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585-02951-10

Proposed Committee Substitute by the Committee on Governmental
Oversight and Accountability

A bill to be entitled

An act relating to a review under the Open Government
Sunset Review Act; amending s. 39.0132, F.S., which
provides an exemption from public-records requirements
for certain information regarding a child held by a
guardian ad litem; clarifying and reorganizing the
exemption; removing the scheduled repeal of the
exemption; providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section
39.0132, Florida Statutes, is amended to read:

39.0132 Oaths, records, and confidential information.—

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

2.a. ~~The following Any information related to the best~~
~~interests of a child, as determined by a guardian ad litem,~~
~~which is held by a guardian ad litem~~ is confidential and exempt



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28 from s. 119.07(1) and s. 24(a), Art. I of the State

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.