

By Senator Wilson

33-00046-09

2009176\_\_

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           985.1351, F.S.; providing an exemption from public-  
4           records requirements for serologic blood test results  
5           from juveniles referred to or under the supervision of  
6           the Department of Juvenile Justice; providing for  
7           future legislative review and repeal of the exemption;  
8           providing a statement of necessity; providing a  
9           contingent effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (6) is added to section 985.1351,  
14 Florida Statutes, as created by SB \_\_\_\_, to read:

15           985.1351 Blood test of a child referred to or under the  
16 supervision of the department.—

17           (6) (a) Except as otherwise provided in this section,  
18 serologic blood test results obtained pursuant to subsection (1)  
19 or subsection (2) are confidential and exempt from s. 119.07(1)  
20 and s. 24(a), Art. I of the State Constitution. However, such  
21 results may be provided to employees or officers of the juvenile  
22 assessment center, juvenile detention facility, or the child's  
23 juvenile probation officer who is responsible for the custody  
24 and care of the affected child and have a need to know such  
25 information, and as provided in ss. 381.004, 775.0877, and  
26 960.003.

27           (b) This subsection is subject to the Open Government  
28 Sunset Review Act in accordance with s. 119.15, and shall stand  
29 repealed on October 2, 2014, unless reviewed and saved from

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30 repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that exempting results  
32 from serologic blood tests of children referred to or under the  
33 supervision of the Department of Juvenile Justice is a public  
34 necessity in that harm caused by releasing personal and  
35 sensitive medical information outweighs any public benefit  
36 derived from releasing such information. Such information could  
37 be embarrassing to the child and his or her family and, if  
38 released, could harm the personal and future professional  
39 reputation of, and be used to discriminate against, the child to  
40 whom the information pertains.

41 Section 3. This act shall take effect on the same date that  
42 Senate Bill \_\_\_ or similar legislation takes effect, if such  
43 legislation is adopted in the same legislative session, or an  
44 extension thereof, and becomes law.