

ENROLLED
HB 63

2007 Legislature

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 certain records and time sheets submitted
5 to an agency, as defined in ch. 119, F.S., by an employee
6 who is a victim of domestic violence; providing for future
7 legislative review and repeal under the Open Government
8 Sunset Review Act; providing a statement of public
9 necessity; providing a contingent effective date.

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

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13 Section 1. Subsection (7) is added to section 741.313,
14 Florida Statutes, as created by House Bill 55, 2007 Regular
15 Session, to read:

16 741.313 Unlawful action against employees seeking
17 protection.--

18 (7) (a) Personal identifying information that is contained
19 in records documenting an act of domestic violence and that is
20 submitted to an agency, as defined in chapter 119, by an agency
21 employee under the requirements of this section is confidential
22 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
23 Constitution.

24 (b) A written request for leave which is submitted by an
25 agency employee under the requirements of this section and any
26 agency time sheet that reflects such a request are confidential
27 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
28 Constitution until 1 year after the leave has been taken.

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29 (c) This subsection is subject to the Open Government
30 Sunset Review Act in accordance with s. 119.15, and shall stand
31 repealed on October 2, 2012, unless reviewed and saved from
32 repeal through reenactment by the Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity to make confidential and exempt from disclosure
35 personal identifying information contained in records submitted
36 to an agency, as defined in chapter 119, Florida Statutes, by an
37 agency employee which documents an act of domestic violence and
38 which is submitted in order to obtain leave under s. 741.313,
39 Florida Statutes. Such information, if publicly available, could
40 expose the victim of domestic violence to public humiliation and
41 shame and could inhibit that victim from availing himself or
42 herself of the relief provided under s. 741.313, Florida
43 Statutes. In addition, the Legislature finds that it is a public
44 necessity to make confidential and exempt from disclosure an
45 agency employee's request for leave until 1 year after the leave
46 has been taken. If that information were publicly available, it
47 could be used by the partner or former partner of the victim of
48 domestic violence to determine the schedule and location of the
49 employee who is the victim of domestic violence. The employee's
50 request for leave is exempt from disclosure only temporarily and
51 such record is available 1 year after the leave has been taken,
52 thereby providing continued public oversight of public moneys.

53 Section 3. This act shall take effect on the same date
54 that House Bill 55 or similar legislation takes effect, if such
55 legislation is adopted in the same legislative session, or an
56 extension thereof, and becomes law.