

## Committee on Children, Families, and Elder Affairs

### **CS/SB 474 — Public Records/Suicide Victims**

by Governmental Oversight and Accountability Committee and Senators Grall and Book

The bill makes confidential and exempt from public inspection and copying the photograph or video or audio recording that depicts or records the suicide of a person when it is held by an agency. The bill allows for disclosure to a surviving spouse of the deceased; the surviving parents, if there is no surviving spouse; or the surviving adult children or siblings, if there are no surviving spouse or parents. The bill defines the “suicide of a person” and specifies who may obtain such photographs and recordings and the process for obtaining these materials. The bill amends s. 119.071(2)(p), F.S., to conform to the expanded exemption for photographs or video or audio recordings that depict the suicide of a person.

The bill also makes confidential and exempt from public inspection and copying an autopsy report of a person whose manner of death was suicide as held by a medical examiner. The bill allows for disclosure to a surviving spouse of the deceased; the surviving parents, if there is no surviving spouse; or the surviving adult children or siblings, if there are no surviving spouse or parents. The bill amends s. 406.135, F.S., to conform to the expanded exemption for autopsy reports of a person whose manner of death was suicide.

The bill gives retroactive application to both of these exemptions so that photographs, recordings, and autopsy reports addressed by this bill, regardless of when they were initially held by an agency, are treated as confidential and exempt from public inspection and copying requirements upon this bill becoming a law.

The bill makes findings that the new exemptions from public records disclosure for photographs or video or audio recordings that depict the suicide of a person and for an autopsy report of a person whose manner of death was suicide meet public necessities as required by the State Constitution.

The exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless reviewed and reenacted by the Legislature.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

*Vote: Senate 39-0; House 113-0*