

## Committee on Governmental Oversight and Accountability

### **SB 7030 — OGSR/Competitive Solicitation or Negotiation Strategies**

by Governmental Oversight and Accountability Committee

This bill (Chapter 2016-49, L.O.F.) continues the public records and public meetings exemptions used by governmental entities during competitive solicitations by removing the October 2, 2016, repeal date in each law. This bill is the result of an Open Government Sunset Review (OGSR) by the Governmental Oversight and Accountability Committee of a public records exemption in s. 119.071(1)(b), F.S., and a public meetings and records exemption in s. 286.0113(2), F.S.

Section 119.071(1)(b), F.S., exempts from public disclosure sealed responses to a competitive solicitation. Vendors' sealed responses are exempt until a governmental entity notices its intended decision or 30 days after the governmental entity unseals the responses. Sealed responses to a competitive solicitation may be exempt under certain circumstances if a competitive solicitation is withdrawn and reissued; however, such records remain exempt for no longer than 12 months after the governmental entity rejects the responses to the initial competitive solicitation.

A governmental entity's negotiation team's strategy meetings and its team meetings with vendors may be closed to the public, pursuant to s. 286.0113(2), F.S. Transcripts of these meetings and any records presented during such meetings are exempt from public disclosure. All meeting records become public when the governmental entity notices its intended decision or 30 days after the governmental entity unseals the vendors' responses. If a competitive solicitation is withdrawn and reissued, the meeting records remain exempt under certain circumstances; however, the exemption expires 12 months after the governmental entity rejects the vendors' responses to the initial competitive solicitation.

These provisions were approved by the Governor and take effect on October 1, 2016.

*Vote: Senate 37-0; House 113-2*