

By Senator Wilson

33-00105-08

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1 A bill to be entitled

2 An act relating to public records; amending s. 985.1351,
3 F.S.; providing an exemption from public-records
4 requirements for serologic blood test results from
5 juveniles referred to or under the supervision of the
6 Department of Juvenile Justice; providing for future
7 legislative review and repeal; providing a statement of
8 necessity; providing a contingent effective date.

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

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12 Section 1. Subsection (6) is added to section 985.1351,
13 Florida Statutes, as created by SB _____, to read:

14 985.1351 Blood test of a child referred to or under the
15 supervision of the department.--

16 (6) Except as otherwise provided in this section, serologic
17 blood test results obtained pursuant to subsection (1) or
18 subsection (2) are confidential and exempt from s. 119.07(1) and
19 s. 24(a), Art. I of the State Constitution. However, such results
20 may be provided to employees or officers of the juvenile
21 assessment center, juvenile detention facility, or the child's
22 juvenile probation officer who is responsible for the custody and
23 care of the affected child and have a need to know such
24 information, and as provided in ss. 381.004, 775.0877, and
25 960.003.

26 (7) This section is subject to the Open Government Sunset
27 Review Act in accordance with s. 119.15, and shall stand repealed
28 on October 2, 2013, unless reviewed and saved from repeal through
29 reenactment by the Legislature.

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30 Section 2. The Legislature finds that exempting results
31 from serologic blood tests of children referred to or under the
32 supervision of the Department of Juvenile Justice is a public
33 necessity in that harm caused by releasing personal and sensitive
34 medical information outweighs any public benefit derived from
35 releasing such information. Such information could be
36 embarrassing to the child and his or her family, and if released,
37 could harm the personal and future professional reputation of,
38 and be used to discriminate against, the child to whom the
39 information pertains.

40 Section 3. This act shall take effect on the same date that
41 Senate Bill _____ or similar legislation takes effect, if such
42 legislation is adopted in the same legislative session, or an
43 extension thereof, and becomes law.