the names and locations of schools and day care
125 facilities attended by the children of such personnel are exempt
126 from s. 119.07(1) and s. 24(a), Art. I of the State



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127 Constitution.

128 j. The home addresses, telephone numbers, places of
129 employment, dates of birth, and photographs of current or former
130 guardians ad litem, as defined in s. 39.820; the names, home
131 addresses, telephone numbers, dates of birth, and places of
132 employment of the spouses and children of such persons; and the
133 names and locations of schools and day care facilities attended
134 by the children of such persons are exempt from s. 119.07(1) and
135 s. 24(a), Art. I of the State Constitution.

136 k. The home addresses, telephone numbers, dates of birth,
137 and photographs of current or former juvenile probation
138 officers, juvenile probation supervisors, detention
139 superintendents, assistant detention superintendents, juvenile
140 justice detention officers I and II, juvenile justice detention
141 officer supervisors, juvenile justice residential officers,
142 juvenile justice residential officer supervisors I and II,
143 juvenile justice counselors, juvenile justice counselor
144 supervisors, human services counselor administrators, senior
145 human services counselor administrators, rehabilitation
146 therapists, and social services counselors of the Department of
147 Juvenile Justice; the names, home addresses, telephone numbers,
148 dates of birth, and places of employment of spouses and children
149 of such personnel; and the names and locations of schools and
150 day care facilities attended by the children of such personnel
151 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
152 Constitution.

153 l. The home addresses, telephone numbers, dates of birth,
154 and photographs of current or former public defenders, assistant
155 public defenders, criminal conflict and civil regional counsel,



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156 and assistant criminal conflict and civil regional counsel; the
157 names, home addresses, telephone numbers, dates of birth, and
158 places of employment of the spouses and children of current or
159 former public defenders, assistant public defenders, criminal
160 conflict and civil regional counsel, and assistant criminal
161 conflict and civil regional counsel; and the names and locations
162 of schools and day care facilities attended by the children of
163 current or former public defenders, assistant public defenders,
164 criminal conflict and civil regional counsel, and assistant
165 criminal conflict and civil regional counsel are exempt from s.
166 119.07(1) and s. 24(a), Art. I of the State Constitution.

167 m. The home addresses, telephone numbers, dates of birth,
168 and photographs of current or former investigators or inspectors
169 of the Department of Business and Professional Regulation; the
170 names, home addresses, telephone numbers, dates of birth, and
171 places of employment of the spouses and children of such current
172 or former investigators and inspectors; and the names and
173 locations of schools and day care facilities attended by the
174 children of such current or former investigators and inspectors
175 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
176 Constitution.

177 n. The home addresses, telephone numbers, and dates of
178 birth of county tax collectors; the names, home addresses,
179 telephone numbers, dates of birth, and places of employment of
180 the spouses and children of such tax collectors; and the names
181 and locations of schools and day care facilities attended by the
182 children of such tax collectors are exempt from s. 119.07(1) and
183 s. 24(a), Art. I of the State Constitution.

184 o. The home addresses, telephone numbers, dates of birth,



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185 and photographs of current or former personnel of the Department
186 of Health whose duties include, or result in, the determination
187 or adjudication of eligibility for social security disability
188 benefits, the investigation or prosecution of complaints filed
189 against health care practitioners, or the inspection of health
190 care practitioners or health care facilities licensed by the
191 Department of Health; the names, home addresses, telephone
192 numbers, dates of birth, and places of employment of the spouses
193 and children of such personnel; and the names and locations of
194 schools and day care facilities attended by the children of such
195 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
196 the State Constitution.

197 p. The home addresses, telephone numbers, dates of birth,
198 and photographs of current or former impaired practitioner
199 consultants who are retained by an agency or current or former
200 employees of an impaired practitioner consultant whose duties
201 result in a determination of a person's skill and safety to
202 practice a licensed profession; the names, home addresses,
203 telephone numbers, dates of birth, and places of employment of
204 the spouses and children of such consultants or their employees;
205 and the names and locations of schools and day care facilities
206 attended by the children of such consultants or employees are
207 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
208 Constitution.

209 q. The home addresses, telephone numbers, dates of birth,
210 and photographs of current or former emergency medical
211 technicians or paramedics certified under chapter 401; the
212 names, home addresses, telephone numbers, dates of birth, and
213 places of employment of the spouses and children of such



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214 emergency medical technicians or paramedics; and the names and
215 locations of schools and day care facilities attended by the
216 children of such emergency medical technicians or paramedics are
217 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
218 Constitution.

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

231 s. The home addresses, telephone numbers, dates of birth,
232 and photographs of current or former directors, managers,
233 supervisors, nurses, and clinical employees of an addiction
234 treatment facility; the home addresses, telephone numbers,
235 photographs, dates of birth, and places of employment of the
236 spouses and children of such personnel; and the names and
237 locations of schools and day care facilities attended by the
238 children of such personnel are exempt from s. 119.07(1) and s.
239 24(a), Art. I of the State Constitution. For purposes of this
240 sub-subparagraph, the term "addiction treatment facility" means
241 a county government, or agency thereof, that is licensed
242 pursuant to s. 397.401 and provides substance abuse prevention,



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243 intervention, or clinical treatment, including any licensed
244 service component described in s. 397.311(26).

245 t. The home addresses, telephone numbers, dates of birth,
246 and photographs of current or former directors, managers,
247 supervisors, and clinical employees of a child advocacy center
248 that meets the standards of s. 39.3035(2) and fulfills the
249 screening requirement of s. 39.3035(3), and the members of a
250 Child Protection Team as described in s. 39.303 whose duties
251 include supporting the investigation of child abuse or sexual
252 abuse, child abandonment, child neglect, and child exploitation
253 or to provide services as part of a multidisciplinary case
254 review team; the names, home addresses, telephone numbers,
255 photographs, dates of birth, and places of employment of the
256 spouses and children of such personnel and members; and the
257 names and locations of schools and day care facilities attended
258 by the children of such personnel and members are exempt from s.
259 119.07(1) and s. 24(a), Art. I of the State Constitution.

260 u. The home addresses, telephone numbers, places of
261 employment, dates of birth, and photographs of current or former
262 staff and domestic violence advocates, as defined in s.
263 90.5036(1)(b), of domestic violence centers certified by the
264 Department of Children and Families under chapter 39; the names,
265 home addresses, telephone numbers, places of employment, dates
266 of birth, and photographs of the spouses and children of such
267 personnel; and the names and locations of schools and day care
268 facilities attended by the children of such personnel are exempt
269 from s. 119.07(1) and s. 24(a), Art. I of the State
270 Constitution.

271 v.°The home addresses, telephone numbers, and dates of



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272 birth of current county attorneys, deputy county attorneys,
273 assistant county attorneys, city attorneys, deputy city
274 attorneys, and assistant city attorneys; the names, home
275 addresses, telephone numbers, dates of birth, and places of
276 employment of the spouses and children of current county
277 attorneys, deputy county attorneys, assistant county attorneys,
278 city attorneys, deputy city attorneys, and assistant city
279 attorneys; and the names and locations of schools and day care
280 facilities attended by the children of current county attorneys,
281 deputy county attorneys, assistant county attorneys, city
282 attorneys, deputy city attorneys, and assistant city attorneys
283 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
284 Constitution. This exemption does not apply to a current county
285 attorney, deputy county attorney, assistant county attorney,
286 city attorney, deputy city attorney, and assistant city attorney
287 who qualifies as a candidate for election to public office.

288 3. An agency that is the custodian of the information
289 specified in subparagraph 2. and that is not the employer of the
290 officer, employee, justice, judge, or other person specified in
291 subparagraph 2. must maintain the exempt status of that
292 information only if the officer, employee, justice, judge, other
293 person, or employing agency of the designated employee submits a
294 written and notarized request for maintenance of the exemption
295 to the custodial agency. The request must state under oath the
296 statutory basis for the individual's exemption request and
297 confirm the individual's status as a party eligible for exempt
298 status.

299 4.a. A county property appraiser, as defined in s.
300 192.001(3), or a county tax collector, as defined in s.



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301 192.001(4), who receives a written and notarized request for
302 maintenance of the exemption pursuant to subparagraph 3. must
303 comply by removing the name of the individual with exempt status
304 and the instrument number or Official Records book and page
305 number identifying the property with the exempt status from all
306 publicly available records maintained by the property appraiser
307 or tax collector. For written requests received on or before
308 July 1, 2021, a county property appraiser or county tax
309 collector must comply with this sub-subparagraph by October 1,
310 2021. A county property appraiser or county tax collector may
311 not remove the street address, legal description, or other
312 information identifying real property within the agency's
313 records so long as a name or personal information otherwise
314 exempt from inspection and copying pursuant to this section are
315 not associated with the property or otherwise displayed in the
316 public records of the agency.

317 b. Any information restricted from public display,
318 inspection, or copying under sub-subparagraph a. must be
319 provided to the individual whose information was removed.

320 5. An officer, an employee, a justice, a judge, or other
321 person specified in subparagraph 2. may submit a written request
322 for the release of his or her exempt information to the
323 custodial agency. The written request must be notarized and must
324 specify the information to be released and the party authorized
325 to receive the information. Upon receipt of the written request,
326 the custodial agency must release the specified information to
327 the party authorized to receive such information.

328 6. The exemptions in this paragraph apply to information
329 held by an agency before, on, or after the effective date of the



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330 exemption.

331 7. Information made exempt under this paragraph may be
332 disclosed pursuant to s. 28.2221 to a title insurer authorized
333 pursuant to s. 624.401 and its affiliates as defined in s.
334 624.10; a title insurance agent or title insurance agency as
335 defined in s. 626.841(1) or (2), respectively; or an attorney
336 duly admitted to practice law in this state and in good standing
337 with The Florida Bar.

338 8. The exempt status of a home address contained in the
339 Official Records is maintained only during the period when a
340 protected party resides at the dwelling location. Upon
341 conveyance of real property after October 1, 2021, and when such
342 real property no longer constitutes a protected party's home
343 address as defined in sub-subparagraph 1.a., the protected party
344 must submit a written request to release the removed information
345 to the county recorder. The written request to release the
346 removed information must be notarized, must confirm that a
347 protected party's request for release is pursuant to a
348 conveyance of his or her dwelling location, and must specify the
349 Official Records book and page, instrument number, or clerk's
350 file number for each document containing the information to be
351 released.

352 9. Upon the death of a protected party as verified by a
353 certified copy of a death certificate or court order, any party
354 can request the county recorder to release a protected
355 decedent's removed information unless there is a related request
356 on file with the county recorder for continued removal of the
357 decedent's information or unless such removal is otherwise
358 prohibited by statute or by court order. The written request to



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359 release the removed information upon the death of a protected
360 party must attach the certified copy of a death certificate or
361 court order and must be notarized, must confirm the request for
362 release is due to the death of a protected party, and must
363 specify the Official Records book and page number, instrument
364 number, or clerk's file number for each document containing the
365 information to be released. A fee may not be charged for the
366 release of any document pursuant to such request.

367 10. This paragraph is subject to the Open Government Sunset
368 Review Act in accordance with s. 119.15 and shall stand repealed
369 on October 2, 2024, unless reviewed and saved from repeal
370 through reenactment by the Legislature.

371 Section 2. The Legislature finds that it is a public
372 necessity that the home addresses, telephone numbers, and dates
373 of birth of current county attorneys, deputy county attorneys,
374 assistant county attorneys, city attorneys, deputy city
375 attorneys, and assistant city attorneys be made exempt from s.
376 119.07(1), Florida Statutes, and s. 24(a), Article I of the
377 State Constitution. The Legislature further finds that it is a
378 public necessity that the names, home addresses, telephone
379 numbers, dates of birth, and places of employment of the spouses
380 and children of current county attorneys, deputy county
381 attorneys, assistant county attorneys, city attorneys, deputy
382 city attorneys, and assistant city attorneys and the names and
383 locations of schools and day care facilities attended by the
384 children of such attorneys, be made exempt from s. 119.07(1),
385 Florida Statutes, and s. 24(a), Article I of the State
386 Constitution. The responsibilities of county attorneys, deputy
387 county attorneys, assistant county attorneys, city attorneys,



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388 deputy city attorneys, and assistant city attorneys regularly
389 involve legal enforcement proceeding in areas of neglect and
390 abuse related to violations of codes and ordinances. Legal
391 enforcement proceedings have led to retribution and threats by
392 defendants and other persons on numerous occasions. Such
393 attorneys have received death threats and e-mails from
394 disgruntled persons advocating the murder of other attorneys.
395 Other incidents have included the stalking of such attorneys and
396 their spouses and children. The Legislature finds that the
397 release of such personal identifying and location information
398 could place such persons in danger of being physically or
399 emotionally harmed or staked by a defendant or another person.
400 The Legislature finds that the harm that may result from the
401 release of such personal identifying and location information
402 outweighs any public benefit that may be derived from the
403 disclosure of the information.

404 Section 3. This act shall take effect July 1, 2023.

405
406 ===== T I T L E A M E N D M E N T =====

407 And the title is amended as follows:

408 Delete everything before the enacting clause
409 and insert:

410 A bill to be entitled
411 An act relating to public records; amending s. 119.071, F.S.;
412 providing an exemption from public records requirements for the
413 personal identifying and location information of current county
414 attorneys, deputy county attorneys, assistant county attorneys,
415 city attorneys, deputy city attorneys, assistant city attorneys,
416 and the names and personal and identifying and location



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417 information of the spouses and children of such attorneys;
418 providing applicability; providing for retroactive application;
419 providing for future legislative review and repeal; providing a
420 statement of public necessity; providing an effective date.