

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

.
.
.
.

1 Representative Barreiro offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (11) is added to section 125.901,
6 Florida Statutes, to read:

7 125.901 Children's services; independent special district;
8 council; powers, duties, and functions.--

9 (11)(a) Personal identifying information concerning a
10 child or the child's parent or guardian held by a children's
11 services council, juvenile welfare board, or other similar
12 entity created under this section or by special law, or held by
13 a service provider or researcher under contract with such
14 entity, is exempt from s. 119.07(1) and s. 24(a), Art. I of the
15 State Constitution. This exemption applies to such personal

591837

Amendment No. (for drafter's use only)

16 identifying information held on, before, or after the effective
17 date of this exemption.

18 (b) This subsection is subject to the Open Government
19 Sunset Review Act of 1995 in accordance with s. 119.15, and
20 shall stand repealed on October 2, 2009, unless reviewed and
21 saved from repeal through reenactment by the Legislature.

22 Section 2. The Legislature finds, as a matter of public
23 necessity, that personal identifying information concerning a
24 child or the child's parent or guardian held by a children's
25 services council, juvenile welfare board, or other similar
26 entity created under s. 125.901, Florida Statutes, or by special
27 law, or held by a service provider or researcher under contract
28 with such entity, must be exempt from s. 119.07(1), Florida
29 Statutes, and s. 24(a), Art. I of the State Constitution. The
30 Legislature finds that public availability of information that
31 directly reveals the identity of a child, or that indirectly
32 identifies the child through the identification of the child's
33 parent or guardian, would be contrary to the state's compelling
34 interest in protecting the public safety. The Legislature finds
35 that it is necessary to exempt such personal identifying
36 information so that such information cannot be used to
37 facilitate stalking, harassment, abduction, or abuse of any
38 child who is the subject of such information. The Legislature
39 finds that this interest outweighs any public benefit derived
40 from releasing such identifying information. The Legislature
41 further finds that nonidentifying information regarding services
42 provided to, or research concerning, children shall not be
43 exempted from disclosure by this act.

591837

Amendment No. (for drafter's use only)

44 Section 3. This act shall take effect July 1, 2004.

45

46 ===== T I T L E A M E N D M E N T =====

47 Remove the entire title and insert:

48 A bill to be entitled

49 An act relating to a public records exemption for
50 identifying information; amending s. 125.901, F.S.;
51 providing that personal identifying information of a child
52 or the child's parent or guardian held by a children's
53 services council, juvenile welfare board, or other similar
54 entity is exempt from the requirement that public records
55 be open to inspection and duplication; providing for
56 retroactive application; providing for future legislative
57 review and repeal under the Open Government Sunset Review
58 Act of 1995; providing a statement of public necessity;
59 providing an effective date.