By Senator Aronberg

27-142-07

1   A bill to be entitled

2   An act relating to public records; amending s.

3   741.313, F.S.; providing an exemption from

4   public-records requirements for certain records

5   and time sheets submitted to an agency, as

6   defined in ch. 119, F.S., by an employee who is

7   a victim of domestic violence; providing for

8   future legislative review and repeal under the

9   Open Government Sunset Review Act; providing a

10   statement of public necessity; providing a

11   contingent effective date.

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

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15   Section 1. Subsection (7) is added to section 741.313,

16   Florida Statutes, as created by SB _____, 2007 Regular Session,

17   to read:

18   741.313 Unlawful action against employees seeking

19   protection.--

20   (7)(a) Personal identifying information that is

21   contained in records documenting an act of domestic violence

22   and that is submitted to an agency, as defined in chapter 119,

23   by an agency employee pursuant to the requirements of this

24   section is confidential and exempt from s. 119.07(1) and s.

25   24(a), Art. I of the State Constitution.

26   (b) A written request for leave which is submitted by

27   an agency employee pursuant to the requirements of this

28   section and any agency time sheet that reflects such a request

29   are confidential and exempt from s. 119.07(1) and s. 24(a),

30   Art. I of the State Constitution until 1 year after the leave

31   has been taken.

1   (c) This subsection is subject to the Open Government

2   Sunset Review Act in accordance with s. 119.15, and shall

3   stand repealed on October 2, 2012, unless reviewed and saved

4   from repeal through reenactment by the Legislature.

5   Section 2. The Legislature finds that it is a public

6   necessity to make confidential and exempt from disclosure

7   personal identifying information contained in records

8   submitted to an agency, as defined in chapter 119, Florida

9   Statutes, by an agency employee which documents an act of

10 domestic violence and which is submitted in order to obtain

11 leave pursuant to s. 741.313, Florida Statutes. Such

12 information, if publicly available, could expose the victim of

13 domestic violence to public humiliation and shame and could

14 inhibit that victim from availing himself or herself of the

15 relief provided under s. 741.313, Florida Statutes. In

16 addition, the Legislature finds that it is a public necessity

17 to make confidential and exempt from disclosure an agency

18 employee's request for leave until 1 year after the leave has

19 been taken. If that information were publicly available, it

20 could be used by the partner or former partner of the victim

21 of domestic violence to determine the schedule and location of

22 the employee who is the victim of domestic violence. The

23 employee's request for leave is exempt from disclosure only

24 temporarily and such record is available 1 year after the

25 leave has been taken, thereby providing continued public

26 oversight of public moneys.

27   Section 3. This act shall take effect on the same date

28 that Senate Bill ___ or similar legislation takes effect, if

29 such legislation is adopted in the same legislative session,

30 or an extension thereof, and becomes law.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2   SENATE SUMMARY

3   Provides an exemption from public-records requirements
     for certain records submitted by an employee of an agency
4   who is a victim of domestic violence. Provides for future
     legislative review and repeal. Provides a statement of
5   public necessity.

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