

By Senator Margolis

35-824-03

1 A bill to be entitled
2 An act relating to adult protective services;
3 amending s. 415.1045, F.S.; requiring the
4 Department of Children and Family Services to
5 enter into certain working agreements with
6 local law enforcement agencies by September 1,
7 2003; requiring a report; providing an
8 effective date.

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

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12 Section 1. Subsection (6) of section 415.1045, Florida
13 Statutes, is amended to read:

14 415.1045 Photographs, videotapes, and medical
15 examinations; abrogation of privileged communications;
16 confidential records and documents.--

17 (6) WORKING AGREEMENTS.--By September 1, 2003,the
18 department shall enter into working agreements with the
19 jurisdictionally responsible county sheriffs' office or local
20 police department that will be the lead agency when conducting
21 any criminal investigation arising from an allegation of
22 abuse, neglect, or exploitation of a vulnerable adult. The
23 working agreement must specify how the requirements of this
24 chapter will be met. The department shall conduct a review of
25 the efficacy of the agreements by September 1, 2004.For the
26 purposes of such agreement, the jurisdictionally responsible
27 law enforcement entity is authorized to share Florida criminal
28 history and local criminal history information that is not
29 otherwise exempt from s. 119.07(1) with the district
30 personnel. A law enforcement entity entering into such
31 agreement must comply with s. 943.0525. Criminal justice

1 information provided by such law enforcement entity shall be
2 used only for the purposes specified in the agreement and
3 shall be provided at no charge. Notwithstanding any other
4 provision of law, the Department of Law Enforcement shall
5 provide to the department electronic access to Florida
6 criminal justice information which is lawfully available and
7 not exempt from s. 119.07(1), only for the purpose of
8 protective investigations and emergency placement. As a
9 condition of access to such information, the department shall
10 be required to execute an appropriate user agreement
11 addressing the access, use, dissemination, and destruction of
12 such information and to comply with all applicable laws and
13 rules of the Department of Law Enforcement.

14 Section 2. This act shall take effect July 1, 2003.

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SENATE SUMMARY

Requires the Department of Children and Family Services to enter into certain working agreements with local law enforcement agencies by September 1, 2003. Requires a report.