

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

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

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

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

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

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

31           (a) A legislator must submit a written request for such  
 32 information to the department, stating the name of the person  
 33 about whom the request for information is being made, the reason  
 34 for the request, and any other information that will assist the  
 35 department in locating the requested information. The request  
 36 shall also include the office of the department at which the  
 37 legislator wishes to review the information.

38           (b) The department shall make the necessary arrangements  
 39 for the legislator to review the information at an office of the  
 40 department, chosen by the legislator, within 10 working days of  
 41 receipt of the request.

42           (c) Prior to reviewing the information, the legislator  
 43 shall sign a form that outlines the confidentiality laws  
 44 governing the information being reviewed and penalties for  
 45 further release of the information.

46           (3) The department shall adopt rules to facilitate the  
 47 accessibility of information to members of the Legislature under  
 48 this section.

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