



1 |           scheduled repeal of the exemption; providing an  
2 |           effective date.

3 |  
4 | Be It Enacted by the Legislature of the State of Florida:

5 |  
6 |           Section 1. Subsection (9) of section 1004.445, Florida  
7 | Statutes, is amended to read:

8 |           1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and  
9 | Research Institute.--

10 |           (9) The following information is confidential and  
11 | exempt from ~~the provisions of~~ s. 119.07(1) and s. 24, Art. I  
12 | of the State Constitution:

13 |           (a) Personal identifying information relating to  
14 | clients of programs created or funded through the Johnnie B.  
15 | Byrd, Sr., Alzheimer's Center and Research Institute that  
16 | ~~which~~ is held by the institute, the University of South  
17 | Florida, or the State Board of Education ~~or by persons who~~  
18 | ~~provide services to clients of programs created or funded~~  
19 | ~~through contracts with the Johnnie B. Byrd, Sr., Alzheimer's~~  
20 | ~~Center and Research Institute;~~

21 |           (b) ~~Any~~ Medical or health records relating to patients  
22 | held ~~which may be created or received~~ by the institute;

23 |           (c) Materials that relate to methods of manufacture or  
24 | production, potential trade secrets, potentially patentable  
25 | material, actual trade secrets as defined in s. 688.002, or  
26 | proprietary information received, generated, ascertained, or  
27 | discovered during the course of research conducted by or  
28 | through the institute and business transactions resulting from  
29 | such research;

30 |           (d) The personal identifying information ~~identity~~ of a  
31 | donor or prospective donor to the ~~Johnnie B. Byrd, Sr.,~~

1 ~~Alzheimer's Center and Research~~ institute who wishes to remain  
2 anonymous, ~~and all information identifying such donor or~~  
3 ~~prospective donor; and~~

4 (e) ~~Any information received by the institute in the~~  
5 ~~performance of its duties and responsibilities which is~~  
6 ~~otherwise confidential and exempt by law; and~~

7 ~~(f)~~ Any information received by the institute from a  
8 person from another state or nation or the Federal Government  
9 that which is otherwise confidential or exempt pursuant to the  
10 laws of that state ~~state's~~ or nation ~~nation's laws~~ or pursuant  
11 to federal law.

12  
13 Any governmental entity that demonstrates a need to access  
14 such confidential and exempt information in order to perform  
15 its duties and responsibilities shall have access to such  
16 information ~~and shall otherwise keep such information~~  
17 ~~confidential and exempt. This section is subject to the Open~~  
18 ~~Government Sunset Review Act of 1995 in accordance with s.~~  
19 ~~119.15 and shall stand repealed on October 2, 2006, unless~~  
20 ~~reviewed and saved from repeal through reenactment by the~~  
21 ~~Legislature.~~

22 Section 2. This act shall take effect October 1, 2006.

23  
24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
25 COMMITTEE SUBSTITUTE FOR  
26 Senate Bill 2066

27 Clarifies and standardizes the exemption.

28 Removes language regarding custodial requirements as those  
29 statements unnecessarily repeat the general standard for  
30 maintaining records that are confidential and exempt.  
31