

ENROLLED
CS/HB 135

2009 Legislature

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

ENROLLED
CS/HB 135

2009 Legislature

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38 repealed on October 2, 2014, unless reviewed and saved from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

ENROLLED
CS/HB 135

2009 Legislature

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.