

HB 1969

2004

A bill to be entitled

An act relating to a public records exemption for identifying information; amending s. 119.07, F.S.; providing that certain information that would reveal the identity of a child is exempt from the requirement that public records be open to inspection, examination, and duplication; providing for future legislative review and repeal under the Open Government Sunset Review Act of 1995; providing a statement of public necessity; providing an effective date.

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

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

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

(3)

(hh) Any information provided to a children's services council or other similarly named entity created under s. 125.901, to the Children's Services Council of Broward County created under chapter 2000-461, Laws of Florida, or to the Juvenile Welfare Board of Pinellas County codified under chapter 2003-320, Laws of Florida, or to their service providers or researchers as part of a contract with such council, board, or similarly named entity, regarding the provision of services to, or research concerning, children that reveals the identity of any child is exempt from subsection (1) and s. 24(a), Art. I of the State Constitution. For purposes of this paragraph,

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30 information that reveals the identity of a child includes the
 31 name, address, telephone number, social security number, or
 32 photograph of the child or of the parent or legal guardian of
 33 the child that would identify or reasonably lead to the
 34 identification of any child, either directly or indirectly,
 35 including the identification of the parent or guardian of the
 36 child. This paragraph is subject to the Open Government Sunset
 37 Review Act of 1995 in accordance with s. 119.15, and shall stand
 38 repealed on October 2, 2009, unless reviewed and saved from
 39 repeal through reenactment by the Legislature.

40 Section 2. The Legislature finds, as a matter of public
 41 necessity, that any information provided to a children's
 42 services council, juvenile welfare board, other similarly named
 43 entity, or their contracted service providers or researchers,
 44 regarding the provision of services to, or research concerning,
 45 children that reveals the identity of any child must be held
 46 exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I
 47 of the State Constitution. The Legislature finds that public
 48 disclosure, examination, inspection, or duplication of such
 49 information that reveals the identity of a child, including
 50 names, addresses, telephone numbers, social security numbers, or
 51 photographs that would identify, or reasonably lead to the
 52 identification of, any child, either directly or through the
 53 identification of the parent or guardian of the child, would be
 54 contrary to the state's compelling interest in protecting the
 55 public safety. The Legislature finds that it is necessary to
 56 provide exempt status for such information in order to minimize
 57 any opportunity for the use of such information to facilitate
 58 stalking, harassment, abduction, or abuse of any child who is

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59 the subject of such information. The Legislature finds that this
60 interest outweighs any public benefit derived from releasing
61 such identifying information. The Legislature further finds that
62 nonidentifying information regarding services provided to, or
63 research concerning, children shall not be exempted from
64 disclosure by this act.

65 Section 3. This act shall take effect July 1, 2004.