

By the Committee on Criminal Justice

591-00935-11

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1                   A bill to be entitled  
2       An act relating to a review under the Open Government  
3       Sunset Review Act; amending s. 119.071, F.S., which  
4       provides an exemption from public-records requirements  
5       for certain records relating to current and former  
6       employees of the Department of Juvenile Justice and  
7       their family members, including juvenile probation  
8       officers and supervisors, detention and assistant  
9       detention superintendents, juvenile justice detention  
10      officers and supervisors, juvenile justice residential  
11      officers and supervisors, juvenile justice counselors  
12      and supervisors, human service counselor  
13      administrators, senior human services counselor  
14      administrators, rehabilitation therapists, and social  
15      services counselors; requiring a written statement  
16      indicating reasonable efforts to protect such  
17      information from being accessible through other means  
18      available to the public; saving the exemption from  
19      repeal under the Open Government Sunset Review Act;  
20      removing the scheduled repeal of the exemption;  
21      providing an effective date.

22  
23   Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Paragraph (d) of subsection (4) of section  
26   119.071, Florida Statutes, is amended to read:

27       119.071 General exemptions from inspection or copying of  
28   public records.—

29       (4) AGENCY PERSONNEL INFORMATION.—

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(d)1.a. The home addresses, telephone numbers, social security numbers, and photographs of active or former law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Family Services whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the home addresses, telephone numbers, social security numbers, photographs, 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).

b. The home addresses, telephone numbers, and photographs of firefighters certified in compliance with s. 633.35; the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1).

c. The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of

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59 justices and judges are exempt from s. 119.07(1).

60 d. The home addresses, telephone numbers, social security  
61 numbers, and photographs of current or former state attorneys,  
62 assistant state attorneys, statewide prosecutors, or assistant  
63 statewide prosecutors; the home addresses, telephone numbers,  
64 social security numbers, photographs, and places of employment  
65 of the spouses and children of current or former state  
66 attorneys, assistant state attorneys, statewide prosecutors, or  
67 assistant statewide prosecutors; and the names and locations of  
68 schools and day care facilities attended by the children of  
69 current or former state attorneys, assistant state attorneys,  
70 statewide prosecutors, or assistant statewide prosecutors are  
71 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
72 Constitution.

73 e. The home addresses and telephone numbers of general  
74 magistrates, special magistrates, judges of compensation claims,  
75 administrative law judges of the Division of Administrative  
76 Hearings, and child support enforcement hearing officers; the  
77 home addresses, telephone numbers, and places of employment of  
78 the spouses and children of general magistrates, special  
79 magistrates, judges of compensation claims, administrative law  
80 judges of the Division of Administrative Hearings, and child  
81 support enforcement hearing officers; and the names and  
82 locations of schools and day care facilities attended by the  
83 children of general magistrates, special magistrates, judges of  
84 compensation claims, administrative law judges of the Division  
85 of Administrative Hearings, and child support enforcement  
86 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.  
87 I of the State Constitution if the general magistrate, special

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88 magistrate, judge of compensation claims, administrative law  
89 judge of the Division of Administrative Hearings, or child  
90 support hearing officer provides a written statement that the  
91 general magistrate, special magistrate, judge of compensation  
92 claims, administrative law judge of the Division of  
93 Administrative Hearings, or child support hearing officer has  
94 made reasonable efforts to protect such information from being  
95 accessible through other means available to the public. This  
96 sub-subparagraph is subject to the Open Government Sunset Review  
97 Act in accordance with s. 119.15, and shall stand repealed on  
98 October 2, 2013, unless reviewed and saved from repeal through  
99 reenactment by the Legislature.

100 f. The home addresses, telephone numbers, and photographs  
101 of current or former human resource, labor relations, or  
102 employee relations directors, assistant directors, managers, or  
103 assistant managers of any local government agency or water  
104 management district whose duties include hiring and firing  
105 employees, labor contract negotiation, administration, or other  
106 personnel-related duties; the names, home addresses, telephone  
107 numbers, and places of employment of the spouses and children of  
108 such personnel; and the names and locations of schools and day  
109 care facilities attended by the children of such personnel are  
110 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
111 Constitution.

112 g. The home addresses, telephone numbers, and photographs  
113 of current or former code enforcement officers; the names, home  
114 addresses, telephone numbers, and places of employment of the  
115 spouses and children of such personnel; and the names and  
116 locations of schools and day care facilities attended by the

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117 children of such personnel are exempt from s. 119.07(1) and s.  
118 24(a), Art. I of the State Constitution.

119 h. The home addresses, telephone numbers, places of  
120 employment, and photographs of current or former guardians ad  
121 litem, as defined in s. 39.820; the names, home addresses,  
122 telephone numbers, and places of employment of the spouses and  
123 children of such persons; and the names and locations of schools  
124 and day care facilities attended by the children of such persons  
125 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
126 Constitution, if the guardian ad litem provides a written  
127 statement that the guardian ad litem has made reasonable efforts  
128 to protect such information from being accessible through other  
129 means available to the public. This sub-subparagraph is subject  
130 to the Open Government Sunset Review Act in accordance with s.  
131 119.15 and shall stand repealed on October 2, 2015, unless  
132 reviewed and saved from repeal through reenactment by the  
133 Legislature.

134 i. The home addresses, telephone numbers, and photographs  
135 of current or former juvenile probation officers, juvenile  
136 probation supervisors, detention superintendents, assistant  
137 detention superintendents, ~~senior~~ juvenile justice detention  
138 officers I and II, juvenile justice detention officer  
139 supervisors, juvenile justice residential officers, juvenile  
140 justice residential officer supervisors I and II, juvenile  
141 justice counselors, juvenile justice counselor supervisors,  
142 human services counselor administrators, senior human services  
143 counselor administrators ~~juvenile detention officers, house~~  
144 ~~parents I and II, house parent supervisors, group treatment~~  
145 ~~leaders, group treatment leader supervisors, rehabilitation~~

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therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, and places of employment of 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, if any such personnel of the Department of Juvenile Justice provides a written statement that he or she has made reasonable efforts to protect such information from being accessible through other means available to the public. ~~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, 2011, unless reviewed and saved from repeal through reenactment by the Legislature.~~

j. The home addresses, telephone numbers, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the home addresses, telephone numbers, and places of employment of the spouses and children of such defenders or counsel; and the names and locations of schools and day care facilities attended by the children of such defenders or counsel 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, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

2. An agency that is the custodian of the information specified in subparagraph 1. and that is not the employer of the

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175 officer, employee, justice, judge, or other person specified in  
176 subparagraph 1. shall maintain the exempt status of that  
177 information only if the officer, employee, justice, judge, other  
178 person, or employing agency of the designated employee submits a  
179 written request for maintenance of the exemption to the  
180 custodial agency.

181       Section 2. This act shall take effect July 1, 2011.