CHARLIE CRIST
GOVERNOR

# *Executive Office of the Governor Open Government Bill of Rights*

Members of the public are entitled to be treated with respect, courtesy, and professionalism when interacting with the Executive Office of the Governor.

Public records requests do not have to be made in writing, unless a specific statute requires otherwise. In that case, the statute imposing such a requirement shall be cited.

All public record requests shall be acknowledged promptly and in good faith as required by Section 119.07(1), Florida Statutes.

Fees for production of public record documents shall not exceed the statutorily authorized fees and the statutory authority for such fee shall be cited.

The public has the right to receive an itemized invoice of proposed fees or fees charged.

Access to public records and meetings are rights secured under Sections 119.07(1) and 286.011, Florida Statutes; and Article 1, Section 24, Florida Constitution.

**IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 15th day of November, in the year of two thousand seven.**

**Governor**

THE CAPITOL
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**Fair Information Practices Act**

(1) This section may be cited as the "Fair Information Practices Act."

(2) For the purposes of this section, the term:

(a) "Agency" has the same meaning as defined in section 119.011(2), Florida Statatutes.

(b) "Individual" means a natural person.

(c) "Personal information" means the data maintained by an agency which pertains to an individual and which, because of the name, an identifying number, a mark, or a description, is readily associated with that individual. The term includes, but is not limited to, the individual's name, social security number, physical description, home address, home telephone number, financial information, or educational, medical, or employment history.

(3)(a) The purpose of this section is to enhance the rights of individuals about whom personal information is collected or maintained by an agency.

(b) Any agency that collects or maintains personal information that is subject to public disclosure must:

1. Compile an index of the databases containing personal information collected or maintained by the agency.

2. Provide access for an individual to the personal information about that individual which is collected or maintained by the agency.

3. Ensure the accuracy of such information in cooperation with each individual who is the subject of the information collected or maintained by the department.

(c) This section does not create a substantive right for any individual; a substantive or procedural right for a prisoner as defined in section 944.02, Florida Statutes, or a person under the supervision of the Department of Corrections or the Department of Juvenile Justice, or a property or liberty interest subject to the protection of the United States Constitution for any individual.

(d) This section does not apply to:

1. Personal information contained in public records maintained in the State University System or the Florida State Archives.

2. Personal information contained in the following public records:

a. A telephone book or directory used exclusively for telephone and directory information.

b. A library card catalog, book, or other resource material.

c. A list of names and addresses used exclusively for mailing purposes.

d. A letter of inquiry or comment about departmental programs or a request for general information, or the response to such letter or request.

e. A patient medical record or a medical claims record ~~of an agency~~ employee, a former agency employee, or an eligible dependent CITE TO STATUTES?

f. A request for travel, a request for travel reimbursement~~, or a travel~~ voucher paid for with state funds.

g. The telephone messages and logs of an agency

h. Any automated or manual record maintained by the Department of Corrections or the Department of Juvenile Justice regarding an individual currently or formerly under the custody, control, or supervision of the Department of Corrections or the Department of Juvenile Justice.

3. Personal information obtained during civil or criminal litigation or an adversarial administrative proceeding or in anticipation of imminent civil or criminal litigation or an adversarial administrative proceeding.

4. A contractor, consultant, or vendor from whom an agency purchases goods or services.

(4)(a) An individual who is the subject of personal information that is collected or maintained by an agency and that is subject to public disclosure may contest the accuracy or completeness of the personal information and may request a correction by making a written request to the agency that collects or maintains the personal information. The request must include:

1. A statement describing the personal information that is contested.

2. The change necessary to make the person information accurate or complete.

3. The name of the individual and the address where the department may contact the individual.

(b) Within 30 days after receiving the written request, the agency may request verification from the individual who is seeking to change personal information.

(c) Within 30 days after receiving the written request or the verification to change personal information, the agency shall review the request and:

1. Change the personal information as requested and notify the individual in writing; or

2. Deny the request and notify the individual, in writing, of the reasons for the decision and the name, title, and business address of the official who denied the request.

(d) If the request is denied, the individual may provide to the agency a concise written statement that sets forth his reasons for disagreeing with the agency's decision to deny the request.

(e) The agency shall maintain the individual's statement of disagreement and the agency's decision to deny the request. The agency shall make, in each public record that contains disputed personal information, a clear notation that indicates which portion is disputed.

(f) This subsection does not supersede or provide an additional remedy for any law or administrative rule that provides for correcting personal information in public records.

(g) This subsection does not apply to criminal intelligence or criminal investigative records; agency personal or retirement system records; or records of applicants for employment.

(h) This subjection does not give any individual a cause of action for damages or authorize the institution of any civil proceedings against an agency or its employees for refusing to comply with an individual's request to change personal information.