



HB 1023

2003

A bill to be entitled

An act relating to a public records exemption for county employee assistance program records; amending s. 125.585, F.S.; narrowing the exemption for records relating to an employee's participation in a county employee assistance program to provide that a county employee's personal identifying information contained in employee assistance program records is confidential and exempt; making editorial changes; removing the October 2, 2003, repeal thereof scheduled pursuant to the Open Government Sunset Review Act of 1995; providing an effective date.

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

Section 1. Notwithstanding the October 2, 2003, repeal of said section scheduled pursuant to the Open Government Sunset Review Act of 1995, section 125.585, Florida Statutes, is amended to read:

125.585 Employee assistance programs; public records exemption ~~confidentiality~~.--

(1) As used in this section, "employee assistance program" means a counseling, therapeutic, or other professional treatment program provided by a county to assist any county employee who has a behavioral disorder, ~~or~~ medical disorder, or substance abuse problem, ~~or who has an~~ emotional difficulty which affects the employee's job performance, ~~through referral for counseling, therapy, or other professional treatment.~~

(2) A county employee's personal identifying information contained in ~~Any communication between a county employee and personnel or service providers of a county employee assistance~~



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31 ~~program relating to that employee's participation in such~~
32 ~~program shall be a confidential communication. Any routine~~
33 ~~monitoring of telephone calls by the county does not violate~~
34 ~~this provision. All records held by the employing county~~
35 ~~relating to that employee's participation in an employee~~
36 ~~assistance program is are confidential and exempt from s.~~
37 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
38 ~~section is subject to the Open Government Sunset Review Act of~~
39 ~~1995 in accordance with s. 119.15, and shall stand repealed on~~
40 ~~October 2, 2003, unless reviewed and saved from repeal through~~
41 ~~reenactment by the Legislature.~~

42 Section 2. This act shall take effect October 1, 2003.