HB 7145

A bill to be entitled 1 2 An act relating to a review under the Open Government 3 Sunset Review Act; amending s. 119.071, F.S., which 4 provides an exemption from public record requirements 5 for employment discrimination complaints and other 6 records; removing the scheduled repeal of the 7 exemption; providing an effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. Paragraph (g) of subsection (2) of section 119.071, Florida Statutes, is amended to read: 12 13 119.071 General exemptions from inspection or copying of 14 public records.-15 (2) AGENCY INVESTIGATIONS.-16 (g)1.a. All complaints and other records in the custody of any agency which relate to a complaint of discrimination 17 relating to race, color, religion, sex, national origin, age, 18 handicap, or marital status in connection with hiring practices, 19 20 position classifications, salary, benefits, discipline, 21 discharge, employee performance, evaluation, or other related 22 activities are exempt from s. 119.07(1) and s. 24(a), Art. I of 23 the State Constitution until a finding is made relating to 24 probable cause, the investigation of the complaint becomes 25 inactive, or the complaint or other record is made part of the 26 official record of any hearing or court proceeding. 27 a.b. This exemption does provision shall not affect any function or activity of the Florida Commission on Human 28

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

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29 Relations.

30 <u>b.c.</u> Any state or federal agency that is authorized to 31 have access to such complaints or records by any provision of 32 law shall be granted such access in the furtherance of such 33 agency's statutory duties.

2. <u>If an When the</u> alleged victim chooses not to file a complaint and requests that records of the complaint remain confidential, all records relating to an allegation of employment discrimination are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

39 3. This paragraph is subject to the Open Government Sunset 40 Review Act in accordance with s. 119.15 and shall stand repealed 41 on October 2, 2013, unless reviewed and saved from repeal 42 through reenactment by the Legislature.

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Section 2. This act shall take effect October 1, 2013.

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