

Committee on Governmental Oversight and Accountability

HB 7145 — OGSR/Employment Discrimination Complaints

by Government Operations Subcommittee and Rep. Combee (SB 1800 by Governmental Oversight and Accountability Committee)

The Open Government Sunset Review Act requires the Legislature to review each public records or public meetings exemption five years after its initial enactment or subsequent expansion. If the Legislature does not reenact the exemption, it automatically repeals on October 2nd of the fifth year after enactment.

This bill is the result of an Open Government Sunset Review of a current public records exemption for employment discrimination complaints and related records. Specifically, all complaints and other records in the custody of an agency that relate to a complaint of discrimination relating to race, color, religion, sex, national origin, age, handicap, or marital status in connection with certain hiring and employment practices are exempt from public records disclosure requirements. This part of the exemption expires when one of specified conditions occurs.

The exemption also provides that when the 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 public records disclosure requirements.

This bill reenacts and makes clarifying drafting changes to the public records exemption for employment discrimination complaints and related records.

If approved by the Governor, these provisions take effect October 1, 2013.

Vote: Senate 37-0; House 116-0