

By Senator Cowin

11-1682-00

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A bill to be entitled
An act relating to public records; providing an exemption from public records requirements for certain records of an educator who successfully completes a recovery network treatment program; providing an expiration date; providing a finding of public necessity; providing a contingent effective date.

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

Section 1. The records of an educator who is in a recovery network treatment program after an investigation has commenced or an educator who has entered into a deferred prosecution agreement under section 231.263(6)(c), Florida Statutes, as amended by Senate Bill _____, and who successfully completes the recovery network treatment program, are exempt from the disclosure provisions of Section 24(a) of Article I of the State Constitution and section 119.07(1), Florida Statutes. This exemption is subject to the Open Government Sunset Review Act in accordance with section 119.15, Florida Statutes, and expires on October 2, 2005, unless reviewed and reenacted by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the records described in section 1 of this act be held confidential in order to promote the rehabilitation of impaired educators. Furthermore, the Legislature finds that it would be an invasion of privacy of participants who successfully complete a recovery network treatment program.

Section 3. This act shall take effect on the effective date of SB _____ or similar legislation, relating to the

1 network recovery treatment program, and shall not take effect
2 if that legislation does not become a law.

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SENATE SUMMARY

Provides an exemption from public records disclosure requirements for specified records of an educator who successfully completes a recovery network treatment program. Provides a finding of public necessity and an expiration date.