



26       (1) An employee complaint alleging a private employer's  
27 violation of s. 381.00317 regarding employer COVID-19  
28 vaccination policies or practices, and all information relating  
29 to an investigation of such complaint, held by the Department of  
30 Legal Affairs is confidential and exempt from s. 119.07(1) and  
31 s. 24(a), Art. I of the State Constitution until the  
32 investigation is completed or ceases to be active. For purposes  
33 of this section, an investigation is considered "active" while  
34 such investigation is being conducted by the department with a  
35 reasonable good faith belief that it may lead to a determination  
36 of whether there was a violation of s. 381.00317. An  
37 investigation does not cease to be active if the department is  
38 proceeding with reasonable dispatch and there is a good faith  
39 belief that action may be initiated by the department.

40       (2) After an investigation is completed or ceases to be  
41 active, information in records relating to the investigation  
42 remains confidential and exempt from s. 119.07(1) and s. 24(a),  
43 Art. I of the State Constitution if disclosure of that  
44 information would do any of the following:

45           (a) Jeopardize the integrity of another active  
46 investigation.

47           (b) Reveal medical information about an employee.

48           (c) Reveal information regarding an employee's religious  
49 beliefs.

50       (3) Information made confidential and exempt under this

51 section may be released to another governmental entity in the  
52 furtherance of that entity's lawful duties and responsibilities.

53 (4) This section does not prohibit the disclosure of  
54 information in an aggregated format.

55 (5) This section shall stand repealed on October 2, 2023.

56 Section 2. The Legislature finds that it is a public  
57 necessity that an employee complaint alleging a private  
58 employer's violation of s. 381.00317, Florida Statutes,  
59 regarding such employer's COVID-19 vaccination policies or  
60 practices, and all information relating to an investigation of  
61 such complaint, held by the Department of Legal Affairs be made  
62 confidential and exempt from s. 119.07(1), Florida Statutes, and  
63 s. 24(a), Article I of the State Constitution until the  
64 investigation is completed or ceases to be active. The  
65 Legislature also finds that it is a public necessity that an  
66 employee's medical information and information regarding an  
67 employee's religious beliefs remain confidential and exempt from  
68 public records requirements regardless of the status of the  
69 investigation. The disclosure of such information would allow  
70 the public to gain knowledge of sensitive, personal information  
71 that could be used to harass, embarrass, or humiliate a person  
72 based on his or her medical information or religious beliefs. In  
73 addition, release of such information could enable other persons  
74 to gain knowledge of the employee's vulnerabilities, and such  
75 knowledge could result in the employee becoming a target of an

76 act of violence or other crimes. Furthermore, the public  
77 disclosure of such information could discourage an employee from  
78 filing a complaint if he or she knows that his or her personal  
79 medical information or religious beliefs will be made available  
80 pursuant to a public records request. Finally, if a  
81 complainant's information is made publicly available while an  
82 investigation is active, that complainant could become the  
83 subject of intimidation tactics and threats, thus hindering the  
84 effective and efficient administration of the investigation by  
85 the Department of Legal Affairs. Therefore, the Legislature  
86 finds that it is a public necessity that an employee complaint  
87 alleging a private employer's violation of s. 381.00317, Florida  
88 Statutes, regarding such employer's COVID-19 vaccination  
89 policies or practices, and all information relating to an  
90 investigation of such complaint, held by the Department of Legal  
91 Affairs, be made confidential and exempt from s. 119.07(1),  
92 Florida Statutes, and s. 24(a), Article I of the State  
93 Constitution.

94 Section 3. This act shall take effect on the same date  
95 that HB 1B or similar legislation takes effect, if such  
96 legislation is adopted in the same legislative session and  
97 becomes a law.