

By Senator Gutman

34-1672-98

1 A bill to be entitled
2 An act relating to the confidentiality of
3 meetings and records; creating s. 916.36, F.S.;
4 providing that certain proceedings of the
5 Forensic Security Review Board are exempt from
6 the public meetings law; providing that the
7 record of such proceedings is exempt from the
8 public records law; providing for future
9 legislative review and repeal; providing a
10 finding of public necessity; providing a
11 contingent effective date.

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

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15 Section 1. Section 916.36, Florida Statutes, is
16 created to read:

17 916.36 Forensic Security Review Board; meetings exempt
18 from public meetings requirements; records exempt from public
19 records requirements.--

20 (1) The evidentiary phase of any proceeding or hearing
21 of the board is exempt from s. 286.011 and s. 24(b), Art. I of
22 the State Constitution.

23 (2) The record of any proceeding or hearing of the
24 board that is exempt from the public meetings requirement
25 under subsection (1) is confidential and exempt from s.
26 119.07(1) and s. 24(a), Art. I of the State Constitution.

27 (3) This subsection is subject to the Open Government
28 Sunset Review Act of 1995 in accordance with s. 119.15, and is
29 repealed on October 2, 2003, unless reviewed and saved from
30 repeal through reenactment by the Legislature before that
31 date.

1 Section 2. The Legislature finds that it is a public
2 necessity that information revealed during a proceeding or
3 hearing of the Forensic Security Review Board be kept
4 confidential and exempt from the public disclosure. The
5 Legislature finds that information revealed during such
6 proceedings and hearings is of a sensitive nature and must be
7 kept confidential so that the board can effectively carry out
8 its responsibilities.

9 Section 3. This act shall take effect on the date
10 Senate Bill ____, relating to criminal procedure for mentally
11 deficient and mentally ill defendants or similar legislation,
12 becomes a law, and shall not take effect if such legislation
13 does not become a law.

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16 SENATE SUMMARY

17 Exempts certain proceedings of the Forensic Security
18 Review Board from the public meetings law. Provides that
19 the record of any such proceeding is exempt from the
20 public records law. Provides for legislative review and
21 repeal. Provides a finding of public necessity.

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