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ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to public records; amending s. 119.071,
 3 F.S.; creating a public records exemption for specified
 4 personal information of current and former public
 5 defenders and criminal conflict and civil regional
 6 counsel, as well as their spouses and children; providing
 7 for future legislative review and repeal of the exemption
 8 under the Open Government Sunset Review Act; providing a
 9 statement of public necessity; providing an effective
 10 date.

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

13
 14 Section 1. Paragraph (d) of subsection (4) of section
 15 119.071, Florida Statutes, is amended to read:

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

18 (4) AGENCY PERSONNEL INFORMATION.—

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

BILL

ORIGINAL

YEAR

29 enforcement or child support enforcement; the home addresses,
 30 telephone numbers, social security numbers, photographs, and
 31 places of employment of the spouses and children of such
 32 personnel; and the names and locations of schools and day care
 33 facilities attended by the children of such personnel are exempt
 34 from s. 119.07(1).

35 b. The home addresses, telephone numbers, and photographs
 36 of firefighters certified in compliance with s. 633.35; the home
 37 addresses, telephone numbers, photographs, and places of
 38 employment of the spouses and children of such firefighters; and
 39 the names and locations of schools and day care facilities
 40 attended by the children of such firefighters are exempt from s.
 41 119.07(1).

42 c. The home addresses and telephone numbers of justices of
 43 the Supreme Court, district court of appeal judges, circuit
 44 court judges, and county court judges; the home addresses,
 45 telephone numbers, and places of employment of the spouses and
 46 children of justices and judges; and the names and locations of
 47 schools and day care facilities attended by the children of
 48 justices and judges are exempt from s. 119.07(1).

49 d. The home addresses, telephone numbers, social security
 50 numbers, and photographs of current or former state attorneys,
 51 assistant state attorneys, statewide prosecutors, or assistant
 52 statewide prosecutors; the home addresses, telephone numbers,
 53 social security numbers, photographs, and places of employment
 54 of the spouses and children of current or former state
 55 attorneys, assistant state attorneys, statewide prosecutors, or
 56 assistant statewide prosecutors; and the names and locations of

BILL

ORIGINAL

YEAR

57 | schools and day care facilities attended by the children of
 58 | current or former state attorneys, assistant state attorneys,
 59 | statewide prosecutors, or assistant statewide prosecutors are
 60 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 61 | Constitution.

62 | e. The home addresses and telephone numbers of general
 63 | magistrates, special magistrates, judges of compensation claims,
 64 | administrative law judges of the Division of Administrative
 65 | Hearings, and child support enforcement hearing officers; the
 66 | home addresses, telephone numbers, and places of employment of
 67 | the spouses and children of general magistrates, special
 68 | magistrates, judges of compensation claims, administrative law
 69 | judges of the Division of Administrative Hearings, and child
 70 | support enforcement hearing officers; and the names and
 71 | locations of schools and day care facilities attended by the
 72 | children of general magistrates, special magistrates, judges of
 73 | compensation claims, administrative law judges of the Division
 74 | of Administrative Hearings, and child support enforcement
 75 | hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
 76 | I of the State Constitution if the general magistrate, special
 77 | magistrate, judge of compensation claims, administrative law
 78 | judge of the Division of Administrative Hearings, or child
 79 | support hearing officer provides a written statement that the
 80 | general magistrate, special magistrate, judge of compensation
 81 | claims, administrative law judge of the Division of
 82 | Administrative Hearings, or child support hearing officer has
 83 | made reasonable efforts to protect such information from being
 84 | accessible through other means available to the public. This

BILL

ORIGINAL

YEAR

85 sub-subparagraph is subject to the Open Government Sunset Review
 86 Act in accordance with s. 119.15, and shall stand repealed on
 87 October 2, 2013, unless reviewed and saved from repeal through
 88 reenactment by the Legislature.

89 f. The home addresses, telephone numbers, and photographs
 90 of current or former human resource, labor relations, or
 91 employee relations directors, assistant directors, managers, or
 92 assistant managers of any local government agency or water
 93 management district whose duties include hiring and firing
 94 employees, labor contract negotiation, administration, or other
 95 personnel-related duties; the names, home addresses, telephone
 96 numbers, and places of employment of the spouses and children of
 97 such personnel; and the names and locations of schools and day
 98 care facilities attended by the children of such personnel are
 99 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 100 Constitution.

101 g. The home addresses, telephone numbers, and photographs
 102 of current or former code enforcement officers; the names, home
 103 addresses, telephone numbers, and places of employment of the
 104 spouses and children of such personnel; and the names and
 105 locations of schools and day care facilities attended by the
 106 children of such personnel are exempt from s. 119.07(1) and s.
 107 24(a), Art. I of the State Constitution.

108 h. The home addresses, telephone numbers, places of
 109 employment, and photographs of current or former guardians ad
 110 litem, as defined in s. 39.820, and the names, home addresses,
 111 telephone numbers, and places of employment of the spouses and
 112 children of such persons, are exempt from s. 119.07(1) and s.

BILL ORIGINAL YEAR

113 24(a), Art. I of the State Constitution, if the guardian ad
 114 litem provides a written statement that the guardian ad litem
 115 has made reasonable efforts to protect such information from
 116 being accessible through other means available to the public.
 117 This sub-subparagraph is subject to the Open Government Sunset
 118 Review Act in accordance with s. 119.15 and shall stand repealed
 119 on October 2, 2010, unless reviewed and saved from repeal
 120 through reenactment by the Legislature.

121 i. The home addresses, telephone numbers, and photographs
 122 of current or former juvenile probation officers, juvenile
 123 probation supervisors, detention superintendents, assistant
 124 detention superintendents, senior juvenile detention officers,
 125 juvenile detention officer supervisors, juvenile detention
 126 officers, house parents I and II, house parent supervisors,
 127 group treatment leaders, group treatment leader supervisors,
 128 rehabilitation therapists, and social services counselors of the
 129 Department of Juvenile Justice; the names, home addresses,
 130 telephone numbers, and places of employment of spouses and
 131 children of such personnel; and the names and locations of
 132 schools and day care facilities attended by the children of such
 133 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 134 the State Constitution. This sub-subparagraph is subject to the
 135 Open Government Sunset Review Act in accordance with s. 119.15
 136 and shall stand repealed on October 2, 2011, unless reviewed and
 137 saved from repeal through reenactment by the Legislature.

138 j. The home addresses, telephone numbers, and photographs
 139 of current or former public defenders, assistant public
 140 defenders, criminal conflict and civil regional counsel, and

BILL

ORIGINAL

YEAR

141 assistant criminal conflict and civil regional counsel; the home
 142 addresses, telephone numbers, and places of employment of the
 143 spouses and children of such defenders or counsel; and the names
 144 and locations of schools and day care facilities attended by the
 145 children of such defenders or counsel are exempt from s.
 146 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 147 sub-subparagraph is subject to the Open Government Sunset Review
 148 Act in accordance with s. 119.15 and shall stand repealed on
 149 October 2, 2015, unless reviewed and saved from repeal through
 150 reenactment by the Legislature.

151 2. An agency that is the custodian of the information
 152 specified in subparagraph 1. and that is not the employer of the
 153 officer, employee, justice, judge, or other person specified in
 154 subparagraph 1. shall maintain the exempt status of that
 155 information only if the officer, employee, justice, judge, other
 156 person, or employing agency of the designated employee submits a
 157 written request for maintenance of the exemption to the
 158 custodial agency.

159 Section 2. The Legislature finds that it is a public
 160 necessity to exempt specified personal information relating to
 161 current and former public defenders, assistant public defenders,
 162 criminal conflict and civil regional counsel, and assistant
 163 criminal conflict and civil regional counsel, as well as their
 164 spouses and children, from disclosure under the public records
 165 laws of the state. In the course of representing defendants in
 166 criminal prosecutions, these attorneys routinely interact with
 167 individuals who have criminal records or who are currently
 168 engaged in or suspected of criminal activity. These attorneys

BILL

ORIGINAL

YEAR

169 also interact with the victims of crimes. In addition, criminal
 170 conflict and civil regional counsel and their assistants also
 171 provide representation in sensitive civil matters, such as those
 172 in which a person's parental rights may be terminated based on
 173 allegations of perpetrating abuse and neglect against a child.
 174 By providing legal representation in criminal and civil matters,
 175 these attorneys provide a valuable service. However, individuals
 176 may become disgruntled by the proceedings or the outcome of a
 177 criminal or civil case, which could result in these attorneys
 178 and their families becoming targets for acts of violence.
 179 Disclosure of the information protected by the public-records
 180 exemption created by this act would jeopardize the safety of
 181 these attorneys and their families. Therefore, it is a public
 182 necessity to exempt from disclosure the home addresses,
 183 telephone numbers, and photographs of current or former public
 184 defenders, assistant public defenders, criminal conflict and
 185 civil regional counsel, and assistant criminal conflict and
 186 civil regional counsel; the home addresses, telephone numbers,
 187 and places of employment of the spouses and children of such
 188 defenders or counsel; and the names and locations of schools and
 189 day care facilities attended by the children of such defenders
 190 or counsel.

191 Section 3. This act shall take effect July 1, 2010.