

By Representative Chestnut

1 A bill to be entitled
2 An act relating to public records; amending s.
3 411.01, F.S.; providing for access to a child's
4 records by the Florida Partnership for Children
5 First, Inc., and providing an exemption from
6 public records requirements for identifying
7 information in such records; specifying that
8 any information received that is otherwise
9 confidential shall remain confidential;
10 providing for disclosure with the consent of
11 the parent or guardian; providing for future
12 review and repeal; providing a finding of
13 public necessity; providing a contingent
14 effective date.

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

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18 Section 1. Paragraph (g) is added to subsection (4) of
19 section 411.01, Florida Statutes, to read:

20 411.01 Florida Partnership for Children First, Inc.;
21 Children First Coalitions.--

22 (4) FLORIDA PARTNERSHIP FOR CHILDREN FIRST, INC.
23 (CHILDREN FIRST PARTNERSHIP).--

24 (g) The Florida Partnership for Children First, Inc.,
25 shall have access to federal, state, and local agency records
26 regarding a child upon receipt of permission from a parent or
27 guardian of the child. Any identifying information about the
28 child or the child's family obtained by the Children First
29 Partnership pursuant to this paragraph is confidential and
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution. Any information received that is otherwise

1 confidential and exempt shall remain confidential as provided
2 by law. Neither the Children First Partnership nor the staff
3 or agents of the Children First Partnership may release,
4 without the written consent of the parent or guardian of the
5 child, to any state or federal agency, to any private business
6 or person, or to any other entity, any confidential
7 information received pursuant to this paragraph. This
8 paragraph is subject to the Open Government Sunset Review Act
9 of 1995 in accordance with s. 119.15, and shall stand repealed
10 on October 2, 2003, unless reviewed and saved from repeal
11 through reenactment by the Legislature.

12 Section 2. The Legislature finds that it is a public
13 necessity that any identifying information in records relating
14 to children who are eligible for programs under the
15 jurisdiction of the Florida Partnership for Children First,
16 Inc., be held confidential and exempt from public disclosure.
17 Disclosure of such information would be an invasion of the
18 family's right to privacy and could threaten the welfare of
19 the child. Many of these children are at-risk children with
20 special needs who would be particularly vulnerable to the
21 discrimination that could result from such disclosure. Thus,
22 the harm that would result from disclosure of such information
23 far outweighs any public benefit which could be derived from
24 such disclosure.

25 Section 3. This act shall take effect on the same date
26 as House Bill or similar legislation creating s. 411.01,
27 Florida Statutes, takes effect, if such legislation is adopted
28 in the same legislative session or an extension thereof.

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HOUSE SUMMARY

Provides for access to a child's records by the Florida Partnership for Children First, Inc., and provides an exemption from public records requirements for identifying information in such records. Specifies that any information received that is otherwise confidential shall remain confidential. Provides for disclosure with the consent of the parent or guardian. Provides for future review and repeal. Takes effect contingent upon creation of the Florida Partnership for Children First, Inc.