

Senate Bill No. 1046

An act relating to a review under the Open Government Sunset Review Act; amending s. 409.175, F.S.; revising the public-records exemption provided for information held by the Department of Children and Family Services regarding foster parent applicants, foster parents, and persons providing character or neighbor references regarding foster parent applicants or foster parents; removing an exemption provided for social security numbers; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-83, Laws of Florida; deleting provisions that provide for the repeal of the exemption; providing an effective date.

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

Section 1. Subsection (16) of section 409.175, Florida Statutes, is amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(16)(a)1. The following information held by the Department of Children and Family Services regarding a foster parent applicant and such applicant's spouse, minor child, and other adult household member is exempt from ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, unless otherwise ordered by a court:~~

a. The home, business, work, child care, or school addresses and telephone numbers; ~~social security numbers;~~

b. Birth dates;

c. Medical records;

d. The floor plan of the home; and

e. Photographs of such persons.

2. If a foster parent applicant does not receive a foster parent license, the information made exempt pursuant to this paragraph shall become public 5 years after the date of application, except that ~~social security numbers and medical records shall remain exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~

3. This exemption applies to information made exempt by this paragraph before, on, or after the effective date of the exemption.

(b)1. The following information held by the Department of Children and Family Services regarding a licensed foster parent and the foster parent's spouse, minor child, and other adult household member is exempt from ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, unless otherwise ordered by a court:~~

a. The home, business, work, child care, or school addresses and telephone numbers; ~~social security numbers;~~

b. Birth dates;

c. Medical records;

d. The floor plan of the home; and

e. Photographs of such persons.

2. If a foster parent's license is no longer active, the information made exempt pursuant to this paragraph shall become public 5 years after the expiration date of such foster parent's foster care license, except that: ~~social security numbers and~~

a. Medical records shall remain exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

b. ~~However,~~ Exempt information regarding a licensed foster parent who has become an adoptive parent and exempt information regarding such foster parent's spouse, minor child, or other adult household member ~~shall not become available to the public 5 years after expiration of such foster parent's license and shall remain exempt from the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

3. This exemption applies to information made exempt by this paragraph before, on, or after the effective date of the exemption.

(c) The name, address, and telephone number of persons providing character or neighbor references regarding foster parent applicants or licensed foster parents held by the Department of Children and Family Services are exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 2. Section 2 of chapter 2003-83, Laws of Florida, is repealed.

Section 3. This act shall take effect July 1, 2008.

Approved by the Governor June 17, 2008.

Filed in Office Secretary of State June 17, 2008.