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A bill to be entitled
 An act relating to public records and public meetings;
 creating s. 415.1104, F.S.; specifying that
 information obtained by an elder and vulnerable adult
 abuse fatality review team which is exempt or
 confidential and exempt from public records
 requirements retains its protected status; providing
 an exemption from public records requirements for
 personal identifying information of an abuse victim
 and other specified information contained in records
 held by a review team; providing an exemption from
 public meetings requirements for portions of review
 team meetings during which exempt or confidential and
 exempt information is discussed; providing for future
 legislative review and repeal of the exemption;
 providing statements of public necessity; providing a
 contingent effective date.

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

Section 1. Section 415.1104, Florida Statutes, is created to read:

415.1104 Confidentiality of information and meetings held by elder and vulnerable adult abuse fatality review teams.—

(1)(a)1. Any information that is exempt or confidential

26 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
27 Constitution and is obtained by an elder and vulnerable adult
28 abuse fatality review team while executing its duties under s.
29 415.1103 shall retain its exempt or confidential and exempt
30 status when held by the review team.

31 2. Any information contained in a record created by a
32 review team pursuant to s. 415.1103 which reveals the identity
33 of a victim of abuse, exploitation, or neglect or the identity
34 of persons responsible for the welfare of a victim is
35 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
36 of the State Constitution.

37 3. Any information that is maintained as exempt or
38 confidential and exempt within this chapter retains its exempt
39 or confidential and exempt status when held by a review team.

40 (b) Portions of meetings of a review team relating to
41 abuse, exploitation, or neglect or abuse-related deaths of
42 elderly persons or vulnerable adults, and the prevention of such
43 abuse, exploitation, neglect, or deaths, during which exempt or
44 confidential and exempt information, information protected
45 within this chapter, the identity of the victim, or the identity
46 of persons responsible for the welfare of the victim is
47 discussed, are exempt from s. 286.011 and s. 24(b), Art. I of
48 the State Constitution.

49 (c) This subsection is subject to the Open Government
50 Sunset Review Act in accordance with s. 119.15 and shall stand

51 repealed on October 2, 2028, unless reviewed and saved from
52 repeal through reenactment by the Legislature.

53 Section 2. (1) The Legislature finds that it is a public
54 necessity that information that is exempt or confidential and
55 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
56 Article I of the State Constitution remains exempt or
57 confidential and exempt when held by an elder and vulnerable
58 adult abuse fatality review team. Additionally, the Legislature
59 finds that it is a public necessity that information that
60 reveals the identity of a victim of abuse, exploitation, or
61 neglect or the identity of persons responsible for the welfare
62 of such victim be confidential and exempt from public records
63 requirements because the disclosure of such sensitive personal
64 identifying information could impede the open communication and
65 coordination among the parties involved in the review team. The
66 harm that would result from the release of such information
67 substantially outweighs any public benefit that would be
68 achieved by disclosure.

69 (2) The Legislature further finds that it is a public
70 necessity that portions of meetings of a review team during
71 which exempt or confidential and exempt information, information
72 protected within this chapter, the identity of the victim, or
73 the identity of persons responsible for the welfare of the
74 victim is discussed, are exempt from s. 286.011, Florida
75 Statutes, and s. 24(b), Article I of the State Constitution.

76 Failure to close the portions of the meetings in which such
77 sensitive personal identifying information is discussed would
78 defeat the purpose of the public records exemption. Further, the
79 Legislature finds that the exemption is narrowly tailored to
80 apply only to those portions of the meetings in which such
81 sensitive personal identifying information is discussed and the
82 remainder of such meetings remain open to allow for public
83 oversight.

84 Section 3. This act shall take effect on the same date
85 that HB 1567 or similar legislation takes effect, if such
86 legislation is adopted in the same legislative session or an
87 extension thereof and becomes a law.