

1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.07, F.S.; providing an exemption from
4 public records requirements for certain
5 information on nurses working in correctional
6 or forensic facilities; amending s. 455.5656,
7 F.S.; providing an exemption from public
8 records requirements for information obtained
9 for practitioner profiles of advanced
10 registered nurse practitioners; amending s.
11 119.07, F.S.; providing an exemption from
12 public records requirements for certain
13 information on health care practitioners
14 working in correctional or mental health
15 facilities; amending s. 455.5656, F.S.;
16 providing exemption from public records
17 requirements for information obtained for
18 practitioner profiles of health care
19 practitioners not previously profiled; amending
20 s. 943.0585, F.S.; providing exemption from
21 public records requirements for expunged
22 criminal history information on health care
23 practitioners obtained for certain employment,
24 licensure, or contracting purposes; providing a
25 penalty; providing an exemption from public
26 records requirements for certain information on
27 certain court records to enforce certain orders
28 by the Department of Health; providing for
29 future review and repeal; amending s. 943.059,
30 F.S.; providing sealed criminal history records
31 to the department under certain circumstances;

1 providing findings of public necessity;
2 providing a contingent effective date.
3

4 Be It Enacted by the Legislature of the State of Florida:
5

6 Section 1. Paragraph (dd) is added to subsection (3)
7 of section 119.07, Florida Statutes, to read:

8 119.07 Inspection, examination, and duplication of
9 records; exemptions.--

10 (3)

11 (dd) The home addresses and home telephone numbers of
12 nurses working in any type of correctional facility, including
13 any prison or jail, or in any forensic facility, as defined in
14 s. 916.106(8), which are held by the Department of Children
15 and Family Services, the Department of Health, and the Board
16 of Nursing, are exempt from the provisions of subsection (1)
17 and s. 24(a), Art. I of the State Constitution. This paragraph
18 is subject to the Open Government Sunset Review Act of 1995 in
19 accordance with s. 119.15 and shall stand repealed on October
20 2, 2005, unless reviewed and saved from repeal through
21 reenactment by the Legislature.

22 Section 2. The Legislature finds that it is a public
23 necessity that the home addresses and home telephone numbers
24 of nurses who work in any type of correctional facility,
25 including any prison or jail, or in any forensic facility, as
26 defined in s. 916.106(8), which are held by the Department of
27 Children and Family Services, the Department of Health, and
28 the Board of Nursing, be held confidential and exempt from
29 public records requirements because revealing such information
30 may pose an unnecessary risk to the safety and well-being of
31 such nurses in their own homes from inmates or clients of such

1 facilities who seek such information to stalk, intimidate,
2 harass, or otherwise threaten or harm such nurses. The
3 disclosure of such information may also deter nurses from
4 seeking to work in such facilities, which would be contrary to
5 the state's interest in ensuring the availability of nursing
6 services in such facilities.

7 Section 3. Section 455.5656, Florida Statutes, is
8 amended to read:

9 455.5656 Practitioner's profiles; confidentiality.--

10 (1) Any patient name or other information that
11 identifies a patient which is in a record obtained by the
12 Department of Health or its agent for the purpose of compiling
13 a practitioner profile is confidential and exempt from the
14 provisions of chapter 119 and s. 24(a), Art. I of the State
15 Constitution. Other data received by the department or its
16 agent as a result of its duty to compile and promulgate
17 practitioner profiles are confidential and exempt from the
18 provisions of chapter 119 and s. 24(a), Art. I of the State
19 Constitution until the profile into which the data are
20 incorporated or with respect to which the data are submitted
21 is made public. Any information or record that the Department
22 of Health obtains from the Agency for Health Care
23 Administration or any other governmental entity for the
24 purpose of compiling a practitioner profile or substantiating
25 other information or records submitted for that purpose and
26 that was exempt from the provisions of chapter 119 and s.
27 24(a), Art. I of the State Constitution does not lose that
28 character by coming into the possession of the Department of
29 Health, and such information or record continues to be exempt
30 from the provisions of chapter 119 and s. 24(a), Art. I of the
31 State Constitution.

1 (2)(a) The provisions of subsection (1) with respect
2 to practitioners who are subject to profiling under s. 455.565
3 are ~~This section is~~ subject to the Open Government Sunset
4 Review Act of 1995 in accordance with s. 119.15 and shall
5 stand repealed on October 2, 2002, unless reviewed and saved
6 from repeal through reenactment by the Legislature.

7 (b) The provisions of subsection (1) with respect to
8 practitioners who are subject to profiling under s. 455.56503
9 or s. 455.56505 are subject to the Open Government Sunset
10 Review Act of 1995 in accordance with s. 119.15 and shall
11 stand repealed on October 2, 2005, unless reviewed and saved
12 from repeal through reenactment by the Legislature.

13 Section 4. Paragraph (dd) is added to subsection (3)
14 of section 119.07, Florida Statutes, to read:

15 119.07 Inspection, examination, and duplication of
16 records; exemptions.--

17 (3)

18 (dd) The home addresses and home telephone numbers of
19 health care practitioners, as defined in s. 455.501(4),
20 working in any type of correctional facility, including any
21 prison or jail, or in any mental health facility are exempt
22 from the provisions of subsection (1) and s. 24(a), Art. I of
23 the State Constitution.

24 Section 5. The Legislature finds that it is a public
25 necessity that the home addresses and home telephone numbers
26 of health care practitioners who work in any type of
27 correctional facility, including any prison or jail, or in any
28 mental health facility be held confidential and exempt from
29 public records requirements because revealing such information
30 may pose an unnecessary risk to the safety and well-being of
31 such health care practitioners in their own homes from inmates

1 or clients of such facilities who seek such information to
2 stalk, intimidate, harass, or otherwise threaten or harm such
3 health care practitioners. The disclosure of such information
4 may also deter health care practitioners from seeking to work
5 in such facilities, which would be contrary to the state's
6 interest in ensuring the availability of health care services
7 in such facilities.

8 Section 6. Section 455.5656, Florida Statutes, is
9 amended to read:

10 455.5656 Practitioner's profiles; confidentiality.--

11 (1) Any patient name or other information that
12 identifies a patient which is in a record obtained by the
13 Department of Health or its agent for the purpose of compiling
14 a practitioner profile is confidential and exempt from the
15 provisions of chapter 119 and s. 24(a), Art. I of the State
16 Constitution. Other data received by the department or its
17 agent as a result of its duty to compile and promulgate
18 practitioner profiles are confidential and exempt from the
19 provisions of chapter 119 and s. 24(a), Art. I of the State
20 Constitution until the profile into which the data are
21 incorporated or with respect to which the data are submitted
22 is made public. Any information or record that the Department
23 of Health obtains from the Agency for Health Care
24 Administration or any other governmental entity for the
25 purpose of compiling a practitioner profile or substantiating
26 other information or records submitted for that purpose and
27 that was exempt from the provisions of chapter 119 and s.
28 24(a), Art. I of the State Constitution does not lose that
29 character by coming into the possession of the Department of
30 Health, and such information or record continues to be exempt

31

1 from the provisions of chapter 119 and s. 24(a), Art. I of the
2 State Constitution.

3 (2)(a) The provisions of subsection (1) with respect
4 to practitioners who are subject to profiling under s. 455.565
5 are ~~This section is~~ subject to the Open Government Sunset
6 Review Act of 1995 in accordance with s. 119.15 and shall
7 stand repealed on October 2, 2002, unless reviewed and saved
8 from repeal through reenactment by the Legislature.

9 (b) The provisions of subsection (1) with respect to
10 practitioners who are subject to profiling under s. 455.56503
11 or s. 455.56505 are subject to the Open Government Sunset
12 Review Act of 1995 in accordance with s. 119.15 and shall
13 stand repealed on October 2, 2005, unless reviewed and saved
14 from repeal through reenactment by the Legislature.

15 Section 7. The Legislature finds that public release
16 of a patient record or other document which includes a
17 statement of the patient's medical disease, condition, or
18 treatment plan that identifies the patient by name or by other
19 identifier could result in serious and irreparable damage to
20 the patient. Such records obtained by the Department of Health
21 or its agent for purposes of compiling a practitioner profile,
22 if open to the public, may adversely affect the integrity and
23 trust of the practitioner-patient relationship and may deter
24 affected parties from seeking needed health care services;
25 therefore, it is a matter of public necessity to protect the
26 confidentiality of such patient health information. The
27 Legislature further finds that, because of the nature of the
28 data submitted to the Department of Health or its agent for
29 purposes of constructing practitioner profiles, the necessity
30 of ensuring the accuracy of those data, the need to refrain
31 from unnecessarily affecting the livelihood of persons who are

1 the subject of practitioner profiles, and the need to maintain
 2 the integrity and trust of the practitioner-patient
 3 relationship without unwarranted aspersions on the
 4 professional competence and ability of these persons, it is a
 5 matter of public necessity to protect the confidentiality of
 6 the data during the period of their verification. The
 7 Legislature further finds that the need to learn or verify
 8 information about health care practitioners, though furthering
 9 a state interest, does not override the public policy
 10 determinations made to exempt certain information from public
 11 disclosure and that records so exempted should retain that
 12 status when obtained and used by another governmental entity.

13 Section 8. Paragraphs (a) and (c) of subsection (4) of
 14 section 943.0585, Florida Statutes, are amended to read:

15 943.0585 Court-ordered expunction of criminal history
 16 records.--The courts of this state have jurisdiction over
 17 their own procedures, including the maintenance, expunction,
 18 and correction of judicial records containing criminal history
 19 information to the extent such procedures are not inconsistent
 20 with the conditions, responsibilities, and duties established
 21 by this section. Any court of competent jurisdiction may
 22 order a criminal justice agency to expunge the criminal
 23 history record of a minor or an adult who complies with the
 24 requirements of this section. The court shall not order a
 25 criminal justice agency to expunge a criminal history record
 26 until the person seeking to expunge a criminal history record
 27 has applied for and received a certificate of eligibility for
 28 expunction pursuant to subsection (2). A criminal history
 29 record that relates to a violation of chapter 794, s. 800.04,
 30 s. 817.034, s. 827.071, chapter 839, s. 893.135, or a
 31 violation enumerated in s. 907.041 may not be expunged,

1 without regard to whether adjudication was withheld, if the
2 defendant was found guilty of or pled guilty or nolo
3 contendere to the offense, or if the defendant, as a minor,
4 was found to have committed, or pled guilty or nolo contendere
5 to committing, the offense as a delinquent act. The court may
6 only order expunction of a criminal history record pertaining
7 to one arrest or one incident of alleged criminal activity,
8 except as provided in this section. The court may, at its sole
9 discretion, order the expunction of a criminal history record
10 pertaining to more than one arrest if the additional arrests
11 directly relate to the original arrest. If the court intends
12 to order the expunction of records pertaining to such
13 additional arrests, such intent must be specified in the
14 order. A criminal justice agency may not expunge any record
15 pertaining to such additional arrests if the order to expunge
16 does not articulate the intention of the court to expunge a
17 record pertaining to more than one arrest. This section does
18 not prevent the court from ordering the expunction of only a
19 portion of a criminal history record pertaining to one arrest
20 or one incident of alleged criminal activity. Notwithstanding
21 any law to the contrary, a criminal justice agency may comply
22 with laws, court orders, and official requests of other
23 jurisdictions relating to expunction, correction, or
24 confidential handling of criminal history records or
25 information derived therefrom. This section does not confer
26 any right to the expunction of any criminal history record,
27 and any request for expunction of a criminal history record
28 may be denied at the sole discretion of the court.

29 (4) EFFECT OF CRIMINAL HISTORY RECORD EXPUNCTION.--Any
30 criminal history record of a minor or an adult which is
31 ordered expunged by a court of competent jurisdiction pursuant

1 to this section must be physically destroyed or obliterated by
2 any criminal justice agency having custody of such record;
3 except that any criminal history record in the custody of the
4 department must be retained in all cases. A criminal history
5 record ordered expunged that is retained by the department is
6 confidential and exempt from the provisions of s. 119.07(1)
7 and s. 24(a), Art. I of the State Constitution and not
8 available to any person or entity except upon order of a court
9 of competent jurisdiction. A criminal justice agency may
10 retain a notation indicating compliance with an order to
11 expunge.

12 (a) The person who is the subject of a criminal
13 history record that is expunged under this section or under
14 other provisions of law, including former s. 893.14, former s.
15 901.33, and former s. 943.058, may lawfully deny or fail to
16 acknowledge the arrests covered by the expunged record, except
17 when the subject of the record:

- 18 1. Is a candidate for employment with a criminal
19 justice agency;
- 20 2. Is a defendant in a criminal prosecution;
- 21 3. Concurrently or subsequently petitions for relief
22 under this section or s.943.059;
- 23 4. Is a candidate for admission to The Florida Bar;
- 24 5. Is seeking to be employed or licensed by or to
25 contract with the Department of Children and Family Services
26 or the Department of Juvenile Justice or to be employed or
27 used by such contractor or licensee in a sensitive position
28 having direct contact with children, the developmentally
29 disabled, the aged, or the elderly as provided in s.
30 110.1127(3), s. 393.063(15), s. 394.4572(1), s. 397.451, s.

31

1 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), s.
2 415.1075(4), s. 985.407, or chapter 400; ~~or~~

3 6. Is seeking to be employed or licensed by the Office
4 of Teacher Education, Certification, Staff Development, and
5 Professional Practices of the Department of Education, any
6 district school board, or any local governmental entity that
7 licenses child care facilities; ~~or-~~

8 7. Is seeking to be employed or licensed by or to
9 contract with the Department of Health or to be employed or
10 used by such contractor or licensee in a sensitive position
11 having direct contact with children, the developmentally
12 disabled, the aged, or the elderly as provided in s.
13 110.1127(3), s. 393.063(15), s. 394.4572(1), s. 397.451, s.
14 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), s.
15 415.1075(4), s. 985.407, or chapter 400.

16 (b) Subject to the exceptions in paragraph (a), a
17 person who has been granted an expunction under this section,
18 former s. 893.14, former s. 901.33, or former s. 943.058 may
19 not be held under any provision of law of this state to commit
20 perjury or to be otherwise liable for giving a false statement
21 by reason of such person's failure to recite or acknowledge an
22 expunged criminal history record.

23 (c)1. Information relating to the existence of an
24 expunged criminal history record which is provided in
25 accordance with subparagraphs (a)1.-6.~~paragraph (a)~~ is
26 confidential and exempt from the provisions of s. 119.07(1)
27 and s. 24(a), Art. I of the State Constitution, except that
28 the department shall disclose the existence of a criminal
29 history record ordered expunged to the entities set forth in
30 subparagraphs (a)1., 4., 5., and 6. for their respective
31 licensing and employment purposes, and to criminal justice

1 agencies for their respective criminal justice purposes. It
2 is unlawful for any employee of an entity set forth in
3 subparagraph (a)1., subparagraph (a)4., subparagraph (a)5., or
4 subparagraph (a)6. to disclose information relating to the
5 existence of an expunged criminal history record of a person
6 seeking employment or licensure with such entity or
7 contractor, except to the person to whom the criminal history
8 record relates or to persons having direct responsibility for
9 employment or licensure decisions. Any person who violates
10 this ~~subparagraph~~ ~~paragraph~~ commits a misdemeanor of the first
11 degree, punishable as provided in s. 775.082 or s. 775.083.

12 2. Information relating to the existence of an
13 expunged criminal history record which is provided in
14 accordance with subparagraph (a)7. is confidential and exempt
15 from the provisions of s. 119.07(1) and s. 24(a), Art. I of
16 the State Constitution, except that the department shall
17 disclose the existence of a criminal history record ordered
18 expunged to the Department of Health as set forth in
19 subparagraph (a)7. for its licensing and employment purposes,
20 and to criminal justice agencies for their respective criminal
21 justice purposes. It is unlawful for any employee of the
22 Department of Health as set forth in subparagraph (a)7. to
23 disclose information relating to the existence of an expunged
24 criminal history record of a person seeking employment or
25 licensure with such entity or contractor, except to the person
26 to whom the criminal history record relates, to persons having
27 direct responsibility for employment or licensure decisions,
28 or to any other state agency that is authorized in this state
29 to receive expunged criminal history records from the
30 department. Any person who violates this subparagraph commits
31 a misdemeanor of the first degree, punishable as provided in

1 s. 775.082 or s. 775.083. This subparagraph is subject to the
2 Open Government Sunset Review Act of 1995 in accordance with
3 s. 119.15 and shall stand repealed on October 2, 2005, unless
4 reviewed and saved from repeal through reenactment by the
5 Legislature.

6 Section 9. In any court proceeding to enforce an order
7 by the Department of Health to compel a licensed health care
8 practitioner to submit to a mental or physical examination by
9 physicians designated by the department under section 455.624,
10 Florida Statutes, the licensee against whom the petition for
11 enforcement is filed may not be named or identified by
12 initials in any public court records or documents and is
13 confidential and exempt from the provisions of chapter 119,
14 Florida Statutes, and Section (24)(a), Article I of the State
15 Constitution, and the proceedings shall be closed to the
16 public. This section is subject to the Open Government Sunset
17 Review Act of 1995 in accordance with section 119.15, Florida
18 Statutes, and shall stand repealed on October 2, 2005, unless
19 reviewed and saved from repeal through reenactment by the
20 Legislature.

21 Section 10. Paragraph (a) of subsection (4) of section
22 943.059, Florida Statutes, is amended to read:

23 943.059 Court-ordered sealing of criminal history
24 records.--The courts of this state shall continue to have
25 jurisdiction over their own procedures, including the
26 maintenance, sealing, and correction of judicial records
27 containing criminal history information to the extent such
28 procedures are not inconsistent with the conditions,
29 responsibilities, and duties established by this section. Any
30 court of competent jurisdiction may order a criminal justice
31 agency to seal the criminal history record of a minor or an

1 adult who complies with the requirements of this section. The
2 court shall not order a criminal justice agency to seal a
3 criminal history record until the person seeking to seal a
4 criminal history record has applied for and received a
5 certificate of eligibility for sealing pursuant to subsection
6 (2). A criminal history record that relates to a violation of
7 chapter 794, s. 800.04, s. 817.034, s. 827.071, chapter 839,
8 s. 893.135, or a violation enumerated in s. 907.041 may not be
9 sealed, without regard to whether adjudication was withheld,
10 if the defendant was found guilty of or pled guilty or nolo
11 contendere to the offense, or if the defendant, as a minor,
12 was found to have committed or pled guilty or nolo contendere
13 to committing the offense as a delinquent act. The court may
14 only order sealing of a criminal history record pertaining to
15 one arrest or one incident of alleged criminal activity,
16 except as provided in this section. The court may, at its sole
17 discretion, order the sealing of a criminal history record
18 pertaining to more than one arrest if the additional arrests
19 directly relate to the original arrest. If the court intends
20 to order the sealing of records pertaining to such additional
21 arrests, such intent must be specified in the order. A
22 criminal justice agency may not seal any record pertaining to
23 such additional arrests if the order to seal does not
24 articulate the intention of the court to seal records
25 pertaining to more than one arrest. This section does not
26 prevent the court from ordering the sealing of only a portion
27 of a criminal history record pertaining to one arrest or one
28 incident of alleged criminal activity. Notwithstanding any law
29 to the contrary, a criminal justice agency may comply with
30 laws, court orders, and official requests of other
31 jurisdictions relating to sealing, correction, or confidential

1 handling of criminal history records or information derived
2 therefrom. This section does not confer any right to the
3 sealing of any criminal history record, and any request for
4 sealing a criminal history record may be denied at the sole
5 discretion of the court.

6 (4) EFFECT OF CRIMINAL HISTORY RECORD SEALING.--A
7 criminal history record of a minor or an adult which is
8 ordered sealed by a court of competent jurisdiction pursuant
9 to this section is confidential and exempt from the provisions
10 of s. 119.07(1) and s. 24(a), Art. I of the State Constitution
11 and is available only to the person who is the subject of the
12 record, to the subject's attorney, to criminal justice
13 agencies for their respective criminal justice purposes, or to
14 those entities set forth in subparagraphs (a)1., 4., 5., and
15 6. for their respective licensing and employment purposes.

16 (a) The subject of a criminal history record sealed
17 under this section or under other provisions of law, including
18 former s. 893.14, former s. 901.33, and former s. 943.058, may
19 lawfully deny or fail to acknowledge the arrests covered by
20 the sealed record, except when the subject of the record:

- 21 1. Is a candidate for employment with a criminal
22 justice agency;
- 23 2. Is a defendant in a criminal prosecution;
- 24 3. Concurrently or subsequently petitions for relief
25 under this section or s. 943.0585;
- 26 4. Is a candidate for admission to The Florida Bar;
- 27 5. Is seeking to be employed or licensed by or to
28 contract with the Department of Children and Family Services
29 or the Department of Juvenile Justice or to be employed or
30 used by such contractor or licensee in a sensitive position
31 having direct contact with children, the developmentally

1 disabled, the aged, or the elderly as provided in s.
2 110.1127(3), s. 393.063(15), s. 394.4572(1), s. 397.451, s.
3 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), s.
4 415.103, s. 985.407, or chapter 400; ~~or~~

5 6. Is seeking to be employed or licensed by or to
6 contract with the Department of Health or to be employed or
7 used by such contractor or licensee in a sensitive position
8 having direct contact with children, the developmentally
9 disabled, the aged, or the elderly as provided in s.

10 110.1127(3), s.393.063(15), s. 394.4572(1), s. 397.451, s.
11 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), s.
12 415.1075(4), s. 985.407, or chapter 400; or

13 ~~7.6.~~ Is seeking to be employed or licensed by the
14 Office of Teacher Education, Certification, Staff Development,
15 and Professional Practices of the Department of Education, any
16 district school board, or any local governmental entity which
17 licenses child care facilities.

18 Section 11. The Legislature finds that public release
19 of sealed or expunged criminal history information on health
20 care practitioners seeking employment, licensure, or a
21 contract with the Department of Health to work with children,
22 the developmentally disabled, the aged, or the elderly may
23 adversely affect the integrity and trust of such a
24 practitioner-patient relationship, may deter affected parties
25 from seeking needed health care services as a result, and may
26 cast unwarranted aspersions on the professional competence and
27 ability of such practitioners and thereby affect their
28 livelihood; therefore, it is a matter of public necessity to
29 protect the confidentiality of such information. The
30 Legislature further finds that such information is already
31 confidential under identical circumstances for persons seeking

1 employment, licensure, or a contract with the Department of
2 Children and Family Services and the Department of Juvenile
3 Justice. The Legislature further finds that the need to learn
4 or verify information about health care practitioners, though
5 furthering a state interest, does not override the public
6 policy determinations made to exempt certain information from
7 public disclosure and that records so exempted should retain
8 that status when obtained and used by another governmental
9 entity.

10 Section 12. The Legislature finds that public release
11 of medical information pertaining to the mental or physical
12 condition of a patient could result in serious and irreparable
13 damage to the patient. The Legislature further finds that
14 there is a public necessity in maintaining the confidentiality
15 of such medical records and that a patient should not lose
16 such protection simply because that patient has applied for or
17 been issued a license to practice a health care profession in
18 this state. The Legislature finds that absent a finding of
19 probable cause that the applicant or practitioner has violated
20 the law and poses a danger to the patients to whom the
21 practitioner may provide health care services, such
22 practitioner should be afforded the same privileges and rights
23 of confidentiality as non-health care practitioners. The
24 Legislature finds that it is a matter of public necessity to
25 protect health care practitioners, as well as other patients,
26 from the release of information regarding the practitioner's
27 mental or physical health to refrain from unnecessarily
28 affecting the livelihood of practitioners and to maintain the
29 trust of the practitioner-patient relationship without
30 unwarranted aspersions on the professional competence and
31 ability of these persons. Moreover, the Legislature finds

1 that the public's need to know information about practitioners
2 does not override the public policy determination to protect
3 all patients regardless of their occupation or licensure
4 status from intrusion. Furthermore, this public records
5 exemption conforms to existing public records exemptions for
6 other practitioners such as physicians pursuant to ss.
7 458.331(1)(s) and 459.015(1)(w), dentists pursuant to s.
8 466.028(1)(s), and others.

9 Section 13. This act shall take effect on the
10 effective date of House Bill 1659 or similar legislation
11 creating s. 455.56503 or s.455.56505, Florida Statutes, to
12 provide for practitioner profiling of additional health care
13 practitioners, and s. 943.0585(4)(a)7., Florida Statutes, to
14 provide the Department of Health access to expunged criminal
15 history information on health care practitioners seeking to
16 work with children, the developmentally disabled, or the aged
17 or elderly, if such legislation is adopted in the same
18 legislative session or an extension thereof.