

ENROLLED  
CS/HB 1141

2008 Legislature

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.

ENROLLED  
CS/HB 1141

2008 Legislature

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31 repealed on October 2, 2013 ~~2012~~, unless reviewed and saved from  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 by the perpetrator of sexual violence to determine the  
52 schedule and location of the employee who is the victim of  
53 domestic violence or sexual violence. The employee's request for  
54 leave is exempt from disclosure only temporarily and such record  
55 is available 1 year after the leave has been taken, thereby  
56 providing continued public oversight of public moneys.

ENROLLED  
CS/HB 1141

2008 Legislature

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.