

FOR CONSIDERATION By the Committee on Children, Families, and Elder Affairs

586-00795-10

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1 A bill to be entitled

2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 39.0132, F.S., relating
4 to an exemption from public-records requirements for
5 information held by guardians ad litem; saving the
6 exemption from repeal under the Open Government Sunset
7 Review Act; deleting provisions providing for repeal
8 of the exemption; providing an 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. Paragraph (a) of subsection (4) of section
13 39.0132, Florida Statutes, is amended to read:

14 39.0132 Oaths, records, and confidential information.—

15 (4) (a) 1. All information obtained pursuant to this part in
16 the discharge of official duty by any judge, employee of the
17 court, authorized agent of the department, correctional
18 probation officer, or law enforcement agent is confidential and
19 exempt from s. 119.07(1) and may not be disclosed to anyone
20 other than the authorized personnel of the court, the department
21 and its designees, correctional probation officers, law
22 enforcement agents, guardian ad litem, and others entitled under
23 this chapter to receive that information, except upon order of
24 the court.

25 2. Any information related to the best interests of a
26 child, as determined by a guardian ad litem, which is held by a
27 guardian ad litem, including but not limited to medical, mental
28 health, substance abuse, child care, education, law enforcement,
29 court, social services, and financial records; and any other

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30 information maintained by a guardian ad litem which is
31 identified as confidential information under this chapter; is
32 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
33 of the State Constitution. Such confidential and exempt
34 information may not be disclosed to anyone other than the
35 authorized personnel of the court, the department and its
36 designees, correctional probation officers, law enforcement
37 agents, guardians ad litem, and others entitled under this
38 chapter to receive that information, except upon order of the
39 court. ~~This subparagraph is subject to the Open Government
40 Sunset Review Act in accordance with s. 119.15, and shall stand
41 repealed on October 2, 2010, unless reviewed and saved from
42 repeal through reenactment by the Legislature.~~

43 Section 2. This act shall take effect October 1, 2010.