

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 744.2104, F.S.; exempting from public records
 4 requirements certain information held by the Office of
 5 Public and Professional Guardians and the Department
 6 of Elderly Affairs; providing for future review and
 7 repeal of the exemption; providing a statement of
 8 public necessity; providing a contingent effective
 9 date.

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

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 13 Section 1. Subsection (3) is added to section 744.2104,
 14 Florida Statutes, to read:

15 744.2104 Access to records by the Office of Public and
 16 Professional Guardians; confidentiality.—

17 (3)(a) All records collected under s. 744.2112(1) and held
 18 by the Office of Public and Professional Guardians and the
 19 Department of Elderly Affairs shall be confidential and exempt
 20 from s. 119.07(1) and s. 24(a), Art. I of the State
 21 Constitution.

22 (b) Information made confidential and exempt under this
 23 subsection may be released to other governmental entities as
 24 needed in connection with the performance of their duties. The
 25 receiving governmental entity shall maintain the confidential

26 and exempt status of such information.

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29 repealed on October 2, 2027, unless reviewed and saved from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

31 Section 2. The Legislature finds that the health and
32 safety of the public necessitates that the Office of Public and
33 Professional Guardians have access to personal identifying
34 information of the state's most vulnerable citizens when they
35 become involved in a guardianship proceeding as well as the
36 persons appointed as their guardians. The Legislature further
37 finds that the exemption provided for in this act is a public
38 necessity because the public disclosure of such sensitive
39 information could lead to discrimination against affected
40 citizens and could make these citizens reluctant to seek
41 assistance for themselves or their family members or reluctant
42 to become a guardian. This result would negatively affect the
43 effective and efficient operation of the Office of Public and
44 Professional Guardians.

45 Section 3. This act shall take effect on the same date
46 that HB 1349 or similar legislation takes effect, if such
47 legislation is adopted in the same legislative session or an
48 extension thereof and becomes law.