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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/07/2022 08:58 AM

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Senator Bradley moved the following:

Senate Amendment (with title amendment)

Delete lines 111 - 160

and insert:

be considered for inclusion in the database established under paragraph (2)(b) in addition to any enumerated data elements in that paragraph. Any data elements recommended for inclusion in the publicly searchable database must be established in a manner that ensures confidentiality of ward information.

(b) To develop the proposed lists of data points, the Florida Clerks of Court Operations Corporation shall engage with



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12 stakeholders, including, but not limited to, judicial officers
13 and magistrates who handle guardianship and probate matters; the
14 Florida State Guardianship Association; the Elder Law Section of
15 The Florida Bar; the Real Property, Probate, and Trust Law
16 Section of The Florida Bar; and the Department of Elderly
17 Affairs, to obtain feedback for use in the development of
18 specific data elements for any databases established in
19 accordance with this section. The Florida Clerks of Court
20 Operations Corporation must collaborate with the Office of the
21 State Courts Administrator and the clerks of court through the
22 Florida Courts Technology Commission to implement the data
23 elements and databases to achieve interoperability.

24 (6) (a) Beginning July 1, 2024, and annually thereafter
25 through July 1, 2027, the Florida Clerks of Court Operations
26 Corporation shall compile data maintained in the databases
27 established under paragraphs (1) (a) and (2) (b) which has been
28 collected from the clerks of court and the Department of Elderly
29 Affairs and submit such data to the Office of Program Policy
30 Analysis and Government Accountability (OPPAGA).

31 (b) OPPAGA shall analyze the consolidated data compiled in
32 accordance with paragraph (a) to evaluate trends in the use of
33 guardianships in this state and conduct a comparative analysis
34 of guardianship laws in other states. In conducting the
35 analysis, OPPAGA shall consult with the Office of State Courts
36 Administrator, the Clerks of Court Operations Corporation, the
37 clerks of the court, and the Department of Elderly Affairs.
38 OPPAGA shall submit a report containing findings and
39 recommendations to the Governor, the President of the Senate,
40 and the Speaker of the House of Representatives by October 15,



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41 2024, and annually thereafter through October 15, 2027.

42 (c) The data compiled and reported under paragraphs (a) and
43 (b) must be produced in a statewide, circuit-level, and county-
44 level statistical format. Such reports must include only
45 aggregated and deidentified data. Further, the reports provided
46 under paragraphs (a) and (b) may not contain personal
47 identifying information of wards.

48 Section 2. Subsection (7) is added to section 744.2001,
49 Florida Statutes, to read:

50 744.2001 Office of Public and Professional Guardians.—There
51 is created the Office of Public and Professional Guardians
52 within the Department of Elderly Affairs.

53 (7) On or after July 1, 2023, the Office of Public and
54 Professional Guardians shall

55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete line 29

59 and insert:

60 of registered professional guardians on its website on
61 or after a specified date;