

By Representatives Peaden, Miller, Turnbull, Maygarden and
Brooks

1 A bill to be entitled
2 An act relating to hospitals; creating s.
3 395.3036, F.S.; providing that a private
4 corporation that leases a public hospital or
5 other public health care facility is not acting
6 on behalf of the entity that owns the facility
7 for purposes of statutory and constitutional
8 public records requirements unless specified
9 conditions are met; providing an effective
10 date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 395.3036, Florida Statutes, is
15 created to read:

16 395.3036 Lease of public hospital.--A private
17 corporation that leases a public hospital or other public
18 health care facility is not "acting on behalf" of the entity
19 that owns the public hospital or other public health care
20 facility as that phrase is used in s. 119.011(2) and s. 24(a),
21 Art. I of the State Constitution, unless:

22 (1) The governing board of the entity that owns the
23 public hospital or other public health care facility was the
24 incorporator of the private corporation; and

25 (2) A majority of the members of the governing board
26 of the private corporation are also members of the governing
27 board of the entity that owns the public hospital or other
28 public health care facility.

29 Section 2. This act shall take effect upon becoming a
30 law.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

Provides that a private corporation that leases a public hospital or other public health care facility is not acting on behalf of the entity that owns the facility for purposes of statutory and constitutional public records requirements unless specified conditions are met.