

HB 7111

2010

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., which
 4 provides an exemption from public records requirements for
 5 certain information regarding a child held by a guardian
 6 ad litem; clarifying and reorganizing the exemption;
 7 removing the scheduled repeal of the exemption; providing
 8 an effective date.

9
 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.a. The following ~~Any information related to the best~~
 26 ~~interests of a child, as determined by a guardian ad litem,~~
 27 ~~which is held by a guardian ad litem~~ is confidential and exempt
 28 from s. 119.07(1) and s. 24(a), Art. I of the State

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29 ~~Constitution;~~ ~~including but not limited to~~

30 (I) Medical, mental health, substance abuse, child care,
 31 education, law enforcement, court, social services, and
 32 financial records. ~~;~~ ~~and~~

33 (II) Any other information maintained by a guardian ad
 34 litem which is identified as confidential information under this
 35 chapter; ~~is confidential and exempt from s. 119.07(1) and s.~~
 36 ~~24(a), Art. I of the State Constitution.~~

37 b. Such confidential and exempt information may not be
 38 disclosed to anyone other than the authorized personnel of the
 39 court, the department and its designees, correctional probation
 40 officers, law enforcement agents, guardians ad litem, and others
 41 entitled under this chapter to receive that information, except
 42 upon order of the court. ~~This subparagraph is subject to the~~
 43 ~~Open Government Sunset Review Act in accordance with s. 119.15,~~
 44 ~~and shall stand repealed on October 2, 2010, unless reviewed and~~
 45 ~~saved from repeal through reenactment by the Legislature.~~

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