

House Bill No. 7063

An act relating to a review under the Open Government Sunset Review Act regarding the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S., which provides an exemption from public records requirements for personal identifying information relating to clients of programs for personal identifying information relating to clients of programs created or funded through the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute and held by the institute, the University of South Florida, or the State Board of Education, medical or health records relating to patients held by the institute, materials that relate to methods of manufacture or production, potential trade secrets, potentially patentable material, actual trade secrets, or proprietary information received, generated, ascertained, or discovered during the course of research conducted by or through the institute and business transactions resulting from such research, personal identifying information of a donor or prospective donor to the institute who wishes to remain anonymous, and any information received by the institute from a person from another state or nation or the Federal Government that is otherwise confidential or exempt pursuant to the laws of that state or nation or pursuant to federal law; narrowing the exemption; making editorial changes; removing superfluous language; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Subsection (9) of section 1004.445, Florida Statutes, is amended to read:

1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute.—

(9) The following information is confidential and exempt from the provisions of s. 119.07(1) and s. 24, Art. I of the State Constitution:

(a) Personal identifying information relating to clients of programs created or funded through the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute ~~that which~~ is held by the institute, the University of South Florida, or the State Board of Education ~~or by persons who provide services to clients of programs created or funded through contracts with the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute;~~

(b) ~~Any~~ Medical or health records relating to patients held ~~which may be created or received~~ by the institute;

(c) Materials that relate to methods of manufacture or production, potential trade secrets, potentially patentable material, actual trade secrets as defined in s. 688.002, or proprietary information received, generated, ascertained, or discovered during the course of research conducted by or through the institute and business transactions resulting from such research;

(d) ~~The personal identifying information identity of a donor or prospective donor to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research institute who wishes to remain anonymous, and all information identifying such donor or prospective donor; and~~

(e) ~~Any information received by the institute in the performance of its duties and responsibilities which is otherwise confidential and exempt by law; and~~

(f) ~~Any information received by the institute from a person from another state or nation or the Federal Government that which is otherwise confidential or exempt pursuant to the laws of that state state's or nation nation's laws or pursuant to federal law.~~

~~Any governmental entity that demonstrates a need to access such confidential and exempt information in order to perform its duties and responsibilities shall have access to such information and shall otherwise keep such information confidential and exempt. This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2006.

Approved by the Governor June 22, 2006.

Filed in Office Secretary of State June 22, 2006.