${\bf By}$ the Committees on Governmental Oversight and Productivity; and Domestic Security

585-2079-06

1	A bill to be entitled
2	An act relating to a review under the Open
3	Government Sunset Review Act; amending s.
4	381.95, F.S., relating to an exemption from
5	public-records requirements provided for
6	information concerning medical facilities and
7	laboratories which is maintained by the
8	Department of Health as part of the state's
9	plan to defend against terrorism; reorganizing
10	provisions, making editorial changes, and
11	removing superfluous provisions; saving the
12	exemption from repeal under the Open Government
13	Sunset Review Act; deleting provisions
14	providing for the repeal of the exemption;
15	providing an effective date.
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17	Be It Enacted by the Legislature of the State of Florida:
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19	Section 1. Section 381.95, Florida Statutes, is
20	amended to read:
21	381.95 Medical facility information maintained for
22	terrorism response purposes; confidentiality
23	(1) Any information identifying or describing the
24	name, location, pharmaceutical cache, contents, capacity,
25	equipment, physical features, or capabilities of individual
26	medical facilities, storage facilities, or laboratories
27	established, maintained, or regulated by the Department of
28	Health as part of the state's plan to defend against an act of
29	terrorism as defined in s. 775.30 is exempt from the
30	requirements of s. 119.07(1) and s. 24(a), Art. I of the State
31	Constitution. The certification by the Governor of the

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sufficiency of any location, pharmaceutical cache, contents, capacity, equipment, physical features, or capabilities of individual medical facilities, storage facilities, or laboratories established, maintained, or regulated by the Department of Health as part of the state's plan to defend against an act of terrorism is a public record. This exemption is remedial in nature, and it is the intent of the Legislature that this exemption apply be applied to information held received by the Department of Health before, on, or after the effective date of this section.

(2) Information made exempt by this section may be

disclosed by the custodial agency to another state or federal agency in order to prevent, detect, guard against, respond to, investigate, or manage the consequences of any attempted or actual act of terrorism, or to prosecute those responsible for such attempts or acts, and the exempt status of such information shall be retained while in the possession of the receiving agency. This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s.

119.15 and shall stand repealed October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.

(3) The certification by the Governor of the sufficiency of any location, pharmaceutical cache, contents, capacity, equipment, physical features, or capabilities of individual medical facilities, storage facilities, or laboratories established, maintained, or regulated by the Department of Health as part of the state's plan to defend against an act of terrorism is a public record.

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

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
2	SB 698
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4	Reorganizes the exemption for clarity.
5	Removes unnecessary language related to custodial requirements.
6	requirements.
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