

HB 1735

2004

1 A bill to be entitled

2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 744.7081, F.S., which
4 provides a public records exemption for certain records
5 held by the Statewide Public Guardianship Office; removing
6 the October 2, 2004, repeal thereof scheduled under the
7 Open Government Sunset Review Act of 1995; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 744.7081, Florida Statutes, is amended
13 to read:

14 744.7081 Access to records by Statewide Public
15 Guardianship Office; confidentiality.--Notwithstanding any other
16 provision of law to the contrary, any medical, financial, or
17 mental health records held by an agency, or the court and its
18 agencies, which are necessary to evaluate the public
19 guardianship system, to assess the need for additional public
20 guardianship, or to develop required reports, shall be provided
21 to the Statewide Public Guardianship Office upon that office's
22 request. Any confidential or exempt information provided to the
23 Statewide Public Guardianship Office shall continue to be held
24 confidential or exempt as otherwise provided by law. All records
25 held by the Statewide Public Guardianship Office relating to the
26 medical, financial, or mental health of vulnerable adults as
27 defined in chapter 415, persons with a developmental disability
28 as defined in chapter 393, or persons with a mental illness as
29 defined in chapter 394, shall be confidential and exempt from s.

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30 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~
31 ~~section is subject to the Open Government Sunset Review Act of~~
32 ~~1995 in accordance with s. 119.15, and shall stand repealed on~~
33 ~~October 2, 2004, unless reviewed and saved from repeal through~~
34 ~~reenactment by the Legislature.~~

35 Section 2. This act shall take effect October 1, 2004.