

HB 7041

2016

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 381.8531, F.S.,
4 relating to an exemption from public records
5 requirements for information held by the Florida
6 Center for Brain Tumor Research; removing the
7 scheduled repeal of the exemption; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 381.8531, Florida Statutes, is amended
13 to read:

14 381.8531 Florida Center for Brain Tumor Research; public
15 records exemption.—

16 (1) The following information held by the Florida Center
17 for Brain Tumor Research before, on, or after July 1, 2011, is
18 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
19 of the State Constitution:

20 (a) Personal identifying information of a donor to the
21 central repository for brain tumor biopsies or the brain tumor
22 registry.

23 (b) Any information received from an individual from
24 another state or nation or the Federal Government that is
25 otherwise confidential or exempt pursuant to the laws of that
26 state or nation or pursuant to federal law.

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27 (2) Such information may be disclosed to a person engaged
28 in bona fide research if that person agrees to:

29 (a) Submit to the Florida Center for Brain Tumor Research
30 a research plan that has been approved by an institutional
31 review board and that specifies the exact nature of the
32 information requested, the intended use of the information, and
33 the reason that the research could not practicably be conducted
34 without the information;

35 (b) Sign a confidentiality agreement with the Florida
36 Center for Brain Tumor Research;

37 (c) Maintain the confidentiality of the information
38 received; and

39 (d) To the extent permitted by law and after the research
40 has concluded, destroy any confidential information obtained.

41 ~~(3) This section is subject to the Open Government Sunset~~
42 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
43 ~~on October 2, 2016, unless reviewed and saved from repeal~~
44 ~~through reenactment by the Legislature.~~

45 Section 2. This act shall take effect October 1, 2016.