

ENROLLED
HB 7145

2013 Legislature

1
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., which
4 provides an exemption from public record requirements
5 for employment discrimination complaints and other
6 records; removing the scheduled repeal of the
7 exemption; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (g) of subsection (2) of section
12 119.071, Florida Statutes, is amended to read:

13 119.071 General exemptions from inspection or copying of
14 public records.—

15 (2) AGENCY INVESTIGATIONS.—

16 (g)1.~~a.~~ All complaints and other records in the custody of
17 any agency which relate to a complaint of discrimination
18 relating to race, color, religion, sex, national origin, age,
19 handicap, or marital status in connection with hiring practices,
20 position classifications, salary, benefits, discipline,
21 discharge, employee performance, evaluation, or other related
22 activities are exempt from s. 119.07(1) and s. 24(a), Art. I of
23 the State Constitution until a finding is made relating to
24 probable cause, the investigation of the complaint becomes
25 inactive, or the complaint or other record is made part of the
26 official record of any hearing or court proceeding.

27 ~~a.b.~~ This exemption does ~~provision shall~~ not affect any
28 function or activity of the Florida Commission on Human

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29 Relations.

30 ~~b.e.~~ Any state or federal agency that is authorized to
31 have access to such complaints or records by any provision of
32 law shall be granted such access in the furtherance of such
33 agency's statutory duties.

34 2. If an ~~When the~~ alleged victim chooses not to file a
35 complaint and requests that records of the complaint remain
36 confidential, all records relating to an allegation of
37 employment discrimination are confidential and exempt from s.
38 119.07(1) and s. 24(a), Art. I of the State Constitution.

39 ~~3. This paragraph is subject to the Open Government Sunset~~
40 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
41 ~~on October 2, 2013, unless reviewed and saved from repeal~~
42 ~~through reenactment by the Legislature.~~

43 Section 2. This act shall take effect October 1, 2013.