

## Committee Substitute for House Bill No. 1037

An act relating to public records; creating s. 741.3165, F.S.; continuing confidentiality or exemption from the public records law of information obtained by a domestic violence fatality review team; exempting certain proceedings and meetings of domestic violence fatality review teams from public meeting requirements; providing that investigations, proceedings, and records of a domestic violence review team are not subject to discovery or introduction as evidence; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

Section 1. Section 741.3165, Florida Statutes, is created to read:

741.3165 Certain information exempt from disclosure.—

(1) Any information or records otherwise confidential or exempt from s. 119.07(1) and s. 24(a) of Art. I of the State Constitution which is obtained by or provided to a domestic violence fatality review team conducting activities as described in s. 741.316 shall remain confidential or exempt as otherwise provided by law. Any portion of the reports produced by the domestic violence fatality review team which contains any information that is otherwise confidential or exempt from s. 119.07(1) and s. 24(a) of Art. I of the State Constitution shall remain confidential or exempt as otherwise provided by law. The proceedings and meetings of any domestic violence fatality review team regarding domestic violence fatalities and their prevention, during which the identity of the victim or of the children of the victim is discussed, are exempt from s. 286.011 and s. 24(b) of Art. I of the State Constitution.

(2) The exemptions in this section apply only to records held by a domestic violence fatality review team. The exemptions contained in this section are subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and this section is repealed October 2, 2005, unless reviewed and saved from repeal through reenactment by the Legislature before that date.

Section 2. The Legislature finds that it is a public necessity that information that is confidential or exempt from section 119.07(1), Florida Statutes, and Section 24(a) of Article I of the State Constitution remain confidential or exempt when in the custody of the domestic violence fatality review teams, together with any portions of the reports of such teams containing such information. The Legislature further finds that it is a public necessity that proceedings and meetings of the domestic violence fatality review teams which relate to domestic violence fatalities, or domestic violence incidents, and where specific persons or incidents are discussed, be confidential and exempt from public meeting requirements. Otherwise, sensitive personal information concerning victims and victims' children and family members would be disclosed and open communication and coordination among

parties involved in the domestic violence fatality reviews would be hampered. Accordingly, the Legislature finds that the harm that would result in the release of such information substantially outweighs any minimal public benefit derived therefrom.

Section 3. This act shall take effect on the date House Bill 1039, relating to domestic violence, or similar legislation becomes law, and shall not take effect if such legislation does not become law.

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.