

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 records requirements for certain information  
5           held by the Department of Health or the Board of  
6           Clinical Social Work, Marriage and Family Therapy, and  
7           Mental Health Counseling pursuant to the Social Work  
8           Licensure Interstate Compact; authorizing the  
9           disclosure of such information under certain  
10          circumstances; providing an exemption from public  
11          meetings requirements for certain meetings or portions  
12          of certain meetings of the Social Work Licensure  
13          Compact Commission or its executive committee or other  
14          committees; providing an exemption from public records  
15          requirements for recordings, minutes, and records  
16          generated during the exempt meetings or portions of  
17          such meetings; providing for future legislative review  
18          and repeal of the exemptions; providing statements of  
19          public necessity; providing a contingent effective  
20          date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

23  
24           **Section 1. Section 491.023, Florida Statutes, is created**  
25   **to read:**

26 491.023 Social Work Licensure Interstate Compact; public  
27 records and meetings exemptions.—

28 (1) A social worker's personal identifying information,  
29 other than the social worker's name, licensure status, or  
30 licensure number, obtained from the data system, as described in  
31 Art. XI of s. 491.022, and held by the department or the board  
32 is exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
33 Constitution unless the state that originally reported the  
34 information to the data system authorizes the disclosure of such  
35 information by law. If disclosure is so authorized, such  
36 information may be disclosed only to the extent authorized by  
37 the law of the reporting state.

38 (2) (a) A meeting or a portion of a meeting of the Social  
39 Work Licensure Compact Commission or the executive committee or  
40 other committee of the commission, established in Article X of  
41 s. 491.022, at which matters specifically exempted from  
42 disclosure by federal or state law is exempt from s. 286.011 and  
43 s. 24(b), Art. I of the State Constitution.

44 (b) Recordings, minutes, and records generated during an  
45 exempt meeting or portion of such a meeting are exempt from s.  
46 119.07(1) and s. 24(a), Art. I of the State Constitution.

47 (3) This section is subject to the Open Government Sunset  
48 Review Act in accordance with s. 119.15 and shall stand repealed  
49 on October 2, 2030, unless reviewed and saved from repeal  
50 through reenactment by the Legislature.

51           **Section 2.** (1) The Legislature finds that it is a public  
52 necessity that a social worker's personal identifying  
53 information, other than the social worker's name, licensure  
54 status, or licensure number, obtained from the data system, as  
55 described in Article XI of s. 491.022, Florida Statutes, and  
56 held by the Department of Health or the Board of Clinical Social  
57 Work, Marriage and Family Therapy, and Mental Health Counseling  
58 be made exempt from s. 119.07(1), Florida Statutes, and s.  
59 24(a), Article I of the State Constitution. Protection of such  
60 information is required under the Social Work Licensure  
61 Interstate Compact, which a state must adopt in order to become  
62 a member state of the compact. Without the public records  
63 exemption, this state will be unable to effectively implement  
64 and administer the compact.

65           (2)(a) The Legislature finds that it is a public necessity  
66 that any meeting of the Social Work Licensure Compact Commission  
67 or the executive committee or other committee of the commission  
68 held as provided in s. 491.022, Florida Statutes, in which  
69 matters specifically exempted from disclosure by federal or  
70 state law are discussed be made exempt from s. 286.011, Florida  
71 Statutes, and s. 24(b), Article I of the State Constitution.

72           (b) The Social Work Licensure Interstate Compact requires  
73 the closure of any meeting, or any portion of a meeting, of the  
74 Social Work Licensure Compact Commission or the executive  
75 committee or other committee of the commission if the presiding

76 officer announces in a public meeting that, in connection with  
77 the performance of the commission's duties, the commission must  
78 discuss certain sensitive and confidential subject matters. In  
79 the absence of a public meetings exemption, this state would be  
80 prohibited from becoming a member state of the compact.

81 (3) The Legislature also finds that it is a public  
82 necessity that the recordings, minutes, and records generated  
83 during a meeting held as provided in s. 491.022, Florida  
84 Statutes, that is exempt from public meetings requirements be  
85 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
86 Article I of the State Constitution. Release of such information  
87 would negate the public meetings exemption. As such, the  
88 Legislature finds that the public records exemption is a public  
89 necessity.

90 **Section 3.** This act shall take effect on the same date  
91 that HB 27 or similar legislation takes effect, if such  
92 legislation is adopted in the same legislative session or an  
93 extension thereof and becomes a law.