



LEGISLATIVE REPORT

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- Current action
 - CS** Committee Substitute
 - P** Passed both Chambers
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For Period Ending April 14

COURTS

CS/SB 886 Exemption/Petitions for Involuntary Assessment: Creates a public record exemption for petitions of involuntary assessment and stabilization, court orders, and related records filed with a court. Also provides an exemption for the personal identifying information contained in such records published on a court docket. Allows access by court order. Amends s. 397.6815, F.S. Companion to HB 791. *Sen. Dennis Baxley (R-Lady Lake)*

- Senate Special Order: Rolled to third reading for passage by the Senate.

HB 1417 Exemption/Identifying Information – Victims of Human Trafficking: Allows a court to close hearings relating to human trafficking at the request of the victim. The victim is also allowed to request that identifying information contained in court files be redacted or sealed. Creates a public record exemption for the redacted information and sealed files. Amends s. 787.061, F.S. *Rep. Ross Spano (R-Riverview)*

- H. Judiciary Committee: Reported favorably. Now on the House Calendar.

CRIMINAL JUSTICE and LAW ENFORCEMENT

P CS/HB 111 Exemption/Murder - Identity of Witnesses: Creates a public record exemption for the personal identifying information of those who witness a murder, stipulating that such information remains confidential and exempt for 2 years. Allows disclosure to a criminal justice agency or governmental entity for use in the performance of official duties and responsibilities and to the criminal defendant. Amends s. 119.071, F.S. Companion to SB 550. *Rep. Cynthia Stafford (D-Opa Locka)*

★ To see FAF's letter on CS/HB 111, click here: <http://bit.ly/2mLkwFo>

- Senate: Substituted for CS/SB 550 and passed by a vote of 34/3, with Sens. Bradley, Brandes, and Clemens voting no. **PASSED THE LEGISLATURE**

CS/SB 450 Exemption/Prearrest Diversion Program: Creates a public record exemption for personal identifying information of an adult participating in a civil citation or prearrest diversion program held by a law enforcement agency, a program services provider, or an entity operating a civil citation or prearrest diversion program. Stipulates that the exemption does not apply to the personal identifying information of those adults who fail to complete civil citation or prearrest diversion programs. Amends s. 901.40, F.S.

Companion to HB 369. *Sen. Jeff Brandes (R-St. Petersburg)*

- S. Appropriations Committee: An amendment allowing for the administrative sealing of certain criminal history records is adopted. Reported favorably as a committee substitute. Now on the Senate Calendar.

CS/SB 550 Exemption/Murder - Identity of Witnesses: Creates a public record exemption for the personal identifying information of those who witness a murder, stipulating that such information remains confidential and exempt for 2 years. Allows disclosure to a criminal justice agency or governmental entity for use in the performance of official duties and responsibilities and to the criminal defendant. Amends s. 119.071, F.S. Companion to HB 111. *Sen. Randolph Bracy (D-Ocoee)* ☹

★ To see FAF's letter on CS/SB 550, click here: <http://bit.ly/2mfw8Cn>

- Senate Special Order: Tabled; CS/HB 111 substituted. See CS/HB 111.

HB 1203 Exemption/Department of Corrections – Health Information: Creates a public record exemption for “protected health information” of inmates and offenders held by the Department of Corrections. Also exempts the identity of inmates and offenders contained in HIV test records. Allows access under certain specified conditions. “Protected health information” is defined as individually identifiable health information transmitted or maintained electronically. Amends s. 945.10, F.S. Companion to SB 1526. *Rep. Julio Gonzalez (R-Venice)*

- S. Judiciary Committee: Reported favorably. Now on the House Calendar.

HB 7053 Exemption/Videotaped Statements of Minors: Expands the exemption for videotaped statements of minors who are victims of sexual battery, lewd acts, and other sexual misconduct to also include statements of minors who are victims of child pornography. Amends s. 119.071(2)(j)2.a., F.S. Companion to SB 1560. *H. Criminal Justice Subcommittee*

- H. Judiciary Committee: Reported favorably. Now on the House Calendar.

DIRECT SUPPORT ORGANIZATIONS

CS/SB 374 Postsecondary Education: Creates the College Competiveness Act of 2017, making various changes to the Florida K-20 education system. Amends various statutes. *Sen. Dorothy Hukill (R-Port Orange)*

- House: CS/SB 374 passed the Senate by a vote of 36/2. It was taken up by the House and a strike-all amendment inserting the language of HB 5601 was amended. The Senate bill was then substituted for HB 5601 and passed the House unanimously. As amended, CSSB 374 repeals the exemptions, meaning that all records of the DSOs will be subject to disclosure absent other statutory exemptions that may apply. The identity of donors who desire anonymity will remain exempt. Now in Senate Returning Messages.

HB 5601 Public Records/Higher Education Direct Support Organizations: Currently, all university and college direct support organization records *other than* an auditor's report, management letter, and supplemental data requested by the Board of Governors, the board of trustees, the Auditor General, and Office of Program Policy Analysis and Government Accountability are confidential and exempt. HB 5601 repeals the exemptions, meaning that all records of the DSOs will be subject to disclosure absent other

statutory exemptions that may apply. The identity of donors who desire anonymity will remain exempt. Amends ss. 1004.28 and 1004.70, F.S. *H. Appropriations Committee* 😊

- House: Tabled; SB 374 substituted. See SB 374.

HB 7113 OGSR/Donors – Publicly Owned Performing Arts Center: Reenacts, with minor technical changes, an exemption for information that would identify a donor or prospective donor to publicly owned performing arts centers if the donor or prospective donor wants to remain anonymous. Reenacts s. 265.7015, F.S. Companion to SB 7002. *H. Government Accountability Committee*

ENVIRONMENT

CS/SB 532 Pollution Reports: Creates the “Public Notice of Pollution Act,” requiring the Department of Environmental Protection to establish and publish a list of substances, which if released or discharged, would present an immediate and substantial risk to the public health, safety or welfare. Requires owners and operators of facilities at which a reportable release occurred to report such release within 24 hours of discovery to DEP. Requires DEP to publish all such notices on a publicly accessible website and to create an email list for all notices, allowing the public and media to subscribe and receive periodic announcements of all notices submitted. Creates s. 403.078, F.S. Companion to HB 1065. *Sen. Bill Galvano (R-Bradenton) WATCH*

- Senate Special Order: Rolled to third reading for passage by the Senate.

EXAMINATIONS AND INVESTIGATIONS

CS/SB 738 Exemption/International Financial Institutions: SB 736 revises various statutory provisions relating to financial institutions and creates requirements for international trust companies, including licensure, recordkeeping, permissible activities, liabilities, claims, and allowable fees. CS/SB 738 creates a public record exemption for information identifying customers and potential customers of affiliated international trust entities and names of international trust entity shareholders held by the Office of Insurance Regulation. Also provides an exemption for any information received by the OIR, which is otherwise exempt pursuant to the laws of other states or the federal government. Creates ss. 663.416 and 663.450, F.S. Companion to HB 437. *Sen. Debbie Mayfield (R-Vero Beach)*

- S. Appropriations Committee: A minor amendment is adopted. Reported favorably as a committee substitute. Now on the Senate Calendar.

INSURANCE

SB 1768 Exemption/DHSMV - Medical Payments Coverage and Motor Vehicle Liability Insurance Policies: Legislation has been filed to repeal Florida’s Motor Vehicle No-Fault Law. SB 1768 amends the current exemption for personal identifying information contained in personal injury protection and property damage liability insurance policies held by DHSMV to protect such information in medical payments coverage and motor vehicle liability insurance policies. Amends s. 324.242, F.S. *Sen. Tom Lee (R-Brandon)*

- S. Banking and Insurance Committee: A minor amendment is adopted; reported favorably as a committee substitute. Now in S. Governmental Oversight and Accountability Committee.

SB 2510 Exemption/Dependent Eligibility Verification Records: Creates a public record exemption for records collected by the Department of Management Services for the purpose of verifying dependent eligibility for state group insurance programs. Amends s. 110.12301, F.S. *S. Appropriations Committee*

- Senate: Passed unanimously. Now in House Messages.

PERSONAL INFORMATION

SB 1844 Exemption/Personal Identifying Information – Medical Marijuana Use Registry: Creates a public record exemption for all information contained on a patient’s or caregiver’s compassionate use registry identification card issued in accordance with s. 381.986, F.S. Also exempts all information relating to a doctor’s certification for dispensing marijuana. Allows access under certain specified conditions. Amends s. 381.987, F.S. Companion to HB 7095. *Sen. Rob Bradley (R-Orange Park)*

SB 1844 is scheduled for consideration by the S. Governmental Oversight and Accountability Committee on Monday, 4/17, at 4:00 PM in room 401, Senate Office Building.

SB 7026 OGSR/Unclaimed Property Reports: Reenacts, without modification, the exemption for social security numbers and property identifiers contained in unclaimed property reports held by the Department of Financial Services. Reenacts s. 717.117, F.S. Companion to HB 7045. *S. Banking and Insurance Committee*

- S. Rules Committee: Reported favorably. Now on the Senate Calendar.

PROPRIETARY INFORMATION

SB 7024 OGSR/Title Insurance Companies – Proprietary Business Information: Reenacts, with minor changes, an exemption for proprietary confidential business information provided to the Office of Insurance Regulation by title insurance agencies and insurers. Defines “proprietary business information” as information that (1) is owned or controlled by the title insurance agency; (2) is intended to be and is treated by the company as private in that disclosure would cause harm to its business operations; and (3) has not been publicly disclosed. Reenacts s. 626.84195, F.S. Companion to HB 7067. *S. Banking and Insurance Committee*

- S. Rules Committee: A minor amendment is adopted. Reported favorably as a committee substitute. Now on the Senate Calendar.

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