1   A bill to be entitled

2   An act relating to public records; amending s. 119.071,

3   F.S.; providing an exemption from public records

4   requirements for personal identifying information of

5   certain insured dependents; providing a statement of

6   retroactive application of the exemption; providing for

7   future legislative review and repeal of the exemption

8   under the Open Government Sunset Review Act; providing a

9   statement of public necessity; providing an effective

10   date.

11

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

13

14   Section 1. Paragraph (b) of subsection (4) of section

15   119.071, Florida Statutes, is amended to read:

16   119.071 General exemptions from inspection or copying of

17   public records.--

18   (4)   AGENCY PERSONNEL INFORMATION.--

19   (b)1. Medical information pertaining to a prospective,

20   current, or former officer or employee of an agency which, if

21   disclosed, would identify that officer or employee is exempt

22   from s. 119.07(1) and s. 24(a), Art. I of the State

23   Constitution. However, such information may be disclosed if the

24   person to whom the information pertains or the person's legal

25   representative provides written permission or pursuant to court

26   order.

27   2.a. Personal identifying information of a dependent child

28   of a current or former officer or employee of an agency, which

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29 dependent child is insured by an agency group insurance plan, is

30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

31 Constitution. For purposes of this exemption, "dependent child"

32 has the same meaning as in s. 409.2554.

33   b. This exemption is remedial in nature and applies to

34 personal identifying information held by an agency before, on,

35 or after the effective date of this exemption.

36   c. This subparagraph is subject to the Open Government

37 Sunset Review Act in accordance with s. 119.15 and shall stand

38 repealed on October 2, 2014, unless reviewed and saved from

39 repeal through reenactment by the Legislature.

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

41 necessity that personal identifying information of a dependent

42 child of a current or former officer or employee of an agency,

43 which dependent child is insured by an agency group insurance

44 plan, be made exempt from public records requirements. Personal

45 identifying information of an agency employee is and should

46 remain available to the public because such employee works for

47 the public. The Legislature notes that the existence of the

48 World Wide Web and the proliferation of personal computers

49 throughout the world encourages and promotes the wide

50 dissemination of information 24 hours a day and that such

51 widespread unauthorized dissemination of personal identifying

52 information of an insured dependent child could subject the

53 child to harm. Personal identifying information could be

54 obtained by a requestor and used to identify the dependent child

55 for sexual or other criminal purposes. Exempting the personal

56 identifying information of such insured dependent child helps to

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57 protect the child while still providing the public with access
58 to agency group insurance information that does not specifically
59 identify such child.
60   Section 3. This act shall take effect July 1, 2009.

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