

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Hawkins offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Section 415.1104, Florida Statutes, is created to
 7 read:

8 415.1104 Elder abuse fatality review teams; public record
 9 and public meeting exemptions.-

10 (1)(a) Any information that is confidential or exempt from
 11 s. 119.07(1) and s. 24(a), Art. I of the State Constitution and
 12 is obtained by an elder abuse fatality review team pursuant to
 13 s. 415.1103 retains its confidential or exempt status.

14 (b) Any information contained in a record held by an elder
 15 abuse fatality review team which reveals the identity of a
 16 victim of elder abuse and the address or location of such

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17 victim's residence; the identity of a person providing direct
18 care to the victim and the address or location of such person's
19 residence; and the identity of any person reporting abuse,
20 neglect, or exploitation to the central abuse hotline is
21 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
22 of the State Constitution.

23 (2) Any portion of a meeting of an elder abuse fatality
24 review team during which information made confidential or exempt
25 pursuant to subsection (1) is discussed is exempt from s.
26 286.011 and s. 24(b), Art. I of the State Constitution.

27 (3) This section is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15 and shall stand repealed
29 on October 2, 2027, unless reviewed and saved from repeal
30 through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that information that is confidential or exempt from
33 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
34 State Constitution remain confidential or exempt when held by an
35 elder abuse fatality review team and that any information
36 contained in a record held by an elder abuse fatality review
37 team which reveals the identity of a victim of elder abuse and
38 the address or location of such victim's residence; the identity
39 of a person providing direct care to the victim and the address
40 or location of such person's residence; and the identity of any
41 person reporting abuse, neglect, or exploitation to the central

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42 abuse hotline, be made confidential and exempt from public
43 records requirements. Without the public record exemption,
44 sensitive personal information concerning victims of elder abuse
45 and persons providing direct care to such victims, as well as
46 persons reporting abuse, neglect, or exploitation to the central
47 abuse hotline, would be subject to public disclosure and open
48 communication and coordination among the parties involved in
49 elder abuse fatality review teams would be hampered. The
50 Legislature further finds that it is a public necessity that any
51 portion of a meeting of an elder abuse fatality review team
52 during which confidential or exempt information is discussed be
53 made exempt from s. 286.011, Florida Statutes, and s. 24(b),
54 Article I of the State Constitution. The failure to close
55 portions of meetings during which confidential or exempt
56 information is discussed would defeat the purpose of the public
57 records exemption and would have a chilling effect on the
58 ability of the task force members to discuss the information the
59 members have been tasked with reviewing and analyzing. As such,
60 the Legislature finds that without the exemptions from public
61 record and public meeting requirements, the elder abuse fatality
62 review teams would be unable to operate in an effective and
63 efficient manner.

64 Section 3. This act shall take effect July 1, 2022.

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T I T L E A M E N D M E N T

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68 Remove everything before the enacting clause and insert:
69 An act relating to public records and public meetings; creating
70 s. 415.1104, F.S.; specifying that information obtained by an
71 elder abuse fatality review team which is confidential or exempt
72 from public records requirements retains its protected status;
73 providing an exemption from public records requirements for
74 personal identifying information of an elder abuse victim and
75 other specified information contained in records held by a
76 review team; providing an exemption from public meetings
77 requirements for portions of review team meetings during which
78 confidential or exempt information is discussed; providing for
79 future legislative review and repeal; providing statements of
80 public necessity; providing an effective date.