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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/03/2009	.	
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The Committee on Community Affairs (Storms) recommended the following:

Senate Amendment

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (4) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(4) AGENCY PERSONNEL INFORMATION.—

(b)1. Medical information pertaining to a prospective, current, or former officer or employee of an agency which, if



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12 disclosed, would identify that officer or employee is exempt
13 from s. 119.07(1) and s. 24(a), Art. I of the State
14 Constitution. However, such information may be disclosed if the
15 person to whom the information pertains or the person's legal
16 representative provides written permission or pursuant to court
17 order.

18 2.a. Personal identifying information of a dependent child
19 of a current or former officer or employee of an agency, which
20 dependent is insured by an agency group insurance plan, is
21 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
22 Constitution. For purposes of this exemption, "dependent child"
23 means the same as in s. 409.2554.

24 b. This exemption is remedial in nature and applies to
25 personal identifying information held by an agency before, on,
26 or after the effective date of this exemption.

27 c. This subparagraph is subject to the Open Government
28 Sunset Review Act in accordance with s. 119.15, and shall stand
29 repealed on October 2, 2014, unless reviewed and saved from
30 repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that personal identifying information of a dependent
33 child of a current or former officer or employee of an agency,
34 which dependent child is insured by an agency group insurance
35 plan, be made exempt from public-records requirements. Personal
36 identifying information of an agency employee is and should
37 remain available to the public because such employee works for
38 the public. The Legislature notes that the existence of the
39 World Wide Web and the proliferation of personal computers
40 throughout the world encourages and promotes the wide



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41 dissemination of information 24 hours a day and that such
42 widespread unauthorized dissemination of personal identifying
43 information of an insured dependent child could subject the
44 child to harm. Personal identifying information could be
45 obtained by a requestor and used to identify the dependent child
46 for sexual or other criminal purposes. Exempting the personal
47 identifying information of such insured dependent child helps to
48 protect the child while still providing the public with access
49 to agency group insurance information that does not specifically
50 identify such child.

51 Section 3. This act shall take effect July 1, 2009.