

CS/HB 101

2024

1 A bill to be entitled  
2 An act relating to public records and meetings;  
3 creating s. 491.023, F.S.; providing an exemption from  
4 public meetings requirements for certain portions of  
5 meetings of the Social Work Licensure Interstate  
6 Compact Commission and the executive committee and  
7 other committees of the commission; providing an  
8 exemption from public records requirements for a  
9 regulated social worker's personal identifying  
10 information and recordings, minutes, and records  
11 generated during exempt meetings or portions thereof;  
12 providing for future legislative review and repeal of  
13 the exemptions; providing a statement of public  
14 necessity; providing a contingent effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 491.023, Florida Statutes, is created  
19 to read:

20 491.023 Social Work Licensure Interstate Compact  
21 Commission; public meetings and public records exemptions.—  
22 (1) The commission or the executive committee or other  
23 committees of the commission may convene in a closed, nonpublic  
24 meeting to receive legal advice or to discuss:  
25 (a) Noncompliance of a member state with its obligations

- 26 | under the compact;
- 27 |       (b) The employment, compensation, discipline or other
- 28 | matters, practices, or procedures related to specific employees;
- 29 |       (c) Current or threatened discipline of a licensee by the
- 30 | commission or by a member state's licensing authority;
- 31 |       (d) Current, threatened, or reasonably anticipated
- 32 | litigation;
- 33 |       (e) Negotiation of contracts for the purchase, lease, or
- 34 | sale of goods, services, or real estate;
- 35 |       (f) Accusing any person of a crime or formally censuring
- 36 | any person;
- 37 |       (g) Trade secrets or commercial or financial information
- 38 | that is privileged or confidential;
- 39 |       (h) Information of a personal nature if disclosure would
- 40 | constitute a clearly unwarranted invasion of personal privacy;
- 41 |       (i) Investigative records compiled for law enforcement
- 42 | purposes;
- 43 |       (j) Information related to any investigative reports
- 44 | prepared by or on behalf of or for use by the commission or the
- 45 | executive committee or other committees of the commission
- 46 | responsible for investigating or determining compliance with the
- 47 | compact;
- 48 |       (k) Matters specifically exempted from disclosure by
- 49 | federal or member state law; or
- 50 |       (l) Other matters as adopted by the commission by rule.

51 (2) Recordings, minutes, and records generated during any  
52 portion of an exempt meeting are exempt from s. 119.07(1) and s.  
53 24(a), Art. I of the State Constitution.

54 (3) This section is subject to the Open Government Sunset  
55 Review Act in accordance with s. 119.15 and shall stand repealed  
56 on October 2, 2029, unless reviewed and saved from repeal  
57 through reenactment by the Legislature.

58 Section 2. (1) A social worker's personal identifying  
59 information, other than such social worker's name, licensure  
60 status, or licensure number, obtained from the data system, as  
61 described in Article XI of s. 491.022, Florida Statutes, and  
62 held by the Department of Health or the Board of Clinical Social  
63 Work, Marriage and Family Therapy, and Mental Health Counseling  
64 is exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
65 Article I of the State Constitution unless the state that  
66 originally reported the information to the data system  
67 authorizes the disclosure of such information by law. If  
68 disclosure is so authorized, such information may be disclosed  
69 only to the extent authorized by law by the reporting state.

70 (2) The Legislature finds that it is a public necessity  
71 that any meeting of the Social Work Licensure Interstate Compact  
72 Commission or the executive committee or other committees of the  
73 commission held as provided in s. 491.022, Florida Statutes, in  
74 which matters specifically exempted from disclosure by federal  
75 or state law are discussed be made exempt from s. 286.011,

76 Florida Statutes, and s. 24(b), Article I of the State  
 77 Constitution.

78 (3) The Social Work Licensure Interstate Compact requires  
 79 that any portion of a meeting in which any information in this  
 80 section is discussed be closed to the public. In the absence of  
 81 a public meetings exemption, this state would be prohibited from  
 82 becoming a member state of the compact. Thus, this state would  
 83 be unable to effectively and efficiently administer the compact.

84 (4) The Legislature also finds that it is a public  
 85 necessity that the recordings, minutes, and records generated  
 86 during any meeting, or any portion of a meeting, that is exempt  
 87 pursuant to this section be made exempt from s. 119.07(1),  
 88 Florida Statutes, and s. 24(a), Article I of the State  
 89 Constitution. Release of such information would negate the  
 90 public meetings exemption. As such, the Legislature finds that  
 91 the public records exemption is a public necessity.

92 Section 3. This act shall take effect on the same date  
 93 that HB 99 or similar legislation takes effect, if such  
 94 legislation is adopted in the same legislative session or an  
 95 extension thereof and becomes law.