



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  
 30 | review team conducting a review under this section which is  
 31 | exempt or confidential and exempt from s. 119.07(1) and s.  
 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  
 37 | victim of elder abuse is confidential and exempt from s.  
 38 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

39 |       (c)1. Those portions of meetings of an elder abuse  
 40 | fatality review team at which exempt or confidential and exempt  
 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.

44 |       2. Any records created by an elder abuse fatality review  
 45 | team during those portions of meetings that are exempt under  
 46 | subparagraph 1. are exempt from s. 119.07(1) and s. 24(a), Art.  
 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  
 50 | repealed on October 2, 2027, unless reviewed and saved from

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 in subsection (1). The Legislature also  
77 finds that records created by an elder abuse fatality review  
78 team during those portions of meetings that are closed to the  
79 public must be protected for the same reasons that justify the  
80 closing of those meetings. Furthermore, the Legislature finds  
81 that the public records and meetings exemptions are narrowly  
82 tailored to apply to only certain portions of meetings of elder  
83 abuse fatality review teams and the records created by such  
84 teams during those portions of such meetings to allow for public  
85 oversight.

86 Section 3. This act shall take effect October 1, 2022.