

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

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

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12           Section 1. Upon successful completion of a treatment  
13 program as provided in section 231.263(6)(c), Florida  
14 Statutes, as amended by Committee Substitute for Committee  
15 Substitute for House Bills 63 & 77 and 891, 995, 2009 and  
16 2135, First Engrossed, or similar legislation, and full  
17 compliance with a deferred prosecution agreement between an  
18 educator and the Department of Education, entered into  
19 pursuant to that section, the investigative records of the  
20 educator created by the Department of Education which relate  
21 solely to participation in a recovery network treatment  
22 program are exempt from the disclosure provisions of Section  
23 24(a) of Article I of the State Constitution and section  
24 119.07(1), Florida Statutes. This exemption does not include  
25 the investigative records of any criminal justice agency. This  
26 exemption is subject to the Open Government Sunset Review Act  
27 in accordance with section 119.15, Florida Statutes, and  
28 expires on October 2, 2005, unless reviewed and reenacted by  
29 the Legislature.

30           Section 2. The Legislature finds that it is a public  
31 necessity that the records described in section 1 of this act

1 be held confidential in order to promote the rehabilitation of  
2 impaired educators. Furthermore, the Legislature finds that it  
3 would encourage participation in the recovery network program  
4 for educators and reduce the teacher shortage in the state if  
5 the confidentiality of records pertaining to participation in  
6 the program encouraged more participation in the program.

7           Section 3. This act shall take effect on the effective  
8 date of Committee Substitute for Senate Bill 2432 or similar  
9 legislation, relating to the network recovery treatment  
10 program, and shall not take effect if that legislation does  
11 not become a law.

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