

By the Committees on Governmental Operations, Children &
Family Empowerment and Representatives Murman and Lacasa

1 A bill to be entitled
2 An act relating to public records; amending s.
3 409.175, F.S.; providing an exemption from
4 public records requirements for specified
5 personal information contained in licensing
6 files concerning persons licensed to be family
7 foster parents and their spouses, children, and
8 other adult household members; providing for
9 future review and repeal; providing a finding
10 of public necessity; providing an effective
11 date.

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

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15 Section 1. Subsection (15) is added to section
16 409.175, Florida Statutes, to read:

17 409.175 Licensure of family foster homes, residential
18 child-caring agencies, and child-placing agencies.--

19 (15) The following information contained in the
20 licensing file held by the department is exempt from the
21 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
22 Constitution unless otherwise ordered by a court: the home,
23 business, work, childcare, or school addresses, telephone
24 numbers, social security numbers, birthdates, and photographs
25 of persons who are licensed under this section to be family
26 foster parents and of their spouses, their minor children, and
27 other adult household members; identifying information about
28 such persons in neighbor references; the floor plan of the
29 foster home; and any identifying information about such
30 persons contained in similar sensitive, personal information
31 that is provided to the department by such persons. This

1 subsection applies to foster parents whose homes are licensed
2 under this section, including, but not limited to, all
3 individuals who were foster parents and became adoptive
4 parents. This subsection is subject to the Open Government
5 Sunset Review Act of 1995 in accordance with s. 119.15, and
6 shall stand repealed on October 2, 2003, unless reviewed and
7 saved from repeal through reenactment by the Legislature.
8 Section 2. The Legislature finds that it is a public
9 necessity to exempt from public disclosure the personal
10 information specified in s. 409.175(15), Florida Statutes,
11 concerning persons who are licensed to be family foster
12 parents and their spouses, children, and other household
13 members because it would reduce the risk that other
14 individuals, including parents or relatives, could threaten,
15 harass, or cause physical harm or other injury to foster
16 children or their foster families. The Legislature further
17 finds that the availability to the public of such personal and
18 sensitive information lessens the willingness of prospective
19 caregivers to reveal information, and such information is
20 necessary in order to assess the abilities of foster parents
21 and make appropriate placements for children. The Legislature
22 further finds that the availability to the public of such
23 information has a negative, chilling effect on the recruitment
24 and retention of foster parents. Accordingly, the exemption
25 is a public necessity in order to effectively and efficiently
26 run the foster care program and to protect the health, safety,
27 and welfare of foster children and of foster parents, their
28 spouses, their children, and other household members.
29 Furthermore, because in part the exemption only affects
30 identifying information, other substantive information is
31 available to the public. This allows effective review of

1 department decisions with regard to the foster care program
2 without unnecessarily invading the privacy of foster parents,
3 their spouses, their children, and other household members.

4 Section 3. This act shall take effect upon becoming a
5 law.

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