

By the Committees on Governmental Oversight and Accountability; and Health Policy; and Senator Abruzzo

585-03732-14

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1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 personal identifying information of participants in a
5 yellow dot critical motorist medical information
6 program; providing for future legislative review and
7 repeal of the exemption; providing a statement of
8 public necessity; providing a contingent effective
9 date.

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

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13 Section 1. Public records exemption; participants in a
14 yellow dot critical motorist medical information program.—

15 (1) Personal identifying information of a participant in a
16 yellow dot critical motorist medical information program which
17 is held by a county participating in such program is exempt from
18 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
19 State Constitution.

20 (2) Subsection (1) is subject to the Open Government Sunset
21 Review Act in accordance with s. 119.15, Florida Statutes, and
22 is repealed on October 2, 2019, unless reviewed and saved from
23 repeal through reenactment by the Legislature.

24 Section 2. The Legislature finds that it is a public
25 necessity that the personal identifying information of a
26 participant in a yellow dot critical motorist medical
27 information program held by a county participating in such
28 program be made exempt from s. 119.07(1), Florida Statutes, and
29 s. 24(a), Article I of the State Constitution. Nevertheless,

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30 allowing the participating counties to distribute yellow dot
31 folders, as well as allowing emergency medical responders and
32 law enforcement agents to access the information provided in
33 yellow dot folders, will ensure the most rapid and effective
34 treatment for victims of serious traffic accidents. If the
35 personal identifying information of a participant in such
36 program were not exempt from disclosure, any person could
37 inspect and copy documentation that identifies the program
38 participant. Consequently, the availability of such information
39 to the public would result in the invasion of the program
40 participant's privacy. Finally, protecting the personal
41 identifying information of a participant in such program
42 prevents the identification of program participants who could be
43 victimized by robbery, burglary, or illicit drug activities.
44 Accordingly, the Legislature finds that the harm to a program
45 participant which could result from the release of personal
46 identifying information of the participant outweighs any minimal
47 public benefit that would be derived from disclosure of that
48 information to the public. Therefore, it is the finding of the
49 Legislature that such identifying information must be made
50 confidential and exempt from public disclosure.

51 Section 3. This act shall take effect on the same date that
52 SB 262 or similar legislation authorizing the governing body of
53 a county to create a yellow dot critical motorist medical
54 information program takes effect, if such legislation is adopted
55 in the same legislative session or an extension thereof and
56 becomes a law.