

By Senator Dockery

15-00367-09

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.071, F.S.; providing an exemption from public-  
4       records requirements for personal identifying  
5       information of certain insured dependents; providing a  
6       statement of retroactive application of the exemption;  
7       providing for future legislative review and repeal of  
8       the exemption under the Open Government Sunset Review  
9       Act; providing a statement of public necessity;  
10      providing an effective date.

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

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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 minor dependent  
28       of a current or former officer or employee of an agency, which  
29       dependent is insured by the agency group insurance plan, is

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

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

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37 repealed on October 2, 2014, unless reviewed and saved from  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

39 Section 2. The Legislature finds that it is a public  
40 necessity that personal identifying information of a minor  
41 dependent of a current or former officer or employee of an  
42 agency, which dependent is insured by the agency group insurance  
43 plan, be made exempt from public-records requirements. Personal  
44 identifying information of an agency employee is and should  
45 remain available to the public because such employee works for  
46 the public; however, personal identifying information of the  
47 insured minor dependent of such employee held by an agency is  
48 sensitive, personal information that could be obtained by a  
49 requestor and used to identify a minor for sexual or other  
50 criminal offenses. Exempting personal identifying information of  
51 such insured minor helps to protect the minor while still  
52 providing public oversight of group insurance plans by  
53 permitting the release of information that does not specifically  
54 identify such minor.

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