

By Senator Jones

34-01423-23

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 448.046, F.S.; providing a public records exemption
4 for certain personal identifying information, records,
5 and time sheets submitted to an agency by an employee
6 requesting specified leave relating to a homicide;
7 providing for future legislative review and repeal of
8 the exemption; providing a statement of public
9 necessity; providing a contingent effective date.

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

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13 Section 1. Paragraph (d) is added to subsection (4) of
14 section 448.046, Florida Statutes, as created by SB ___ or
15 similar legislation, to read:

16 448.046 Leave and work accommodations for family or
17 household members of homicide victims.—

18 (4)

19 (d)1. The following information obtained by an agency as
20 defined in s. 119.011 from an agency employee requesting leave
21 pursuant to this section is confidential and exempt from s.
22 119.07(1) and s. 24(a), Art. I of the State Constitution:

23 a. Personal identifying information contained in any
24 records documenting a homicide; and

25 b. For a period of 1 year after the date the employee
26 returns to work from such leave, the employee's written request
27 for leave and any time sheets that reflect such request.

28 2. This paragraph is subject to the Open Government Sunset
29 Review Act in accordance with s. 119.15 and shall stand repealed

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30 on October 2, 2028, unless reviewed and saved from repeal
31 through reenactment by the Legislature.

32 Section 2. The Legislature finds that it is a public
33 necessity to make confidential and exempt from public records
34 requirements the personal identifying information contained in
35 records that document a homicide and that are submitted to an
36 agency by an agency employee requesting specified leave. Such
37 information, if publicly available, could expose the employee to
38 safety risks, public humiliation, or shame and could inhibit the
39 employee from availing himself or herself of the relief provided
40 under s. 448.046, Florida Statutes. In addition, the Legislature
41 further finds that it is a public necessity to make confidential
42 and exempt from public records requirements an agency employee's
43 written request for leave, and any time sheets reflecting such
44 request, until 1 year after the leave has been taken. If that
45 information were publicly available, it could be used by the
46 person who committed the homicide, or the associates of such
47 person, to determine the schedule and location of the employee
48 whose family or household member was a homicide victim. The
49 employee's request for leave is exempt from disclosure only
50 temporarily, and such record is available 1 year or more after
51 the leave has been taken, thereby providing continued public
52 oversight of public moneys.

53 Section 3. This act shall take effect on the same date that
54 SB ___ or similar legislation takes effect, if such legislation
55 is adopted in the same legislative session or an extension
56 thereof and becomes a law.