

By Senator Flores

38-01678A-12

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 215.5602, F.S., relating to the James and Esther King
4 Biomedical Research Program; providing an exemption
5 from public records and public meetings requirements
6 for peer review panels meeting to review certain grant
7 proposals; amending s. 381.922, F.S., relating to the
8 William G. "Bill" Bankhead, Jr., and David Coley
9 Cancer Research Program; providing an exemption from
10 public records and public meetings requirements for
11 peer review panels meeting to review certain grant
12 proposals; providing a statement of public necessity;
13 providing a contingent effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Subsection (7) of section 215.5602, Florida
18 Statutes, is amended to read:

19 215.5602 James and Esther King Biomedical Research
20 Program.—

21 (7) The council and the peer review panel shall establish
22 and follow rigorous guidelines for ethical conduct and adhere to
23 a strict policy with regard to conflict of interest. A member of
24 the council or panel may not participate in any council or panel
25 discussion or decision with respect to a research proposal by
26 any firm, entity, or agency with which the member is associated
27 as a member of the governing body or as an employee, or with
28 which the member has entered into a contractual arrangement.
29 Meetings of the council are ~~and the peer review panels shall be~~

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30 subject to the provisions of chapter 119, s. 286.011, and s. 24,
31 Art. I of the State Constitution.

32 Section 2. Paragraph (c) of subsection (3) of section
33 381.922, Florida Statutes, is amended to read:

34 381.922 William G. "Bill" Bankhead, Jr., and David Coley
35 Cancer Research Program.—

36 (3)

37 (c) The council and the peer review panel shall establish
38 and follow rigorous guidelines for ethical conduct and adhere to
39 a strict policy with regard to conflicts of interest. A member
40 of the council or panel may not participate in any council or
41 panel discussion or decision with respect to a research proposal
42 by any firm, entity, or agency with which the member is
43 associated as a member of the governing body or as an employee
44 or with which the member has entered into a contractual
45 arrangement. Meetings of the council ~~and the peer review panels~~
46 are subject to chapter 119, s. 286.011, and s. 24, Art. I of the
47 State Constitution.

48 Section 3. The Legislature finds that it is a public
49 necessity that information discussed by a peer review panel
50 regarding the funding of a biomedical grant proposal be made
51 confidential and exempt from the requirements of s. 119.07(1),
52 Florida Statutes, and s. 24(a), Article I of the State
53 Constitution. The Legislature further finds that maintaining
54 confidentiality is a hallmark of scientific peer review when
55 awarding grants, is practiced by the National Science Foundation
56 and the National Institutes of Health, and allows for candid
57 exchanges between reviewers critiquing proposals submitted for
58 funding. The Legislature further finds that maintaining the

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59 confidentiality of meetings of scientific peer review panels
60 serves a public good by ensuring that decisions are based upon
61 merit without bias or undue influence.

62 Section 4. This act shall take effect on the same date that
63 SB ____ or similar legislation takes effect, if such legislation
64 is adopted in the same legislative session or an extension
65 thereof and becomes law.