

1 A bill to be entitled
 2 An act relating to public records; amending s. 741.313,
 3 F.S.; providing an exemption from public records
 4 requirements for personal identifying information
 5 contained in records documenting an act of domestic
 6 violence and submitted to an agency by an agency employee
 7 in order to obtain leave; providing an exemption from
 8 public records requirements for a written request for
 9 leave submitted by an agency employee who is a victim of
 10 domestic violence and any agency time sheet that reflects
 11 such a request; providing for limited duration of the
 12 exemption; providing for review and repeal; providing a
 13 statement of public necessity; providing a contingent
 14 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. Subsection (7) is added to section 741.313,
 19 Florida Statutes, as created by HB 1505, 2006 Regular Session,
 20 to read:

21 741.313 Unlawful action against employees seeking
 22 protection.--

23 (7) (a) Personal identifying information contained in
 24 records documenting an act of domestic violence and submitted to
 25 an agency, as defined in chapter 119, by an agency employee
 26 pursuant to the requirements of this section is confidential and
 27 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 28 Constitution.

29 (b) A written request for leave which is submitted by an
30 agency employee pursuant to the requirements of this section and
31 any agency time sheet that reflects such a request are
32 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
33 of the State Constitution for a period of 1 year after the leave
34 has been taken.

35 (c) This subsection is subject to the Open Government
36 Sunset Review Act in accordance with s. 119.15 and shall stand
37 repealed on October 2, 2011, unless reviewed and saved from
38 repeal through reenactment by the Legislature.

39 Section 2. The Legislature finds that it is a public
40 necessity to make confidential and exempt from s. 119.07(1),
41 Florida Statutes, and s. 24(a), Art. I of the State Constitution
42 personal identifying information contained in records submitted
43 to a state agency by an agency employee which documents an act
44 of domestic violence and which is submitted in order to obtain
45 leave pursuant to s. 741.313, Florida Statutes. Such
46 information, if publicly available, could expose the victim of
47 domestic violence to public humiliation and shame and could
48 inhibit the victim from availing himself or herself of the
49 relief provided under s. 741.313, Florida Statutes. In addition,
50 the Legislature finds that it is a public necessity to make
51 confidential and exempt from s. 119.07(1), Florida Statutes, and
52 s. 24(a), Art. I of the State Constitution an agency employee's
53 request for leave until 1 year after the leave has been taken.
54 If such information were publicly available, it could be used by
55 the partner or former partner of the victim of domestic violence
56 to determine the schedule and location of the employee who is

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57 the victim of domestic violence. The employee's request for
58 leave is exempt from disclosure only temporarily and such record
59 is available 1 year after the leave has been taken, thereby
60 providing continued public oversight of public funds.

61 Section 3. This act shall take effect on the same date
62 that House Bill 1505 or similar legislation takes effect, if
63 such legislation is adopted in the same legislative session, or
64 an extension thereof, and becomes law.