1	A bill to be entitled
2	An act relating to public records and meetings;
3	amending s. 415.1103, F.S.; specifying that any exempt
4	or confidential and exempt information obtained by an
5	elder abuse fatality review team retains its exempt or
6	confidential and exempt status; providing an exemption
7	from public records requirements for identifying
8	information of an elder abuse victim in records
9	created by an elder abuse fatality review team;
10	providing an exemption from public meetings
11	requirements for portions of elder abuse fatality
12	review team meetings at which exempt or confidential
13	and exempt information or the identity of an elder
14	abuse victim is discussed; providing an exemption from
15	public records requirements for records created by an
16	elder abuse fatality review team during those portions
17	of such meetings; providing for future legislative
18	review and repeal; providing statements of public
19	necessity; providing an effective date.
20	
21	Be It Enacted by the Legislature of the State of Florida:
22	
23	Section 1. Subsections (5) and (6) of section 415.1103,
24	Florida Statutes, are renumbered as subsections (6) and (7),
25	respectively, and a new subsection (5) is added to that section
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26 to read: 27 415.1103 Elder abuse fatality review teams; public records 28 and meetings exemptions.-29 (5) (a) Any information obtained by an elder abuse fatality review team conducting a review under this section which is 30 exempt or confidential and exempt from s. 119.07(1) and s. 31 32 24(a), Art. I of the State Constitution shall retain its exempt 33 or confidential and exempt status when held by the elder abuse 34 fatality review team. 35 (b) Any information contained in a record created by an 36 elder abuse fatality review team which reveals the identity of a victim of elder abuse is confidential and exempt from s. 37 119.07(1) and s. 24(a), Art. I of the State Constitution. 38 39 (c)1. Those portions of meetings of an elder abuse fatality review team at which exempt or confidential and exempt 40 41 information or the identity of a victim of elder abuse is 42 discussed are exempt from s. 286.011 and s. 24(b), Art. I of the 43 State Constitution. 2. Any records created by an elder abuse fatality review 44 45 team during those portions of meetings that are exempt under subparagraph 1. are exempt from s. 119.07(1) and s. 24(a), Art. 46 47 I of the State Constitution. 48 (d) This subsection is subject to the Open Government 49 Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from 50

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51	repeal through reenactment by the Legislature.	
52	Section 2. (1) The Legislature finds that it is a public	
53	necessity that information that is exempt or confidential and	
54	exempt from s. 119.07(1), Florida Statutes, and s. 24(a),	
55	Article I of the State Constitution remain exempt or	
56	confidential and exempt when held by an elder abuse fatality	
57	review team and that any information contained in a record	
58	created by an elder abuse fatality review team which reveals the	
59	identity of a victim of elder abuse be made confidential and	
60	exempt from public records requirements. Otherwise, sensitive	
61	personal information regarding victims of elder abuse would be	
62	disclosed, and open communication and coordination among the	
63	participants of elder abuse fatality review teams would be	
64	hampered. The harm that would result from the release of such	
65	information substantially outweighs any public benefit that	
66	would be achieved by its disclosure.	
67	(2) The Legislature also finds that it is a public	
68	necessity that those portions of meetings of an elder abuse	
69	fatality review team at which exempt or confidential and exempt	
70	information or the identity of a victim of elder abuse is	
71	discussed be made exempt from s. 286.011, Florida Statutes, and	
72	s. 24(b), Article I of the State Constitution. The failure to	
73	close portions of meetings at which exempt or confidential and	
74	exempt information or the identity of a victim of elder abuse is	
75	discussed would defeat the purpose of the public records	
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76 exemption described i	n subsection (1). The Legislature also	
	reated by an elder abuse fatality review	
78 team during those por	tions of meetings that are closed to the	
79 public must be protec	ted for the same reasons that justify the	
80 closing of those meet	ings. Furthermore, the Legislature finds	
81 that the public recor	ds and meetings exemptions are narrowly	
82 <u>tailored to apply to</u>	only certain portions of meetings of elder	
83 <u>abuse fatality review</u>	teams and the records created by such	
84 teams during those po	teams during those portions of such meetings to allow for public	
85 <u>oversight.</u>		
86 Section 3. This	act shall take effect October 1, 2022.	
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