

By the Committee on Health, Aging, and Long-Term Care

317-261-04

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act; amending s.
4 744.7081, F.S., relating to a public-records
5 exemption for certain records held by the
6 Statewide Public Guardianship Office; saving
7 the exemption from repeal under the Open
8 Government Sunset Review Act; deleting
9 provisions providing for a repeal of the
10 exemption; providing an effective date.

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

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14 Section 1. Section 744.7081, Florida Statutes, is
15 amended to read:

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

1 with a mental illness as defined in chapter 394, shall be
2 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3 of the State Constitution. ~~This section is subject to the Open~~
4 ~~Government Sunset Review Act of 1995 in accordance with s.~~
5 ~~119.15, and shall stand repealed on October 2, 2004, unless~~
6 ~~reviewed and saved from repeal through reenactment by the~~
7 ~~legislature.~~

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

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11 SENATE SUMMARY

12 Revises the exemption from the public records law for
13 certain records held by the Statewide Public Guardianship
14 Office. Removes the repeal of the exemption scheduled on
15 October 2, 2004, under the Open Government Sunset Review
16 Act.
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