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 current emergency department physicians and the spouses and certain children of such emergency department physicians; providing for retroactive application; requiring certain agencies that are custodians of exempt information to maintain the exempt status of such information under certain circumstances; specifying procedures for requesting an agency to maintain the exempt status of such information until the exemption no longer applies to the individual; providing for future legislative review and repeal 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 (l) is added to subsection (5) of section 119.071, Florida Statutes, to read:

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

(5) OTHER PERSONAL INFORMATION.—

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(l) For purposes of this paragraph, the term "emergency department physician" means a physician licensed under chapter 458 or chapter 459 whose duties are performed in a hospital emergency department licensed under chapter 395.

1. The home addresses, personal telephone numbers, and dates of birth of current emergency department physicians; the names, home addresses, personal telephone numbers, dates of birth, and places of employment of the spouses and children younger than 26 years of age of such emergency department physicians; and the names and locations of schools and day care facilities attended by the children younger than 26 years of age of such emergency department physicians are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. The exemption in subparagraph 1. applies to information held by an agency before, on, or after July 1, 2026.

3. An agency that is the custodian of information specified in subparagraph 1. and that is not the employer of the emergency department physician must maintain the exempt status of that information only if the individual requests the maintenance of an exemption under subparagraph 1. on the basis of eligibility as a current emergency department physician or the spouse or child younger than 26 years of age of such emergency department physician and the individual 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 eligibility for the exemption. An individual who has submitted such a request has a duty to withdraw the request if the exemption no longer applies to the individual. If a custodial agency receives a request meeting the requirements of this subparagraph, the custodial agency must maintain the exemption applicable to such information applicable to the individual until the qualifying conditions for the exemption under subparagraph 1. no longer apply to the individual subject to the exemption.

4. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the home addresses, personal telephone numbers, and dates of birth of current emergency department physicians; the names, home addresses, personal telephone numbers, dates of birth, and places of employment of the spouses and children younger than 26 years of age of such emergency department physicians; and the names and locations of schools and day care facilities attended by the children younger than 26 years of age of such emergency department physicians be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Emergency department physicians, by the

nature of their duties, are often placed in traumatic circumstances in which loss of life and severe bodily injuries have occurred. Such emergency department physicians are particularly vulnerable to physical violence, harassment, and intimidation perpetrated by patients or relatives of patients who can be violent, angry, or mentally unstable. As a result, the Legislature finds that the release of personal identifying and location information of emergency department physicians, or of the spouses and children younger than 26 years of age of such emergency department physicians, could place them in danger of being physically or emotionally harmed or stalked by a person who has a hostile reaction to his or her encounter with such emergency department physicians. The Legislature further finds that the harm that may result from the release of such personal identifying and location information outweighs any public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect July 1, 2026.