

HB 1141

2008

1 A bill to be entitled
2 An act relating to public records; amending s. 741.313,
3 F.S.; expanding an exemption from public records
4 requirements for certain records and time sheets submitted
5 to an agency to include those submitted by an employee who
6 is a victim of sexual violence; extending future
7 legislative review and repeal; amending s. 2, ch. 2007-
8 108, Laws of Florida; revising a statement of public
9 necessity to conform; providing a contingent effective
10 date.

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

13
14 Section 1. Subsection (7) of section 741.313, Florida
15 Statutes, is amended 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 or sexual
20 violence and that is submitted to an agency, as defined in
21 chapter 119, by an agency employee under the requirements of
22 this section is confidential and exempt from s. 119.07(1) and s.
23 24(a), Art. I of the State Constitution.

24 (b) A written request for leave that 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.

HB 1141

2008

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31 repealed on October 2, 2013 ~~2012~~, unless reviewed and saved from
32 repeal through reenactment by the Legislature.

33 Section 2. Section 2 of chapter 2007-108, Laws of Florida,
34 is amended to read:

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

HB 1141

2008

57 Section 3. This act shall take effect on the same date
58 that House Bill 489 or similar legislation takes effect, if such
59 legislation is adopted in the same legislative session, or an
60 extension thereof, and becomes law.