



CS/CS/HB 711, Engrossed 1

2014

1 A bill to be entitled
2 An act relating to public meetings and public records;
3 amending s. 381.82, F.S.; providing an exemption from
4 public records requirements for research grant
5 applications provided to the Alzheimer's Disease
6 Research Grant Advisory Board under the Ed and Ethel
7 Moore Alzheimer's Disease Research Program and records
8 generated by the board relating to review of the
9 applications; providing an exemption from public
10 meetings requirements for those portions of meetings
11 of the board during which the research grant
12 applications are discussed; requiring the recording of
13 closed portions of meetings; authorizing disclosure of
14 such confidential information under certain
15 circumstances; providing for legislative review and
16 repeal of the exemptions; providing a statement of
17 public necessity; providing a contingent effective
18 date.

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

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22 Section 1. Paragraph (d) is added to subsection (3) of
23 section 381.82, Florida Statutes, as created by HB 709, 2014
24 Regular Session, to read:

25 381.82 Ed and Ethel Moore Alzheimer's Disease Research
26 Program.—



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27 (3) There is created within the Department of Health the
28 Alzheimer's Disease Research Grant Advisory Board.

29 (d)1. Applications provided to the board for Alzheimer's
30 disease research grants under this section, and any records
31 generated by the board relating to review of such applications,
32 except final recommendations, are confidential and exempt from
33 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

34 2. Those portions of a meeting of the board during which
35 applications for Alzheimer's disease research grants under this
36 section are discussed are exempt from s. 286.011 and s. 24(b),
37 Art. I of the State Constitution. The closed portion of a
38 meeting must be recorded. The recording shall be maintained by
39 the board and shall be subject to disclosure in accordance with
40 subparagraph 3.

41 3. Information that is held confidential and exempt under
42 this paragraph may be disclosed with the express written consent
43 of the individual to whom the information pertains or the
44 individual's legally authorized representative, or by court
45 order upon a showing of good cause.

46 4. This paragraph is subject to the Open Government Sunset
47 Review Act in accordance with s. 119.15 and shall stand repealed
48 on October 2, 2019, unless reviewed and saved from repeal
49 through reenactment by the Legislature.

50 Section 2. The Legislature finds that it is a public
51 necessity that applications for Alzheimer's disease research
52 grants provided to the Alzheimer's Disease Research Grant



53 Advisory Board and records generated by the board related to
54 review of the applications be held confidential and exempt from
55 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
56 State Constitution and that those portions of meetings of the
57 board during which the applications are discussed be held exempt
58 from s. 286.011, Florida Statutes, and s. 24(b), Article I of
59 the State Constitution. The research grant applications, and the
60 records generated by the board related to review of the
61 applications, contain information of a confidential nature,
62 including ideas and processes, the disclosure of which could
63 injure the affected researchers. Maintaining confidentiality is
64 practiced by the National Science Foundation and the National
65 Institutes of Health and allows for candid exchanges among
66 reviewers critiquing proposals. The Legislature further finds
67 that closing access to those portions of meetings of the board
68 during which the Alzheimer's disease research grant applications
69 are discussed serves a public good by ensuring that decisions
70 are based upon merit without bias or undue influence.

71 Section 3. This act shall take effect on the same date
72 that HB 709 or similar legislation takes effect, if such
73 legislation is adopted in the same legislative session or an
74 extension thereof and becomes law.