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2 An act relating to a public records exemption
3 for identifying information; amending s.
4 125.901, F.S.; providing that personal
5 identifying information of a child or the
6 child's parent or guardian held by a children's
7 service council, juvenile welfare board, or
8 other entity created under that section or by
9 special law is exempt from the requirement that
10 public records be open to inspection and
11 duplication; providing for retroactive
12 application; providing for future repeal and
13 legislative review under the Open Government
14 Sunset Review Act of 1995; providing a
15 statement of public necessity; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:
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20 Section 1. Subsection (11) is added to section
21 125.901, Florida Statutes, to read:

22 125.901 Children's services; independent special
23 district; council; powers, duties, and functions.--

24 (11)(a) Personal identifying information of a child or
25 the child's parent or guardian, held by a children's service
26 council, juvenile welfare board, or other similar entity
27 created under this section or by special law, or held by a
28 service provider or researcher under contract with such
29 entity, is exempt from s. 119.07(1) and s. 24(a), Art. I of
30 the State Constitution. This exemption applies to such
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1 personal identifying information held on, before, or after the
2 effective date of this exemption.

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5 shall stand repealed on October 2, 2009, unless reviewed and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

7 Section 2. The Legislature finds that it is a public
8 necessity that personal identifying information of a child or
9 the child's parent or guardian held by a children's service
10 council, juvenile welfare board, or other similar entity
11 created under section 125.901, Florida Statutes, or by special
12 law, or held by a service provider or researcher under
13 contract with such entity, must be exempt from section
14 119.07(1), Florida Statutes, and Section 24(a) of Article I of
15 the State Constitution. The Legislature finds that public
16 availability of information that directly reveals the identity
17 of a child, or that indirectly identifies the child through
18 the identification of the child's parent or guardian, would be
19 contrary to the state's compelling interest in protecting the
20 public safety. The Legislature finds that it is necessary to
21 exempt such personal identifying information so that such
22 information cannot be used to facilitate stalking, harassment,
23 abduction, or abuse of any child who is the subject of such
24 information. The Legislature finds that this interest
25 outweighs any public benefit derived from releasing such
26 identifying information. The Legislature further finds that
27 nonidentifying information regarding services provided to, or
28 research concerning, children shall not be exempted from
29 disclosure by this act.

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