590-2481-06

 1   A bill to be entitled

 2   An act relating to public records; amending s.

 3   741.313, F.S.; providing an exemption from

 4   public-records requirements for certain records

 5   submitted by an employee of a state agency who

 6   is a victim of domestic violence; providing for

 7   future legislative review and repeal; providing

 8   a statement of public necessity; providing a

 9   contingent effective date.

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

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13   Section 1. Subsection (7) is added to section 741.313,

14 Florida Statutes, to read:

15   741.313 Unlawful action against employees seeking

16 protection.--

17   (7)(a) Personal identifying information that is

18 contained in records documenting an act of domestic violence

19 and that is submitted to an agency, as defined in chapter 119,

20 by an agency employee pursuant to the requirements of this

21 section is confidential and exempt from s. 119.07(1) and s.

22 24(a), Art. I of the State Constitution.

23   (b) A written request for leave which is submitted by

24 an agency employee pursuant to the requirements of this

25 section and any agency time sheet that reflects such a request

26 are confidential and exempt from s. 119.07(1) and s. 24(a),

27 Art. I of the State Constitution until 1 year after the leave

28 has been taken.

29   (c) This subsection is subject to the Open Government

30 Sunset Review Act in accordance with s. 119.15, and shall

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

 1 | stand repealed on October 2, 2011, unless reviewed and saved
 2 | from repeal through reenactment by the Legislature.
 3 | Section 2. The Legislature finds that it is a public
 4 | necessity to make confidential and exempt from disclosure
 5 | personal identifying information contained in records
 6 | submitted to a state agency by an agency employee which
 7 | documents an act of domestic violence and which is submitted
 8 | in order to obtain leave pursuant to s. 741.313, Florida
 9 | Statutes. Such information, if publicly available, could
10 | expose the victim of domestic violence to public humiliation
11 | and shame and could inhibit that victim from availing himself
12 | or herself of the relief provided under s. 741.313, Florida
13 | Statutes. In addition, the Legislature finds that it is a
14 | public necessity to make confidential and exempt from
15 | disclosure an agency employee's request for leave until 1 year
16 | after the leave has been taken. If such information were
17 | publicly available, it could be used by the partner or former
18 | partner of the victim of domestic violence to determine the
19 | schedule and location of the employee who is the victim of
20 | domestic violence. The employee's request for leave is exempt
21 | from disclosure only temporarily and such record is available
22 | 1 year after the leave has been taken, thereby providing
23 | continued public oversight of public moneys.
24 | Section 3. This act shall take effect on the same date
25 | that Senate Bill 498 or similar legislation takes effect, if
26 | such legislation is adopted in the same legislative session,
27 | or an extension thereof, and becomes law.
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1   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
                    COMMITTEE SUBSTITUTE FOR
2   <u>Senate Bill 1800</u>

3

4   Revises public records exemption language to comply with the
    requirements of the Public Records Law.
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    Revises public records exemptions repeal date to October 2nd
6   of the fifth year after enactment pursuant to the Public
    Records Law.
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