

## Council Substitute for House Bill No. 1141

An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

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

Section 1. Subsection (7) of section 741.313, Florida Statutes, is amended to read:

741.313 Unlawful action against employees seeking protection.—

(7)(a) Personal identifying information that is contained in records documenting an act of domestic violence or sexual violence and that is submitted to an agency, as defined in chapter 119, by an agency employee under the requirements of this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) A written request for leave that is submitted by an agency employee under the requirements of this section and any agency time sheet that reflects such a request are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until 1 year after the leave has been taken.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2013 ~~2012~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. Section 2 of chapter 2007-108, Laws of Florida, is amended to read:

Section 2. The Legislature finds that it is a public necessity to make confidential and exempt from disclosure personal identifying information contained in records submitted to an agency, as defined in chapter 119, Florida Statutes, by an agency employee which documents an act of domestic violence or sexual violence and which is submitted in order to obtain leave under s. 741.313, Florida Statutes. Such information, if publicly available, could expose the victim of domestic violence or sexual violence to public humiliation and shame and could inhibit that victim from availing himself or herself of the relief provided under s. 741.313, Florida Statutes. In addition, the Legislature finds that it is a public necessity to make confidential and exempt from disclosure an agency employee's request for leave until 1 year after the leave has been taken. If that information were publicly available, it could be used by the partner or former partner of the victim of domestic violence or by the perpetrator of sexual violence to determine the

schedule and location of the employee who is the victim of domestic violence or sexual violence. The employee's request for leave is exempt from disclosure only temporarily and such record is available 1 year after the leave has been taken, thereby providing continued public oversight of public moneys.

Section 3. This act shall take effect on the same date that House Bill 489 or similar legislation takes effect, if such legislation is adopted in the same legislative session, or an extension thereof, and becomes law.

Approved by the Governor July 2, 2008.

Filed in Office Secretary of State July 2, 2008.