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2 An act relating to public meetings and public  
3 records; creating s. 414.106, F.S.; providing  
4 an exemption from public meetings requirements  
5 for meetings or portions of meetings held by  
6 the Department of Children and Family Services,  
7 Workforce Florida, Inc., a regional workforce  
8 board, or a local committee at which personal  
9 identifying information contained in records  
10 relating to temporary cash assistance which  
11 identifies a participant, participant's family,  
12 or participant's family or household member is  
13 discussed; creating s. 414.295, F.S.; providing  
14 an exemption from public records requirements  
15 for personal identifying information contained  
16 in records relating to temporary cash  
17 assistance which identifies a participant,  
18 participant's family, or participant's family  
19 or household member held by the Department of  
20 Children and Family Services, the Agency for  
21 Workforce Innovation, Workforce Florida, Inc.,  
22 the Department of Management Services, the  
23 Department of Health, the Department of  
24 Revenue, the Department of Education, a  
25 regional workforce board, a local committee, or  
26 service providers under contract with any of  
27 these entities; authorizing release of such  
28 information under specified circumstances;  
29 amending s. 445.007, F.S.; providing an  
30 exemption from public meetings requirements for  
31 meetings or portions of meetings held by

1 Workforce Florida, Inc., a regional workforce  
2 board, or a local committee at which personal  
3 identifying information contained in records  
4 relating to temporary cash assistance which  
5 identifies a participant, participant's family,  
6 or participant's family or household member is  
7 discussed; providing for future review and  
8 repeal; providing a finding of public  
9 necessity; providing an effective date.

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

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13 Section 1. Section 414.106, Florida Statutes, is  
14 created to read:

15 414.106 Exemption from public meetings law.--Any  
16 meeting or portion of a meeting held by the department,  
17 Workforce Florida, Inc., or a regional workforce board or  
18 local committee created pursuant to s. 445.007 at which  
19 personal identifying information contained in records relating  
20 to temporary cash assistance is discussed is exempt from s.  
21 286.011 and s. 24(b), Art. I of the State Constitution if the  
22 information identifies a participant, a participant's family,  
23 or a participant's family or household member. This section is  
24 subject to the Open Government Sunset Review Act of 1995 in  
25 accordance with s. 119.15, and shall stand repealed on October  
26 2, 2006, unless reviewed and saved from repeal through  
27 reenactment by the Legislature.

28 Section 2. Section 414.295, Florida Statutes, is  
29 created to read:

30 414.295 Temporary assistance programs; public records  
31 exemption.--

1           (1) Personal identifying information contained in  
2 records relating to temporary cash assistance which identifies  
3 a participant, a participant's family, or a participant's  
4 family or household member, except for information identifying  
5 a noncustodial parent, and which is held by the department,  
6 the Agency for Workforce Innovation, Workforce Florida, Inc.,  
7 the Department of Management Services, the Department of  
8 Health, the Department of Revenue, the Department of  
9 Education, a regional workforce board or local committee  
10 created pursuant to s. 445.007, or service providers under  
11 contract with any of these entities shall be held confidential  
12 and exempt from the requirements of s. 119.07(1) and s. 24(a),  
13 Art. I of the State Constitution. Such information made  
14 confidential and exempt may be released for purposes directly  
15 connected with:

16           (a) The administration of the temporary assistance for  
17 needy families plan under Title IV-A of the Social Security  
18 Act, as amended, which may include disclosure of information  
19 within and among the department, the Agency for Workforce  
20 Innovation, Workforce Florida, Inc., the Department of  
21 Management Services, the Department of Health, the Department  
22 of Revenue, the Department of Education, a regional workforce  
23 board or local committee created pursuant to s. 445.007, or  
24 service providers under contract with any of these entities.

25           (b) The administration of the state's plan or program  
26 approved under Title IV-B, Title IV-D, or Title IV-E of the  
27 Social Security Act, as amended, or under Title I, Title X,  
28 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the  
29 Social Security Act, as amended.

30           (c) Any investigation, prosecution, or any criminal,  
31 civil, or administrative proceeding conducted in connection

1 with the administration of any of the plans or programs  
2 specified in paragraph (a) or paragraph (b). Such information  
3 shall be disclosed to a federal, state, or local governmental  
4 entity, upon request by that entity, when such request is made  
5 pursuant to the proper exercise of that entity's duties and  
6 responsibilities.

7 (d) The administration of any other state, federal, or  
8 federally assisted program that provides assistance or  
9 services on the basis of need, in cash or in kind, directly to  
10 a participant.

11 (e) Any audit or similar activity, such as a review of  
12 expenditure reports or financial review, conducted in  
13 connection with the administration of any of the plans or  
14 programs specified in paragraph (a) or paragraph (b) by a  
15 governmental entity authorized by law to conduct such audit or  
16 activity.

17 (f) The administration of the unemployment  
18 compensation program.

19 (g) The reporting to the appropriate agency or  
20 official of information about known or suspected instances of  
21 physical or mental injury, sexual abuse or exploitation, or  
22 negligent treatment or maltreatment of a child or elderly  
23 person receiving assistance, if circumstances indicate that  
24 the health or welfare of the child or elderly person is  
25 threatened.

26 (h) The administration of services to elderly persons  
27 under ss. 430.601-430.606.

28 (2) If a subpoena is received for any information made  
29 confidential and exempt by this section, the public record or  
30 part thereof in question shall be submitted to the court for  
31 an inspection in camera. The court may make such provision as

1 it finds necessary to maintain appropriate confidentiality.  
2 Except pursuant to court order, the receiving entities shall  
3 retain the confidential and exempt status of such personal  
4 identifying information as otherwise provided for in this  
5 section.

6 (3) If information is obtained from a participant  
7 through an integrated eligibility process so that the  
8 requirements of more than one state or federal program apply  
9 to the information, the requirements of the program that is  
10 the provider of the information shall prevail. If the  
11 department cannot determine which program is the provider of  
12 the information, the requirements of each applicable state or  
13 federal program shall be met.

14 (4) This section is subject to the Open Government  
15 Sunset Review Act of 1995 in accordance with s. 119.15, and  
16 shall stand repealed on October 2, 2006, unless reviewed and  
17 saved from repeal through reenactment by the Legislature.

18 Section 3. Subsection (12) is added to section  
19 445.007, Florida Statutes, to read:

20 445.007 Regional workforce boards; exemption from  
21 public meetings law.--

22 (12) Any meeting or portion of a meeting held by  
23 Workforce Florida, Inc., or a regional workforce board or  
24 local committee created under this section at which personal  
25 identifying information contained in records relating to  
26 temporary cash assistance, as defined in s. 414.0252, is  
27 discussed is exempt from s. 286.011 and s. 24(b), Art. I of  
28 the State Constitution if the information identifies a  
29 participant, a participant's family, or a participant's family  
30 or household member, as defined in s. 414.0252. This  
31 subsection is subject to the Open Government Sunset Review Act

1 of 1995 in accordance with s. 119.15, and shall stand repealed  
2 on October 2, 2006, unless reviewed and saved from repeal  
3 through reenactment by the Legislature.

4       Section 4. The Legislature finds that the exemptions  
5 created by this act are a public necessity because the state  
6 has a compelling interest to ensure that the participants and  
7 their families or family and household members for whom the  
8 exemptions are created fully participate in welfare transition  
9 programs in order to assist them in attaining  
10 self-sufficiency, including programs to deal with problems  
11 such as illiteracy, substance abuse, and mental health. The  
12 fear of public disclosure of personal identifying information  
13 at the meetings exempted by this act and contained in the  
14 records exempted by this act constitutes a significant  
15 disincentive for their full participation in programs that  
16 assist in the development of independence and makes the  
17 development of a sense of self-worth that is essential to the  
18 development of independence more difficult. The state also has  
19 a compelling interest to ensure that in meetings concerning  
20 assistance cases, the parties present are able to consider  
21 information regarding eligibility for assistance, hardship  
22 exemption, extension of time limits, and other provisions of  
23 the program which may require information from many sources.  
24 The state has a compelling interest to protect the family and  
25 household members of participants applying for or receiving  
26 assistance or participating in related intervention programs  
27 from the trauma of public disclosure of their financial  
28 situations. In addition, the state has a compelling interest  
29 to hold certain meetings exempt and certain information  
30 confidential and exempt in order to protect participants who  
31 are victims of domestic violence.

1           Section 5. This act shall take effect upon becoming a  
2 law.  
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