

By the Committee on Children, Families, and Elder Affairs

586-02883-08

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1 A bill to be entitled

2 An act relating to a review under the Open Government  
3 Sunset Review Act; amending s. 409.175, F.S.; revising the  
4 public-records exemption provided for information held by  
5 the Department of Children and Family Services regarding  
6 foster parent applicants, foster parents, and persons  
7 providing character or neighbor references regarding  
8 foster parent applicants or foster parents; removing an  
9 exemption provided for social security numbers; saving the  
10 exemption from repeal under the Open Government Sunset  
11 Review Act; repealing s. 2, ch. 2003-83, Laws of Florida;  
12 deleting provisions that provide for the repeal of the  
13 exemption; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Subsection (16) of section 409.175, Florida  
18 Statutes, is amended to read:

19 409.175 Licensure of family foster homes, residential  
20 child-caring agencies, and child-placing agencies; public records  
21 exemption.--

22 (16) (a) 1. The following information held by the Department  
23 of Children and Family Services regarding a foster parent  
24 applicant and such applicant's spouse, minor child, and other  
25 adult household member is exempt from ~~the provisions of s.~~  
26 119.07(1) and s. 24(a), Art. I of the State Constitution, ~~unless~~  
27 ~~otherwise ordered by a court:~~

28 a. The home, business, work, child care, or school  
29 addresses and telephone numbers; ~~social security numbers;~~

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30        b. Birth dates;

31        c. Medical records;

32        d. The floor plan of the home; and

33        e. Photographs of such persons.

34        2. If a foster parent applicant does not receive a foster  
35 parent license, the information made exempt pursuant to this  
36 paragraph shall become public 5 years after the date of  
37 application, except that ~~social security numbers and~~ medical  
38 records shall remain exempt from ~~the provisions of~~ s. 119.07(1)  
39 and s. 24(a), Art. I of the State Constitution.

40        3. This exemption applies to information made exempt by  
41 this paragraph before, on, or after the effective date of the  
42 exemption.

43        (b)1. The following information held by the Department of  
44 Children and Family Services regarding a licensed foster parent  
45 and the foster parent's spouse, minor child, and other adult  
46 household member is exempt from ~~the provisions of~~ s. 119.07(1)  
47 and s. 24(a), Art. I of the State Constitution, ~~unless otherwise~~  
48 ~~ordered by a court:~~

49        a. The home, business, work, child care, or school  
50 addresses and telephone numbers; ~~social security numbers;~~

51        b. Birth dates;

52        c. Medical records;

53        d. The floor plan of the home; and

54        e. Photographs of such persons.

55        2. If a foster parent's license is no longer active, the  
56 information made exempt pursuant to this paragraph shall become  
57 public 5 years after the expiration date of such foster parent's  
58 foster care license, ~~except that:~~ social security numbers and

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59           a. Medical records shall remain exempt from ~~the provisions~~  
60 ~~of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

61           b. ~~However,~~ Exempt information regarding a licensed foster  
62 parent who has become an adoptive parent and exempt information  
63 regarding such foster parent's spouse, minor child, or other  
64 adult household member ~~shall not become available to the public 5~~  
65 ~~years after expiration of such foster parent's license and shall~~  
66 remain exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a),  
67 Art. I of the State Constitution.

68           3. This exemption applies to information made exempt by  
69 this paragraph before, on, or after the effective date of the  
70 exemption.

71           (c) The name, address, and telephone number of persons  
72 providing character or neighbor references regarding foster  
73 parent applicants or licensed foster parents held by the  
74 Department of Children and Family Services are exempt from ~~the~~  
75 ~~provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State  
76 Constitution.

77           Section 2. Section 2 of chapter 2003-83, Laws of Florida,  
78 is repealed.

79           Section 3. This act shall take effect July 1, 2008.