

By Senator Wilson

33-1172-05

See HB 475

1 A bill to be entitled
 2 An act relating to access by legislators to
 3 confidential or exempt information of the
 4 Department of Children and Family Services;
 5 creating s. 402.117, F.S.; requiring the
 6 Department of Children and Family Services to
 7 share specified confidential or exempt
 8 information with any member of the Legislature
 9 when such information is reasonably necessary
 10 for the performance of the legislator's
 11 official duties; providing procedures with
 12 respect to requests for such information;
 13 providing for the adoption of rules by the
 14 department; providing an effective date.

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

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 18 Section 1. Section 402.117, Florida Statutes, is
 19 created to read:

20 402.117 Members of the Legislature; access to
 21 confidential or exempt information.--

22 (1) Notwithstanding any other provision of law to the
 23 contrary, the Department of Children and Family Services shall
 24 share confidential information or information exempt from
 25 disclosure under chapter 119 on any individual who is or has
 26 been the subject of a program within the jurisdiction of the
 27 agency with any member of the Legislature when such
 28 information is reasonably necessary for the performance of the
 29 legislator's official duties. Information exchanged pursuant
 30 to this section remains confidential or exempt as provided by
 31 law.

1 (2) To request confidential or exempt information
2 pursuant to this section:

3 (a) A legislator must submit a written request for
4 such information to the department, stating the name of the
5 person about whom the request for information is being made,
6 the reason for the request, and any other information that
7 will assist the department in locating the requested
8 information. The request shall also include the office of the
9 department at which the legislator wishes to review the
10 information.

11 (b) The department shall make the necessary
12 arrangements for the legislator to review the information at
13 an office of the department, chosen by the legislator, within
14 10 working days of receipt of the request.

15 (c) Prior to reviewing the information, the legislator
16 shall sign a form that outlines the confidentiality laws
17 governing the information being reviewed and the penalties for
18 further release of the information.

19 (3) The department shall adopt rules to facilitate the
20 accessibility of information to members of the Legislature
21 under this section.

22 Section 2. This act shall take effect July 1, 2005.
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