

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

317-778-04

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

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4 ~~accordance with s. 119.15, and shall stand repealed on October~~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

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

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9 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 COMMITTEE SUBSTITUTE FOR
11 Senate Bill 466

12 The committee substitute reinstates current statutory language
13 relating to agencies of the court which must provide certain
14 records to the Statewide Public Guardianship Office upon
15 request of the office.
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