

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act regarding the Johnnie B. Byrd, Sr.,
4 Alzheimer's Center and Research Institute; amending s.
5 1004.445, F.S., which provides an exemption from public
6 records requirements for personal identifying information
7 relating to clients of programs created or funded through
8 the Johnnie B. Byrd, Sr., Alzheimer's Center and Research
9 Institute and held by the institute, the University of
10 South Florida, or the State Board of Education, medical or
11 health records relating to patients held by the institute,
12 materials that relate to methods of manufacture or
13 production, potential trade secrets, potentially
14 patentable material, actual trade secrets, or proprietary
15 information received, generated, ascertained, or
16 discovered during the course of research conducted by or
17 through the institute and business transactions resulting
18 from such research, personal identifying information of a
19 donor or prospective donor to the institute who wishes to
20 remain anonymous, and any information received by the
21 institute from a person from another state or nation or
22 the Federal Government that is otherwise confidential or
23 exempt pursuant to the laws of that state or nation or
24 pursuant to federal law; narrowing the exemption; making
25 editorial changes; removing superfluous language; removing
26 the scheduled repeal of the exemption; providing an
27 effective date.
28

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

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 31 Section 1. Subsection (9) of section 1004.445, Florida
 32 Statutes, is amended to read:

33 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and
 34 Research Institute.--

35 (9) The following information is confidential and exempt
 36 from ~~the provisions of~~ s. 119.07(1) and s. 24, Art. I of the
 37 State Constitution:

38 (a) Personal identifying information relating to clients
 39 of programs created or funded through the Johnnie B. Byrd, Sr.,
 40 Alzheimer's Center and Research Institute that ~~which~~ is held by
 41 the institute, the University of South Florida, or the State
 42 Board of Education ~~or by persons who provide services to clients~~
 43 ~~of programs created or funded through contracts with the Johnnie~~
 44 ~~B. Byrd, Sr., Alzheimer's Center and Research Institute;~~

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

47 (c) Materials that relate to methods of manufacture or
 48 production, potential trade secrets, potentially patentable
 49 material, actual trade secrets as defined in s. 688.002, or
 50 proprietary information received, generated, ascertained, or
 51 discovered during the course of research conducted by or through
 52 the institute and business transactions resulting from such
 53 research;

54 (d) The personal identifying information ~~identity~~ of a
 55 donor or prospective donor to the ~~Johnnie B. Byrd, Sr.,~~
 56 ~~Alzheimer's Center and Research~~ institute who wishes to remain

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57 ~~anonymous, and all information identifying such donor or~~
58 ~~prospective donor; and~~

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

62 ~~(f)~~ Any information received by the institute from a
63 person from another state or nation or the Federal Government
64 that ~~which~~ is otherwise confidential or exempt pursuant to the
65 laws of that state ~~state's~~ or nation ~~nation's~~ laws or pursuant
66 to federal law.

67
68 Any governmental entity that demonstrates a need to access such
69 confidential and exempt information in order to perform its
70 duties and responsibilities shall have access to such
71 information ~~and shall otherwise keep such information~~
72 ~~confidential and exempt. This section is subject to the Open~~
73 ~~Government Sunset Review Act of 1995 in accordance with s.~~
74 ~~119.15 and shall stand repealed on October 2, 2006, unless~~
75 ~~reviewed and saved from repeal through reenactment by the~~
76 ~~Legislature.~~

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