

By Senator DiCeglie

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A bill to be entitled  
An act relating to public records and meetings;  
amending ss. 394.47893 and 394.47894, F.S.; creating  
an exemption from public records requirements for  
certain records and information held by the Drug  
Overdose Death Review Committee and the Suicide Death  
Review Committee, respectively, or a local review  
committee established thereunder; authorizing the  
disclosure of such records and information under  
certain circumstances; creating an exemption from  
public meetings requirements for portions of meetings  
of the committees which would reveal confidential and  
exempt information; requiring the recording of exempt  
portions of such meetings; requiring the committees to  
maintain such recordings; providing criminal  
penalties; providing for future legislative review and  
repeal; providing statements of public necessity;  
providing a contingent effective date.

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

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

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

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

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

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

a. Each other.  
b. A governmental agency in furtherance of its duties.  
c. Any person or entity authorized by the Department of Health to use such relevant records or information for bona fide research or statistical purposes. A person or an entity that is authorized to use such relevant records or information for research or statistical purposes must enter into a privacy and security agreement with the Department of Health and comply with all laws and rules governing the usage of such records and information for research or statistical purposes. Anything identifying the subjects of such relevant records or information must be treated as confidential by the person or entity and may not be released in any form.

2. Portions of meetings held by the Drug Overdose Death Review Committee or a local review committee at which any record or information made confidential and exempt under subparagraph 1. is discussed are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. The closed portion of a meeting must be recorded, and no portion of the closed meeting may be off the record. The recording must be maintained by the Drug Overdose Death Review Committee or by a local review committee, as 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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research or statistical purposes. A person or an entity that is authorized to use such relevant records or information for research or statistical purposes must enter into a privacy and security agreement with the Department of Health and comply with all laws and rules governing the usage of such records and information for research or statistical purposes. Anything identifying the subjects of such relevant records or information must be treated as confidential by the person or entity and may not be released in any form.

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

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

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

Section 3. (1) The Legislature finds that it is a public 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.