

By Senator Rouson

19-00844A-21

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1                   A bill to be entitled  
2       An act relating to public meetings; amending s.  
3       394.4575, F.S.; providing an exemption from public  
4       meeting requirements for portions of meetings of the  
5       Mental Health and Substance Abuse Disorder Services  
6       Commission at which exempt or confidential and exempt  
7       information is discussed; providing a statement of  
8       public necessity; providing a contingent effective  
9       date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Present subsection (9) of section 394.4575,  
14       Florida Statutes, as created by SB \_\_\_\_, 2021 Regular Session, is  
15       redesignated as subsection (10), and a new subsection (9) is  
16       added to that section, to read:

17       394.4575 Mental Health and Substance Abuse Disorder  
18       Services Commission.—

19       (9) Any portion of a meeting of the commission at which  
20       exempt or confidential and exempt information is discussed is  
21       exempt from s. 286.011 and s. 24(b), Art. I of the State  
22       Constitution. This subsection is subject to the Open Government  
23       Sunset Review Act in accordance with s. 119.15 and shall stand  
24       repealed on October 2, 2026, unless reviewed and saved from  
25       repeal through reenactment by the Legislature.

26       Section 2. The Legislature finds that it is a public  
27       necessity that any portion of a meeting of the Mental Health and  
28       Substance Abuse Disorder Services Commission at which exempt or  
29       confidential and exempt information is discussed be made exempt

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30 from s. 286.011, Florida Statutes, and s. 24(b), Article I of  
31 the State Constitution. The purpose of the commission is to  
32 investigate failures in the provision of mental health and  
33 substance abuse services in this state and develop  
34 recommendations for system improvements. In order to fulfill its  
35 directive, the commission must be able to discuss exempt or  
36 confidential and exempt information that it receives as part of  
37 its investigation. The public meetings exemption will allow the  
38 commission to review and discuss exempt or confidential and  
39 exempt information that will be useful in forming meaningful  
40 recommendations for system improvements for the provision of  
41 mental health and substance abuse services. As such, it is a  
42 necessity that those portions of meetings in which exempt or  
43 confidential and exempt information is discussed be made exempt  
44 from public meetings requirements. If such portions of the  
45 meeting are not closed, the public records exemptions would be  
46 negated. Therefore, the Legislature finds that the public  
47 meeting exemption is a public necessity in order to ensure the  
48 effective and efficient administration of the Mental Health and  
49 Substance Abuse Disorder Services Commission.

50 Section 3. This act shall take effect on the same date that  
51 SB \_\_\_ or similar legislation takes effect, if such legislation  
52 is adopted in the same legislative session or an extension  
53 thereof and becomes a law.