

By the Committee on Governmental Oversight and Accountability;
and Senator Harrell

585-03128-25

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S.; providing an exemption from public
records requirements for the personal identifying and
location information of certain current or former
personnel of the Agency for Health Care Administration
and the names and personal identifying and location
information of the spouses and children of such
personnel; providing for future legislative review and
repeal of the exemption; providing for retroactive
application of the exemption; providing a statement of
public necessity; providing an effective date.

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

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:

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

b. "Judicial assistant" means a court employee assigned to
the following class codes: 8140, 8150, 8310, and 8320.

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30 c. "Telephone numbers" includes home telephone numbers,
31 personal cellular telephone numbers, personal pager telephone
32 numbers, and telephone numbers associated with personal
33 communications devices.

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

52 b. The home addresses, telephone numbers, dates of birth,
53 and photographs of current or former nonsworn investigative
54 personnel of the Department of Financial Services whose duties
55 include the investigation of fraud, theft, workers' compensation
56 coverage requirements and compliance, other related criminal
57 activities, or state regulatory requirement violations; the
58 names, home addresses, telephone numbers, dates of birth, and

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59 places of employment of the spouses and children of such
60 personnel; and the names and locations of schools and day care
61 facilities attended by the children of such personnel are exempt
62 from s. 119.07(1) and s. 24(a), Art. I of the State
63 Constitution.

64 c. The home addresses, telephone numbers, dates of birth,
65 and photographs of current or former nonsworn investigative
66 personnel of the Office of Financial Regulation's Bureau of
67 Financial Investigations whose duties include the investigation
68 of fraud, theft, other related criminal activities, or state
69 regulatory requirement violations; the names, home addresses,
70 telephone numbers, dates of birth, and places of employment of
71 the spouses and children of such personnel; and the names and
72 locations of schools and day care facilities attended by the
73 children of such personnel are exempt from s. 119.07(1) and s.
74 24(a), Art. I of the State Constitution.

75 d. The home addresses, telephone numbers, dates of birth,
76 and photographs of current or former firefighters certified in
77 compliance with s. 633.408; the names, home addresses, telephone
78 numbers, photographs, dates of birth, and places of employment
79 of the spouses and children of such firefighters; and the names
80 and locations of schools and day care facilities attended by the
81 children of such firefighters are exempt from s. 119.07(1) and
82 s. 24(a), Art. I of the State Constitution.

83 e. The home addresses, dates of birth, and telephone
84 numbers of current or former justices of the Supreme Court,
85 district court of appeal judges, circuit court judges, and
86 county court judges and current judicial assistants; the names,
87 home addresses, telephone numbers, dates of birth, and places of

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88 employment of the spouses and children of current or former
89 justices and judges and current judicial assistants; and the
90 names and locations of schools and day care facilities attended
91 by the children of current or former justices and judges and
92 current judicial assistants are exempt from s. 119.07(1) and s.
93 24(a), Art. I of the State Constitution. This sub-subparagraph
94 is subject to the Open Government Sunset Review Act in
95 accordance with s. 119.15 and shall stand repealed on October 2,
96 2028, unless reviewed and saved from repeal through reenactment
97 by the Legislature.

98 f. The home addresses, telephone numbers, dates of birth,
99 and photographs of current or former state attorneys, assistant
100 state attorneys, statewide prosecutors, or assistant statewide
101 prosecutors; the names, home addresses, telephone numbers,
102 photographs, dates of birth, and places of employment of the
103 spouses and children of current or former state attorneys,
104 assistant state attorneys, statewide prosecutors, or assistant
105 statewide prosecutors; and the names and locations of schools
106 and day care facilities attended by the children of current or
107 former state attorneys, assistant state attorneys, statewide
108 prosecutors, or assistant statewide prosecutors are exempt from
109 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

110 g. The home addresses, dates of birth, and telephone
111 numbers of general magistrates, special magistrates, judges of
112 compensation claims, administrative law judges of the Division
113 of Administrative Hearings, and child support enforcement
114 hearing officers; the names, home addresses, telephone numbers,
115 dates of birth, and places of employment of the spouses and
116 children of general magistrates, special magistrates, judges of

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117 compensation claims, administrative law judges of the Division
118 of Administrative Hearings, and child support enforcement
119 hearing officers; and the names and locations of schools and day
120 care facilities attended by the children of general magistrates,
121 special magistrates, judges of compensation claims,
122 administrative law judges of the Division of Administrative
123 Hearings, and child support enforcement hearing officers are
124 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
125 Constitution.

126 h. The home addresses, telephone numbers, dates of birth,
127 and photographs of current or former human resource, labor
128 relations, or employee relations directors, assistant directors,
129 managers, or assistant managers of any local government agency
130 or water management district whose duties include hiring and
131 firing employees, labor contract negotiation, administration, or
132 other personnel-related duties; the names, home addresses,
133 telephone numbers, dates of birth, and places of employment of
134 the spouses and children of such personnel; and the names and
135 locations of schools and day care facilities attended by the
136 children of such personnel are exempt from s. 119.07(1) and s.
137 24(a), Art. I of the State Constitution.

138 i. The home addresses, telephone numbers, dates of birth,
139 and photographs of current or former code enforcement officers;
140 the names, home addresses, telephone numbers, dates of birth,
141 and places of employment of the spouses and children of such
142 personnel; and the names and locations of schools and day care
143 facilities attended by the children of such personnel are exempt
144 from s. 119.07(1) and s. 24(a), Art. I of the State
145 Constitution.

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146 j. The home addresses, telephone numbers, places of
147 employment, dates of birth, and photographs of current or former
148 guardians ad litem, as defined in s. 39.01; the names, home
149 addresses, telephone numbers, dates of birth, and places of
150 employment of the spouses and children of such persons; and the
151 names and locations of schools and day care facilities attended
152 by the children of such persons are exempt from s. 119.07(1) and
153 s. 24(a), Art. I of the State Constitution.

154 k. The home addresses, telephone numbers, dates of birth,
155 and photographs of current or former juvenile probation
156 officers, juvenile probation supervisors, detention
157 superintendents, assistant detention superintendents, juvenile
158 justice detention officers I and II, juvenile justice detention
159 officer supervisors, juvenile justice residential officers,
160 juvenile justice residential officer supervisors I and II,
161 juvenile justice counselors, juvenile justice counselor
162 supervisors, human services counselor administrators, senior
163 human services counselor administrators, rehabilitation
164 therapists, and social services counselors of the Department of
165 Juvenile Justice; the names, home addresses, telephone numbers,
166 dates of birth, and places of employment of spouses and children
167 of such personnel; and the names and locations of schools and
168 day care facilities attended by the children of such personnel
169 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
170 Constitution.

171 l. The home addresses, telephone numbers, dates of birth,
172 and photographs of current or former public defenders, assistant
173 public defenders, criminal conflict and civil regional counsel,
174 and assistant criminal conflict and civil regional counsel; the

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

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

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

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department

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

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

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

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233 locations of schools and day care facilities attended by the
234 children of such emergency medical technicians or paramedics are
235 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
236 Constitution.

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

249 s. The home addresses, telephone numbers, dates of birth,
250 and photographs of current or former directors, managers,
251 supervisors, nurses, and clinical employees of an addiction
252 treatment facility; the home addresses, telephone numbers,
253 photographs, dates of birth, and places of employment of the
254 spouses and children of such personnel; and the names and
255 locations of schools and day care facilities attended by the
256 children of such personnel are exempt from s. 119.07(1) and s.
257 24(a), Art. I of the State Constitution. For purposes of this
258 sub-subparagraph, the term "addiction treatment facility" means
259 a county government, or agency thereof, that is licensed
260 pursuant to s. 397.401 and provides substance abuse prevention,
261 intervention, or clinical treatment, including any licensed

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service component described in s. 397.311(27).

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

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

v. The home addresses, telephone numbers, dates of birth, and photographs of current or former inspectors or investigators

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of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

w. The home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and the names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office. This sub-subparagraph is subject to the Open Government

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Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

x. The home addresses, telephone numbers, dates of birth, and photographs of current or former commissioners of the Florida Gaming Control Commission; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of such current or former commissioners; and the names and locations of schools and day care facilities attended by the children of such current or former commissioners are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

y. The home addresses, telephone numbers, dates of birth, and photographs of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel; and the names and locations of schools and day care facilities attended by the children of current clerks of the circuit court, deputy clerks of the circuit court, and clerk of the circuit court personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15

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and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

z. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Agency for Health Care Administration whose duties include the investigation of complaints filed against health care facilities, the investigation of Medicaid fraud, abuse, or waste, or the inspection of health care facilities licensed or certified by the agency; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

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

4.a. A county property appraiser, as defined in s.

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

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

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

6. The exemptions in this paragraph apply to information

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407 held by an agency before, on, or after the effective date of the
408 exemption.

409 7. Information made exempt under this paragraph may be
410 disclosed pursuant to s. 28.2221 to a title insurer authorized
411 pursuant to s. 624.401 and its affiliates as defined in s.
412 624.10; a title insurance agent or title insurance agency as
413 defined in s. 626.841(1) or (2), respectively; or an attorney
414 duly admitted to practice law in this state and in good standing
415 with The Florida Bar.

416 8. The exempt status of a home address contained in the
417 Official Records is maintained only during the period when a
418 protected party resides at the dwelling location. Upon
419 conveyance of real property after October 1, 2021, and when such
420 real property no longer constitutes a protected party's home
421 address as defined in sub-subparagraph 1.a., the protected party
422 must submit a written request to release the removed information
423 to the county recorder. The written request to release the
424 removed information must be notarized, must confirm that a
425 protected party's request for release is pursuant to a
426 conveyance of his or her dwelling location, and must specify the
427 Official Records book and page, instrument number, or clerk's
428 file number for each document containing the information to be
429 released.

430 9. Upon the death of a protected party as verified by a
431 certified copy of a death certificate or court order, any party
432 can request the county recorder to release a protected
433 decedent's removed information unless there is a related request
434 on file with the county recorder for continued removal of the
435 decedent's information or unless such removal is otherwise

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

Section 2. The Legislature finds that it is a public necessity that the home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Agency for Health Care Administration whose duties include the investigation of complaints filed against health care facilities, the investigation of Medicaid fraud, abuse, or waste, or the inspection of health care facilities licensed or certified by the agency; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The Legislature finds that the release of such personal identifying and location information might place the agency's current or former personnel and their family members in danger of physical and emotional harm from disgruntled individuals who have contentious reactions to actions carried out by such personnel or whose business or professional practices have come under scrutiny as a result of such investigations and agency actions.

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465 The Legislature further finds that the harm that may result from
466 the release of such personal identifying and location
467 information outweighs any public benefit that may be derived
468 from the disclosure of the information.

469 Section 3. This act shall take effect October 1, 2025.