

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.

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 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.

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29 Meetings of the council are ~~and the peer review panels shall be~~
 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

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57 exchanges between reviewers critiquing proposals submitted for
58 funding. The Legislature further finds that maintaining the
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
63 that HB 655 or similar legislation takes effect, if such
64 legislation is adopted in the same legislative session or an
65 extension thereof and becomes law.