

By Senator Garcia

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

14 Section 1. Paragraph (f) is added to subsection (3) of
15 section 406.11, Florida Statutes, as created by SB 188, 2026
16 Regular Session, to read:

17 406.11 Examinations, investigations, and autopsies.—

18 (3)

19 (f) An autopsy report of an autopsy performed pursuant to
20 paragraph (b) or paragraph (c) of an infant or a child who dies
21 suddenly and unexpectedly or of an individual of any age whose
22 death is suspected to be caused by SADS held by a medical
23 examiner is confidential and exempt from s. 119.07(1) and s.
24 24(a), Art. I of the State Constitution, except that:

25 1. The surviving parents and adult siblings of the deceased
26 may view and copy the autopsy report.

27 2. The autopsy report may be released to the Department of
28 Health upon request as needed in connection with the performance
29 of its epidemiological research and tracking duties. The

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30 Department of Health shall maintain the confidential and exempt
31 status of any such autopsy report it receives.

32 3. Information contained in an autopsy report, including
33 personal health information, may be submitted to a public health
34 authority in accordance with 45 C.F.R. ss. 164.500-164.535.

35 4. Deidentified information and aggregate data extracted
36 from autopsy reports prepared pursuant to this subsection may be
37 released to national research institutions for purposes of
38 epidemiological research and tracking.

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40 This paragraph is subject to the Open Government Sunset Review
41 Act in accordance with s. 119.15 and shall stand repealed on
42 October 2, 2031, unless reviewed and saved from repeal through
43 reenactment by the Legislature.

44 Section 2. The Legislature finds that it is a public
45 necessity that autopsy reports of an infant or a child who dies
46 suddenly and unexpectedly or of an individual of any age whose
47 death is suspected to be caused by Sudden Arrhythmic Death
48 Syndrome which are held by a medical examiner or the Department
49 of Health be made confidential and exempt from s. 119.07(1),
50 Florida Statutes, and s. 24(a), Article I of the State
51 Constitution. Section 406.11(3), Florida Statutes, requires that
52 autopsies in such sudden and unexpected deaths include
53 microscopic and toxicology studies and a review of the
54 deceased's immunization and medical records to prepare the
55 autopsy report. The Legislature finds that autopsy reports in
56 such cases will include findings of a sensitive nature, the
57 release of which could result in emotional injury to the
58 immediate family of the deceased and detract from the memory of

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59 the deceased. The Legislature recognizes that the existence of
60 the Internet and the proliferation of personal computers and
61 cellular telephones throughout the world encourages and promotes
62 the wide dissemination of such reports and that widespread
63 unauthorized dissemination of such reports could subject the
64 immediate family of the deceased to continuous injury.

65 Section 3. This act shall take effect on the same date that
66 SB 188 or similar legislation takes effect, if such legislation
67 is adopted in the same legislative session or an extension
68 thereof and becomes a law.