

By Senator Harrell

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1                                   A bill to be entitled  
2       An act relating to public records and meetings;  
3       creating s. 490.0076, F.S.; providing an exemption  
4       from public records requirements for certain  
5       information held by the Department of Health or the  
6       Board of Psychology pursuant to the Psychology  
7       Interjurisdictional Compact; authorizing disclosure of  
8       the information under certain circumstances; providing  
9       an exemption from public meeting requirements for  
10      certain meetings of the Psychology Interjurisdictional  
11      Compact Commission; providing an exemption from public  
12      records requirements for recordings, minutes, and  
13      records generated during the closed portion of such  
14      meetings; providing for future legislative review and  
15      repeal of the exemptions; providing a statement of  
16      public necessity; providing a contingent effective  
17      date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21       Section 1. Section 490.0076, Florida Statutes, is created  
22 to read:

23       490.0076 Psychology Interjurisdictional Compact; public  
24 records and meetings exemptions.—

25       (1) A psychologist's personal identifying information,  
26 other than the psychologist's name, licensure status, or  
27 licensure number, obtained from the coordinated licensure  
28 information system, as described in article IX of s. 490.0075,  
29 and held by the department or the Board of Psychology is exempt

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30 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
31 unless the state that originally reported the information to the  
32 coordinated information system authorizes the disclosure of such  
33 information by law. If disclosure is so authorized, information  
34 may be disclosed only to the extent authorized by law by the  
35 reporting state.

36 (2) (a) A meeting or a portion of a meeting of the  
37 Psychology Interjurisdictional Compact Commission, established  
38 in article X of s. 490.0075, is exempt from s. 286.011 and s.  
39 24(b), Art. I of the State Constitution if the commission must  
40 discuss:

41 1. Noncompliance of a compact state with its obligations  
42 under the compact;

43 2. Employment, compensation, or discipline of, or other  
44 personnel matters, practices, or procedures related to, specific  
45 employees, or other matters related to the commission's internal  
46 personnel practices and procedures;

47 3. Current, threatened, or reasonably anticipated  
48 litigation against the commission;

49 4. Negotiation of contracts for the purchase or sale of  
50 goods, services, or real estate;

51 5. An accusation of any person of a crime or a formal  
52 censure of any person;

53 6. Information disclosing trade secrets or commercial or  
54 financial information that is privileged or confidential;

55 7. Information of a personal nature where disclosure would  
56 constitute a clearly unwarranted invasion of personal privacy;

57 8. Investigatory records compiled for law enforcement  
58 purposes;

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59 9. Information related to any investigatory reports  
60 prepared by or on behalf of or for the use of the commission or  
61 other committee charged with responsibility for investigation or  
62 determination of compliance issues pursuant to the compact; or

63 10. Matters specifically exempted from disclosure by  
64 federal or state statute.

65 (b) In keeping with the intent of the Psychology  
66 Interjurisdictional Compact, recordings, minutes, and records  
67 generated during an exempt meeting or portion of such a meeting  
68 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
69 Constitution.

70 (3) This section is subject to the Open Government Sunset  
71 Review Act in accordance with s. 119.15 and shall stand repealed  
72 on October 2, 2025, unless reviewed and saved from repeal  
73 through reenactment by the Legislature.

74 Section 2. (1) The Legislature finds that it is a public  
75 necessity that a psychologist's personal identifying  
76 information, other than the psychologist's name, licensure  
77 status, or licensure number, obtained from the coordinated  
78 licensure information system, as described in article IX of s.  
79 490.0075, Florida Statutes, and held by the Department of Health  
80 or the Board of Psychology, be made exempt from s. 119.07(1),  
81 Florida Statutes, and s. 24(a), Article I of the State  
82 Constitution. Protection of such information is required under  
83 the Psychology Interjurisdictional Compact, which the state must  
84 adopt in order to become a member state of the compact. Without  
85 the public records exemption, this state will be unable to  
86 effectively and efficiently implement and administer the  
87 compact.

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88       (2) (a) The Legislature finds that it is a public necessity  
89 that any meeting of the Psychology Interjurisdictional Compact  
90 Commission held as provided in s. 490.0075, Florida Statutes, in  
91 which matters specifically exempted from disclosure by federal  
92 or state law are discussed be made exempt from s. 286.011,  
93 Florida Statutes, and s. 24(b), Article I of the State  
94 Constitution.

95       (b) The Psychology Interjurisdictional Compact requires the  
96 closure of any meeting, or any portion of a meeting, of the  
97 Psychology Interjurisdictional Compact Commission if it is  
98 discussing certain sensitive and confidential subject matters or  
99 if a majority of the commission members vote to close a meeting  
100 to the public in whole or in part. In the absence of a public  
101 meeting exemption, this state would be prohibited from becoming  
102 a member state of the compact.

103       (3) The Legislature also finds that it is a public  
104 necessity that the recordings, minutes, and records generated  
105 during a meeting that is exempt pursuant to s. 490.0076(2),  
106 Florida Statutes, be made exempt from s. 119.07(1), Florida  
107 Statutes, and s. 24(a), Article I of the State Constitution.  
108 Release of such information would negate the public meeting  
109 exemption. As such, the Legislature finds that the public  
110 records exemption is a public necessity.

111       Section 3. This act shall take effect on the same date that  
112 SB \_\_\_ or similar legislation takes effect, if such legislation  
113 is adopted in the same legislative session or an extension  
114 thereof and becomes a law.