

By Senator Gutman

34-1280-98

1 A bill to be entitled
2 An act relating to public records; creating s.
3 440.594, F.S.; providing an exemption from
4 public records requirements for records and
5 reports revealing the identity of employers and
6 employees in complying with workers'
7 compensation coverage requirements; providing
8 an expiration date; providing a finding of
9 public necessity; providing a contingent
10 effective date.

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

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14 Section 1. Section 440.594, Florida Statutes, is
15 created to read:

16 440.594 Confidentiality of records and reports.--Each
17 employer shall keep true and accurate work records containing
18 such information as the division may prescribe for purposes of
19 properly complying with the coverage requirements of this
20 chapter. The records must be open to inspection and be subject
21 to being copied by the division at any reasonable time and as
22 often as may be necessary. The division may require from any
23 employer any sworn or unsworn reports about employed persons
24 found necessary for the effective administration of this
25 chapter. Information revealing the employer or an individual's
26 identity thus obtained from the employer or from any
27 individual under the administration of this chapter must,
28 except to the extent necessary for the proper investigation to
29 ensure compliance with the coverage provisions of this
30 chapter, be held confidential and exempt from the provisions
31 of s. 119.07(1). This exemption is subject to the Open

1 Government Sunset Review Act in accordance with s. 119.15 and
2 expires on October 2, 2003, unless reviewed and reenacted by
3 the Legislature.

4 Section 2. The Legislature finds that it is a public
5 necessity that employer records and reports revealing the
6 identity of employers and individual employees under section
7 440.594, Florida Statutes, be held confidential in order to
8 protect an employer from competitive disadvantage.

9 Furthermore, the Legislature finds that it would be an
10 invasion of privacy to reveal the identity of employers and
11 individual employees to the public.

12 Section 3. This act shall take effect on the effective
13 date of SB ____ or similar legislation relating to workers'
14 compensation and shall not take effect if that legislation
15 does not become law.

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18 SENATE SUMMARY

19 Provides an exemption from public records disclosure
20 requirements for employer records and reports kept in
21 compliance with the coverage requirements of the Workers'
22 Compensation Law. Provides a finding of public necessity
23 and an expiration date.

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