

By Senator DiCeglie

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

22 Section 1. Paragraph (h) is added to subsection (5) of
23 section 394.47893, Florida Statutes, as created by SB ___, 2026
24 Regular Session, to read:

394.47893 Drug overdose review; Drug Overdose Death Review Committee; local review committees.—

27 (5) ACCESS TO AND USE OF RECORDS AND INFORMATION.—

28 (h)1. Any record or information held by the Drug Overdose
29 Death Review Committee or a local review committee which reveals

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30 the identity of a decedent whose death occurred as a result of
31 drug overdose, or which reveals the identity of the family
32 member of such decedent, is confidential and exempt from s.
33 119.07(1) and s. 24(a), Art. I of the State Constitution. The
34 Drug Overdose Death Review Committee or a local review committee
35 may share records and information made confidential and exempt
36 by this section with all of the following:

37 a. Each other.

38 b. A governmental agency in furtherance of its duties.

39 c. Any person or entity authorized by the Department of

40 Health to use such relevant records or information for bona fide
41 research or statistical purposes. A person or an entity that is
42 authorized to use such relevant records or information for
43 research or statistical purposes must enter into a privacy and
44 security agreement with the Department of Health and comply with
45 all laws and rules governing the usage of such records and
46 information for research or statistical purposes. Anything
47 identifying the subjects of such relevant records or information
48 must be treated as confidential by the person or entity and may
49 not be released in any form.

50 2. Portions of meetings held by the Drug Overdose Death
51 Review Committee or a local review committee at which any record
52 or information made confidential and exempt under subparagraph
53 1. is discussed are exempt from s. 286.011 and s. 24(b), Art. I
54 of the State Constitution. The closed portion of a meeting must
55 be recorded, and no portion of the closed meeting may be off the
56 record. The recording must be maintained by the Drug Overdose
57 Death Review Committee or by a local review committee, as
58 applicable.

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59 3. A person who knowingly or willfully makes public or
60 discloses to any unauthorized person any record or information
61 held by the Drug Overdose Death Review Committee or a local
62 review committee which is confidential and exempt under this
63 paragraph commits a misdemeanor of the first degree, punishable
64 as provided in s. 775.082 or s. 775.083.

65 4. This paragraph is subject to the Open Government Sunset
66 Review Act in accordance with s. 119.15 and shall stand repealed
67 on October 2, 2031, unless reviewed and saved from repeal
68 through reenactment by the Legislature.

69 Section 2. Paragraph (h) is added to subsection (5) of
70 section 394.47894, Florida Statutes, as created by SB ___, 2026
71 Regular Session, to read:

72 394.47894 Suicide review; Suicide Death Review Committee;
73 local review committees.—

74 (5) ACCESS TO AND USE OF RECORDS AND INFORMATION.—

75 (h)1. Any record or information held by the Suicide Death
76 Review Committee or a local review committee which reveals the
77 identity of a decedent whose death occurred as a result of
78 suicide, or which reveals the identity of a family member of
79 such decedent, is confidential and exempt from s. 119.07(1) and
80 s. 24(a), Art. I of the State Constitution. The Suicide Death
81 Review Committee or a local review committee may share records
82 and information made confidential and exempt by this section
83 with all of the following:

84 a. Each other.

85 b. A governmental agency in furtherance of its duties.

86 c. Any person or entity authorized by the Department of
87 Health to use such relevant records or information for bona fide

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88 research or statistical purposes. A person or an entity that is
89 authorized to use such relevant records or information for
90 research or statistical purposes must enter into a privacy and
91 security agreement with the Department of Health and comply with
92 all laws and rules governing the usage of such records and
93 information for research or statistical purposes. Anything
94 identifying the subjects of such relevant records or information
95 must be treated as confidential by the person or entity and may
96 not be released in any form.

97 2. Portions of meetings held by the Suicide Death Review
98 Committee or a local review committee at which any record or
99 information made confidential and exempt under subparagraph 1.
100 is discussed are exempt from s. 286.011 and s. 24(b), Art. I of
101 the State Constitution. The closed portion of a meeting must be
102 recorded, and no portion of the closed meeting may be off the
103 record. The recording must be maintained by the Suicide Death
104 Review Committee or by a local review committee, as applicable.

105 3. A person who knowingly or willfully makes public or
106 discloses to any unauthorized person any record or information
107 held by the Suicide Death Review Committee or a local review
108 committee which is confidential and exempt under this paragraph
109 commits a misdemeanor of the first degree, punishable as
110 provided in s. 775.082 or s. 775.083.

111 4. This paragraph is subject to the Open Government Sunset
112 Review Act in accordance with s. 119.15 and shall stand repealed
113 on October 2, 2031, unless reviewed and saved from repeal
114 through reenactment by the Legislature.

115 Section 3. (1) The Legislature finds that it is a public
116 necessity that any record or information held by the Drug

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117 Overdose Death Review Committee or the Suicide Death Review
118 Committee or a local review committee established thereunder
119 which reveals the identity of a decedent whose death occurred as
120 a result of a drug overdose or suicide, as applicable, or which
121 reveals the identity of a family member of such decedent, be
122 made confidential and exempt from s. 119.07(1), Florida
123 Statutes, and s. 24(a), Article I of the State Constitution. The
124 Legislature finds that such records and information revealing
125 the identity of a decedent whose death occurred as a result of a
126 drug overdose or suicide, or which reveal the identity of a
127 family member of such decedent, are of a sensitive personal
128 nature. The Legislature finds that the release of such records
129 or information could cause unwarranted damage to the good name
130 or reputation of such decedents and their family members, could
131 jeopardize the safety of the family members of such decedents,
132 and could cause unnecessary trauma, sorrow, humiliation, and
133 emotional injury to the family members of such decedents. The
134 Legislature makes these findings considering the existence of
135 the Internet and the proliferation of websites throughout the
136 world which encourage the incessant dissemination of
137 information. The Legislature finds that protecting the
138 confidentiality of this sensitive information ensures the
139 effectiveness of the review process of drug overdose deaths and
140 suicides, especially as it concerns the sharing of records and
141 information between the local review committees and the Drug
142 Overdose Death Review Committee and the Suicide Death Review
143 Committee, as applicable.

144 (2) The Legislature finds it to be a public necessity that
145 portions of meetings held by the Drug Overdose Death Review

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146 Committee or the Suicide Death Review Committee or a local
147 review committee established thereunder at which records or
148 information made confidential and exempt under s.
149 394.47893(5) (h)1., Florida Statutes, or s. 394.47894(5) (h)1.,
150 Florida Statutes, as applicable, is discussed be made exempt
151 from s. 286.011, Florida Statutes, and s. 24(b), Article I of
152 the State Constitution. The Legislature finds that without such
153 an exemption, the open deliberation and discussion of drug
154 overdose deaths and suicides amongst the parties involved in the
155 reviews of such deaths would be impeded.

156 (3) The Legislature further finds that the increased
157 potential for a reduction in drug overdose deaths and suicides
158 as a result of these exemptions substantially outweighs any
159 minimal public benefit derived from the release of such records
160 and information made confidential and exempt.

161 Section 4. This act shall take effect on the same date that
162 SB ____ or similar legislation takes effect, if such legislation
163 is adopted in the same legislative session or an extension
164 thereof and becomes a law.