

BILL ORIGINAL YEAR

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 and public
 5 meetings requirements for the State Child Abuse Death
 6 Review Committee and any local committees; providing a
 7 definition for the term "local committee"; requiring a
 8 recording of any portion of a closed meeting; providing a
 9 public record exemption for the recording of the closed
 10 meeting; providing for future legislative review and
 11 repeal of the exemption under the Open Government Sunset
 12 Review Act; reorganizing the section; providing a
 13 statement of public necessity; providing an effective
 14 date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 383.412, Florida Statutes, is amended
 19 to read:

20 383.412 Public records and public meetings exemptions.--

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

26 (2) ~~(1)~~ (a) Any information that reveals the identity of the
 27 surviving siblings, family members, or others living in the home

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28 of a deceased child who is the subject of review by⁷ and which
 29 information is held by⁷ the State Child Abuse Death Review
 30 Committee ~~or local committee, or a panel or committee assembled~~
 31 ~~by the state committee~~ or a local committee pursuant to s.
 32 ~~383.402~~, is confidential and exempt from s. 119.07(1) and s.
 33 24(a), Art. I of the State Constitution.

34 (b) Information made confidential or exempt from s.
 35 119.07(1) and s. 24(a), Art. I of the State Constitution that is
 36 obtained by the State Child Abuse Death Review Committee or a
 37 local committee, ~~or a panel or committee assembled by the state~~
 38 ~~committee or a local committee pursuant to s. 383.402~~, shall
 39 retain its confidential or exempt status.

40 (3) (a) ~~(2)~~ Portions of meetings of the State Child Abuse
 41 Death Review Committee ~~or local committee, or a panel or~~
 42 ~~committee assembled by the state committee~~ or a local committee
 43 ~~pursuant to s. 383.402~~, at which information made confidential
 44 and exempt pursuant to subsection (2) ~~(1)~~ is discussed are exempt
 45 from s. 286.011 and s. 24(b), Art. I of the State Constitution.
 46 The closed portion of a meeting must be recorded and no portion
 47 of the closed meeting may be off the record. The recording shall
 48 be maintained by the State Child Abuse Death Review Committee or
 49 a local committee.

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

53 (4) ~~(3)~~ The State Child Abuse Death Review Committee and
 54 local committees may share with each other any relevant

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55 information regarding case reviews involving child death, which
 56 information is made confidential and exempt by this section.

57 ~~(5)-(4)~~ Any person who knowingly or willfully makes public
 58 or discloses to any unauthorized person any information made
 59 confidential and exempt under this section commits a misdemeanor
 60 of the first degree, punishable as provided in s. 775.082 or s.
 61 775.083.

62 ~~(6)-(5)~~ This section is subject to the Open Government
 63 Sunset Review Act in accordance with s. 119.15, and shall stand
 64 repealed on October 2, 2015 ~~2010~~, unless reviewed and saved from
 65 repeal through reenactment by the Legislature.

66 Section 2. The Legislature finds that it is a public
 67 necessity to make confidential and exempt from public records
 68 requirements recordings of any portion of a closed meeting of
 69 the State Child Abuse Death Review Committee or a local
 70 committee. Release of such recordings would compromise those
 71 discussions of the committee members which took place during a
 72 closed meeting and negates the public meeting exemption.

73 Section 3. This act shall take effect October 1, 2010.