

Bill No. CS for SB 8-E

Amendment No. ____ Barcode 092800

CHAMBER ACTION

Senate

House

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Senator Constantine moved the following amendment:

Senate Amendment (with title amendment)

On page 2, line 17, through page 4, line 3, delete those lines

and insert:

(b) Agreements and proposals to receive funding, including grant applications; however, those portions of such agreements and proposals to receive funding, including grant applications, that do not contain information made exempt by paragraph (a) of this subsection, shall not be confidential and exempt upon issuance of the report that is made after the conclusion of the project for which funding was provided. The exemption created in this paragraph specifically excludes any agreement by the Scripps Florida Funding Corporation to release funds to The Scripps Research Institute or grantee.

(c) Materials that relate to the recruitment of scientists and researchers; and the identity of donors or potential donors.

(d) Any information received from a person or another

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1 state or nation or the Federal Government which is otherwise
2 confidential or exempt pursuant to that state's or nation's
3 laws or pursuant to federal law.

4 (e) Personal identifying information of individuals
5 who participate in human trials or experiments.

6 (f) Any medical or health records relating to
7 participants in clinical trials.

8 (3) That portion of a meeting of the board of
9 directors of the Scripps Florida Funding Corporation or the
10 Office of Tourism, Trade and Economic Development at which
11 information is presented or discussed which is confidential
12 and exempt under subsection (2) is closed to the public and
13 exempt from s. 24(b), Art. I of the State Constitution and s.
14 286.011.

15 (4) Any records generated during those portions of the
16 board meetings which are closed to the public under subsection
17 (2), such as minutes, tape recordings, videotapes,
18 transcriptions, or notes are confidential and exempt from s.
19 24, Art. I of the State Constitution and s. 119.07(1).

20 (5) Public employees shall be permitted to inspect and
21 copy records or information that is made exempt and
22 confidential under this section exclusively for the
23 performance of their public duties. Public employees receiving
24 this exempt and confidential information must maintain the
25 confidentiality of the information. Any such public employee
26 receiving confidential information who violates this
27 subsection commits a misdemeanor of the first degree,
28 punishable as provided by s. 775.082 or s. 775.083.

29 (6) The Scripps Research Institute or grantee as
30 defined in s. 288.955, is a private, not-for-profit entity and
31 as such is not subject to ch. 119 or s. 286.011. If a court

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1 nonetheless determines that The Scripps Research Institute or
 2 grantee is acting on behalf of an agency, by virtue of its
 3 contract under s. 288.955, or otherwise, such that it is
 4 subject to s. 24, Art. I of the State Constitution and s.
 5 119.07(1) and s. 286.011, the exemptions from the public
 6 records and meetings requirements provided by this section
 7 shall apply equally to the same records and meetings when held
 8 by The Scripps Research Institute or grantee.

9 (7) At the time that any record or information made
 10 confidential and exempt by this section, or portion thereof,
 11 is legally available or subject to public disclosure for any
 12 other reason, that record or information, or portion thereof,
 13 shall no longer be confidential and exempt and shall be made
 14 available for inspection and copying.

15 (8) This section is subject to the Open Government
 16
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18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 On page 1, lines 19-22, delete those lines

21
 22 and insert:

23 Funding Corporation and the Office of Tourism,
 24 Trade and Economic Development at which exempt
 25 records are presented or discussed; providing
 26 access to exempt or confidential information
 27 under specified circumstances; providing a
 28 penalty; providing for future review and
 29 repeal; providing a statement of public
 30 necessity; providing a contingent effective
 31 date.