1	A bill to be entitled
2	An act relating to public records and public meetings;
3	creating s. 415.1104, F.S.; specifying that
4	information obtained by an elder abuse fatality review
5	team which is confidential or exempt from public
6	records requirements retains its protected status;
7	providing an exemption from public records
8	requirements for personal identifying information of
9	an elder abuse victim and other specified information
10	contained in records created or held by a review team;
11	providing an exemption from public meetings
12	requirements for portions of review team meetings
13	during which confidential or exempt information and
14	other specified information are discussed; providing
15	for future legislative review and repeal; providing
16	statements of public necessity; providing an effective
17	date.
18	
19	Be It Enacted by the Legislature of the State of Florida:
20	
21	Section 1. Section 415.1104, Florida Statutes, is created
22	to read:
23	415.1104 Certain information exempt from disclosure
24	(1)(a) Any information that is confidential or exempt from
25	s. 119.07(1) and s. 24(a), Art. I of the State Constitution and
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26	is obtained by an elder abuse fatality review team conducting
27	activities described in s. 415.1103 retains its confidential or
28	exempt status when held by that review team.
29	(b) Any information contained in a record created or held
30	by an elder abuse fatality review team which reveals the
31	identity of a victim of elder abuse; the location, address, or
32	other identifying information of the victim's residence or
33	residential facility; the identity of any person reporting
34	abuse, neglect, or exploitation to the central abuse hotline; or
35	information otherwise protected under ss. 741.316 and 741.3165
36	is confidential and exempt from s. 119.07(1) and s. 24(a), Art.
37	I of the State Constitution.
38	(2) Those portions of meetings of an elder abuse fatality
39	review team during which confidential or exempt information; the
40	identity of a victim of elder abuse; the location, address, or
41	other identifying information of the victim's residence or
42	residential facility; the identity of any person reporting
43	abuse, neglect, or exploitation to the central abuse hotline; or
44	information otherwise protected under ss. 741.316 and 741.3165
45	is discussed are exempt from s. 286.011 and s. 24(b), Art. I of
46	the State Constitution.
47	(3) This section is subject to the Open Government Sunset
48	Review Act in accordance with s. 119.15 and shall stand repealed
49	on October 2, 2027, unless reviewed and saved from repeal
50	through reenactment by the Legislature.
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51	Section 2. (1) The Legislature finds that it is a public
52	necessity that information that is confidential or exempt from
53	s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
54	State Constitution remain confidential or exempt when held by an
55	elder abuse fatality review team and that any information
56	contained in a record created or held by an elder abuse fatality
57	review team which reveals the identity of a victim of elder
58	abuse; the location, address, or other identifying information
59	of the victim's residence or residential facility; the identity
60	of any person reporting abuse, neglect, or exploitation to the
61	central abuse hotline; or information otherwise protected under
62	ss. 741.316 and 741.3165, Florida Statutes, be confidential and
63	exempt from public records requirements. Otherwise, sensitive
64	personal information concerning victims of elder abuse and their
65	caregivers; persons reporting abuse, neglect, or exploitation to
66	the central abuse hotline; and victims of domestic violence
67	would be disclosed, and open communication and coordination
68	among the parties involved in elder abuse fatality review teams
69	would be hampered. The harm that would result from the release
70	of such information substantially outweighs any public benefit
71	that would be achieved by disclosure.
72	(2) The Legislature further finds that it is a public
73	necessity that portions of meetings of an elder abuse fatality
74	review team during which confidential or exempt information; the
75	identity of a victim of elder abuse; the location, address, or
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other identifying information of the victim's residence or
residential facility; the identity of any person reporting
abuse, neglect, or exploitation to the central abuse hotline; or
information otherwise protected under ss. 741.316 and 741.3165,
Florida Statutes, is discussed be exempt from s. 286.011,
Florida Statutes, and s. 24(b), Article I of the State
Constitution. The failure to close portions of meetings during
which confidential or exempt information; the identity of a
victim of elder abuse; the location, address, or other
identifying information of the victim's residence or residential
facility; the identity of any person reporting abuse, neglect,
or exploitation to the central abuse hotline; or information
otherwise protected under ss. 741.316 and 741.3165, Florida
Statutes, is discussed would defeat the purpose of the public
records exemption. Further, the Legislature finds that the
exemption is narrowly tailored to apply to only certain portions
of meetings of elder abuse fatality review teams to allow for
public oversight.
Section 3. This act shall take effect July 1, 2022.
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