

HB 7165

2010

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 741.3165, F.S., which
 4 provides an exemption from public records requirements for
 5 specified identifying information in records created by a
 6 domestic violence fatality review team and an exemption
 7 from public meetings requirements for specified meetings
 8 of a domestic violence fatality review team; requiring a
 9 recording of any portion of a closed meeting of a review
 10 team; providing a public records exemption for the
 11 recording of the closed meeting; providing for future
 12 review and repeal of the exemption; providing a statement
 13 of public necessity; providing an effective date.

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

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 17 Section 1. Section 741.3165, Florida Statutes, is amended
 18 to read:

19 741.3165 Certain information exempt from disclosure.—

20 (1) (a) Any information that is confidential or exempt from
 21 s. 119.07(1) and s. 24(a), Art. I of the State Constitution and
 22 that is obtained by a domestic violence fatality review team
 23 conducting activities as described in s. 741.316 shall retain
 24 its confidential or exempt status when held by a domestic
 25 violence fatality review team.

26 (b) Any information ~~contained~~ in a record created by a
 27 domestic violence fatality review team pursuant to s. 741.316
 28 that reveals the identity of a victim of domestic violence or

HB 7165

2010

29 the identity of the children of the victim is confidential and
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution.

32 (2) (a) Portions of meetings of any domestic violence
33 fatality review team regarding domestic violence fatalities and
34 their prevention, during which confidential or exempt
35 information, the identity of the victim, or the identity of the
36 children of the victim is discussed, are exempt from s. 286.011
37 and s. 24(b), Art. I of the State Constitution. The closed
38 portion of a meeting must be recorded and no portion of the
39 closed meeting may be off the record. The recording shall be
40 maintained by the domestic violence fatality review team.

41 (b) The recording of a closed portion of a meeting is
42 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
43 Constitution.

44 (3) This section is subject to the Open Government Sunset
45 Review Act in accordance with s. 119.15~~7~~ and shall stand
46 repealed on October 2, 2015 ~~2010~~, unless reviewed and saved from
47 repeal through reenactment by the Legislature.

48 Section 2. The Legislature finds that it is a public
49 necessity to make exempt from public records requirements
50 recordings of any portion of a closed meeting of a domestic
51 violence fatality review team. Release of such recordings would
52 compromise those discussions of the team members which took
53 place during a closed meeting, thus negating the public meetings
54 exemption.

55 Section 3. This act shall take effect October 1, 2010.