FTA-02 PUBLIC RECORDS EXEMPTION—SENIOR COUNTY LEADERSHIP

STAFF ANALYSIS

PROPOSAL INFORMATION			
SUBMITTING COUNTY:	Charlotte County		
SPONSOR CONTACT:	Charlotte County – Eve Sweeting, Legislative & Strategic Initiatives Manager; eve.sweeting@charlottecountyfl.gov; (941) 743-1276.		
FAC COMMITTEE:	FTA	**CROSS-CLAIMS:**	None identified
FAC STAFF:	M. Black	**DATE:**	September 29, 2026

This staff analysis is based on the proposal as submitted and does not reflect an adopted position of the Florida Association of Counties.

POLICY PROPOSAL:

FAC SUPPORTS legislation amending s. 119.071(4)(d), F.S., to grant a public records exemption for the home addresses, telephone numbers, dates of birth, and photographs of current county administrators, deputy county administrators, and assistant county administrators, and the personal identifying and location information of their spouses and children.

I. SUMMARY:

Charlotte County requests FAC's support in amending s. 119.071(4)(d), F.S., to add county administrators, deputy county administrators, and assistant county administrators — and their spouses and children — to the personnel classes whose home addresses, telephone numbers, dates of birth, and photographs (and derivative family and school information) are exempt from public disclosure.

The proposal exempts from public disclosure the following information:

- Home addresses, telephone numbers, dates of birth, and photographs of current county administrators, deputy county administrators, and assistant county administrators,
- Names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of county administrators, deputy county administrators, and assistant county administrators,
- Names and locations of schools and day care facilities attended by the children of county administrators, deputy county administrators, and assistant county administrators.

II. PRESENT SITUATION:

Article I, s. 24(a), Fla. Const., guarantees public access to records made or received in connection with official governmental business. Specifically, the Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.

Section 119.07(1), F.S., imposes the corresponding inspection and copying duty on agency record custodians. New or expanded exemptions require a public necessity statement, must be no broader than necessary to accomplish that purpose, and must pass each chamber by a two-thirds vote (Art. I, s. 24(c), Fla. Const.); most new exemptions also sunset after five years under the Open Government Sunset Review Act, s. 119.15, F.S., unless reenacted.

Public Records Exemptions for Specified Personnel and their Families

Section 119.071(4), F.S., exempts from public record disclosure the personal information of specific government employees. In paragraph (d), “home addresses” is defined as 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. Additionally, “telephone numbers” is defined to include home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices. Currently, county administrators, deputy county administrators, and assistant county administrators are not covered; the proposal addresses that gap.

The most recent class of government employees added were current state and local public officers (including state lawmakers, the Governor, Cabinet Members, county commissioners and mayors). Senate Bill 268 (Ch. 2025-195, Laws of Fla.) exempts the partial home addresses and telephone numbers of county and city commissioners (an elected class) and provides fuller protection for their minor children. Passage of this bill shows the Legislature continuing to expand this family of protections for local government leadership.

Currently, exemptions from public records disclosure are granted to state and local public officers (including county commissioners), sworn law enforcement, judges, state/county/city attorneys, correctional officers, probation officers, firefighters; human resource, labor relations, or employee relations officers; code enforcement officers,

public defenders, revenue collection officials, county tax collectors, emergency medical technicians and paramedics, and personnel in an inspector general's office.

III. EFFECT OF THE PROPOSAL:

The county proposal would add a new sub-subparagraph to s. 119.071(4)(d)2. exempting the same categories as are provided for other governmental officers— home address, telephone number, date of birth, photograph; spouse and child names, addresses, telephone numbers, dates of birth, and places of employment; and children's school and day care names and locations — for county administrators, deputy county administrators, and assistant county administrators.

Any proposed language would set the Open Government Sunset Review repeal date of October 2, 2032 and an effective date of July 1, 2027, if drafted for introduction in the 2027 Regular Session.

IV. COUNTY IMPACT:

- County records custodians must withhold the newly exempt information from production and redact it from otherwise responsive records; other local and county public records custodians (e.g., the property appraiser and tax collector) must maintain the exemption upon a written, notarized request.
- Administration agencies must prepare for minor records-management updates — intake forms, redaction protocols, and custodian training — matching those already in place for currently-covered classes; retroactive application means established records are covered from the effective date.
- Scope: as proposed this year, the exemption applies *only to counties*, not cities — which is narrower than the paired county-city language the Legislature has considered in the last three sessions.
- The proposal imposes no preemption and does not restrict county authority; it expands protection for county personnel and their families.

Protective of Home Rule: The proposal expands protections for county personnel, imposes no preemption, and does not restrict county authority.

V. FISCAL IMPACT:

- No effect on county or state revenues.
- Indeterminate but insignificant administrative cost to agencies holding covered records; in review of the Senate's analysis of SB 1084 (2026) exemption for State Attorney's Office support staff, and the House's analysis of HB 623 (2025) for this same personnel class, each found no government-sector fiscal impact.
- No Revenue Estimating Conference impact estimate is expected for an exemption of this type.

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Unfunded Mandate (Art. VII, s. 18, Fla. Const.): No — the proposal does not reduce county revenue-raising authority, and any administrative cost of compliance is insignificant.

VI. LEGISLATIVE & FAC HISTORY:

- 2023: HB 525 (Arrington), covering county and city attorneys only, was reported favorably by the Civil Justice Subcommittee before dying in the Ethics, Elections & Open Government Subcommittee (5/5/2023); companion SB 216 (Burgess) passed the full Senate 37-0 (4/27/2023) before dying in House Messages (5/5/2023).
- 2024: SB 862 (Jones) is the first bill which requests exemption from public records disclosure for current county administrators, deputy county administrators and assistant county administrators (and city managers). The bill advanced as a committee substitute through Community Affairs 8-0 (2/6/2024) before dying in Rules (3/8/2024); companion HB 811 (Gottlieb, Daley) died in its first committee on 3/8/2024.
- 2025: SB 842 (Arrington) died in Community Affairs (6/16/2025); companion HB 623 (Gerwig; co-introduced by Cassel, Daley, and Nix) advanced further than any prior administrator-specific House bill — a favorable vote out of the Intergovernmental Affairs Subcommittee (3/6/2025) — before dying in Government Operations (6/16/2025). The bill proposed a public records exemption for city managers, county administrators and their immediate families. Separately, SB 268 (Jones), covering county and city commissioners, was signed into law June 27, 2025 (Ch. 2025-195, Laws of Fla., eff. 7/1/2025).
- 2026: SB 830 (Leek) became the first version of this bill to clear a full chamber, passing the Senate 31-5 (3/5/2026) before dying in House Messages at sine die (3/13/2026); companion HB 263 (Rizo), filed 10/27/2025, died unheard in the Intergovernmental Affairs Subcommittee 3/13/2026.

• Past FAC Statements & Guiding Principles:
2025: FTA-PP-03 (Support — county administrators, deputy county administrators, assistant county administrators) -2024: FTA-PP-04: PUBLIC RECORDS EXEMPTION— Senior County Leadership - SUPPORT legislation granting public records exemptions to counties which allow the protection of senior county leadership (county administrators, deputy county administrators, and assistant county administrators). 2023: FTA-PP-04: PUBLIC RECORDS EXEMPTION -- SENIOR COUNTY LEADERSHIP - FAC SUPPORTS amending s.119.071, F.S., to grant a public records exemption to allow the protection of the County Administrator/Manager/Coordinator, the County Attorney, and the senior-most security personnel. 2022: FTA-PP-13: PUBLIC RECORDS – COUNTY STAFF - POLICY PROPOSAL: Adopted - SUPPORT legislation granting public

records exemptions to counties which allow the protection of security personnel and senior county leadership (county administration and county attorneys staff). FTA-PP-12: PUBLIC RECORDS - COUNTY ADMINISTRATION PROPOSED POLICY: Not Adopted - SUPPORT amending s. 119.071, F.S., to provide a public records exemption for county administrators, deputy county administrators and assistant county administrators.

FTA Guiding Principle on Government Accountability in Section A. Transparency and Fiscal Reporting — FAC supports "transparency and public-records policies that provide residents with accurate, accessible, and technologically efficient county revenue and expenditure data, promote meaningful access to public records, protect counties from frivolous or abusive demands, and preserve appropriate safety and security exemptions."

• BoCC action: Board support is indicated as "Yes" in the submission for Charlotte County.

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