

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.071, F.S., which
 4 provides an exemption from public record requirements
 5 for a complaint of misconduct against an agency
 6 employee and all information obtained pursuant to an
 7 investigation of such a complaint; removing the
 8 scheduled repeal of the exemption; providing an
 9 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 (k) of subsection (2) of section
 14 119.071, Florida Statutes, is amended to read:

15 119.071 General exemptions from inspection or copying of
 16 public records.—

17 (2) AGENCY INVESTIGATIONS.—

18 (k)~~1~~. A complaint of misconduct filed with an agency
 19 against an agency employee and all information obtained pursuant
 20 to an investigation by the agency of the complaint of misconduct
 21 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.
 22 I of the State Constitution until the investigation ceases to be
 23 active, or until the agency provides written notice to the
 24 employee who is the subject of the complaint, either personally
 25 or by mail, that the agency has either:

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26 | ~~a.~~1. Concluded the investigation with a finding not to
27 | proceed with disciplinary action or file charges; or

28 | ~~b.~~2. Concluded the investigation with a finding to proceed
29 | with disciplinary action or file charges.

30 | ~~2. Subparagraph 1. is subject to the Open Government
31 | Sunset Review Act in accordance with s. 119.15 and shall stand
32 | repealed on October 2, 2018, unless reviewed and saved from
33 | repeal through reenactment by the Legislature.~~

34 | Section 2. This act shall take effect October 1, 2018.