

By Senator Wilson

33-01376-10

20101362

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

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (6) is added to section 985.1351,
15 Florida Statutes, as created by SB 1220, to read:

16 985.1351 Blood test of a child referred to or under the
17 supervision of the department.—

18 (6) (a) Except as otherwise provided in this section,
19 serologic blood test results obtained pursuant to subsection (1)
20 or subsection (2) are confidential and exempt from s. 119.07(1)
21 and s. 24(a), Art. I of the State Constitution. However, such
22 results may be provided to an employee or officer of the
23 juvenile assessment center or juvenile detention facility, or to
24 the juvenile probation officer who is responsible for the
25 custody and care of the affected child, who has a need to know
26 such information, and as provided in ss. 381.004, 775.0877, and
27 960.003.

28 (b) This subsection is subject to the Open Government
29 Sunset Review Act in accordance with s. 119.15, and shall stand

33-01376-10

20101362__

30 repealed on October 2, 2015, unless reviewed and saved from
31 repeal through reenactment by the Legislature.

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

42 Section 3. This act shall take effect on the same date that
43 Senate Bill 1220 or similar legislation takes effect, if such
44 legislation is adopted in the same legislative session, or an
45 extension thereof, and becomes law.