

1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act; amending s. 383.412, F.S., which  
 4           provides an exemption from public records requirements  
 5           for certain identifying information held by the State  
 6           Child Abuse Death Review Committee or local committee  
 7           for certain purposes and provides an exemption from  
 8           public meetings requirements for meetings wherein such  
 9           information is discussed; removing the scheduled  
 10          repeal of the exemptions; providing an effective date.

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

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 14          Section 1.   Section 383.412, Florida Statutes, is amended  
 15          to read:

16          383.412   Public records and public meetings exemptions.—

17          (1)   For purposes of this section, the term "local  
 18          committee" means a local child abuse death review committee or a  
 19          panel or committee assembled by the State Child Abuse Death  
 20          Review Committee or a local child abuse death review committee  
 21          pursuant to s. 383.402.

22          (2) (a)   Any information held by the State Child Abuse Death  
 23          Review Committee or a local committee which reveals the identity  
 24          of the surviving siblings of a deceased child whose death  
 25          occurred as the result of a verified report of abuse or neglect

26 | is confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
27 | I of the State Constitution.

28 |       (b) Any information held by the State Child Abuse Death  
29 | Review Committee or a local committee which reveals the identity  
30 | of a deceased child whose death has been reported to the central  
31 | abuse hotline but determined not to be the result of abuse or  
32 | neglect, or the identity of the surviving siblings, family  
33 | members, or others living in the home of such deceased child, is  
34 | confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
35 | of the State Constitution.

36 |       (c) Information made confidential or exempt from s.  
37 | 119.07(1) and s. 24(a), Art. I of the State Constitution which  
38 | is obtained by the State Child Abuse Death Review Committee or a  
39 | local committee shall retain its confidential or exempt status.

40 |       (3) (a) Portions of meetings of the State Child Abuse Death  
41 | Review Committee or a local committee at which information made  
42 | confidential and exempt pursuant to subsection (2) is discussed  
43 | are exempt from s. 286.011 and s. 24(b), Art. I of the State  
44 | Constitution. The closed portion of a meeting must be recorded,  
45 | and no portion of the closed meeting may be off the record. The  
46 | recording shall be maintained by the State Child Abuse Death  
47 | Review Committee or a local committee.

48 |       (b) The recording of a closed portion of a meeting is  
49 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
50 | Constitution.

51 (4) The State Child Abuse Death Review Committee and local  
 52 committees may share information made confidential and exempt by  
 53 this section:

54 (a) With each other;

55 (b) With a governmental agency in furtherance of its  
 56 duties; or

57 (c) With any person or entity authorized by the Department  
 58 of Health to use such relevant information for bona fide  
 59 research or statistical purposes. A person or entity who is  
 60 authorized to obtain such relevant information for research or  
 61 statistical purposes must enter into a privacy and security  
 62 agreement with the Department of Health and comply with all laws  
 63 and rules governing the use of such records and information for  
 64 research or statistical purposes. Anything identifying the  
 65 subjects of such relevant information must be treated as  
 66 confidential by the person or entity and may not be released in  
 67 any form.

68 (5) Any person who knowingly or willfully makes public or  
 69 discloses to any unauthorized person any information made  
 70 confidential and exempt under this section commits a misdemeanor  
 71 of the first degree, punishable as provided in s. 775.082 or s.  
 72 775.083.

73 ~~(6) This section is subject to the Open Government Sunset~~  
 74 ~~Review Act in accordance with s. 119.15, and shall stand~~  
 75 ~~repealed on October 2, 2020, unless reviewed and saved from~~

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2020

76 | ~~repeal through reenactment by the Legislature.~~

77 |       Section 2. This act shall take effect October 1, 2020.