

THE FLORIDA SENATE
2018 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 7013 — OGSR/False Claims

by Oversight, Transparency and Administration Subcommittee and Rep. Yarborough (SB 7006 by Judiciary Committee)

The bill continues a public records exemption that is contained in the Florida False Claims Act. Maintaining the exemption encourages a private citizen to report fraud and facilitates the recovery of state funds and property that are taken by false claims or fraud.

The exemption places under seal and protects from public disclosure the legal complaint filed in circuit court by a private citizen who initiates a false claim proceeding. The exemption also protects from disclosure the detailed information and documents that the private citizen provides to the Department of Legal Affairs which support the claim that a violation of the acts has occurred.

This exemption helps the state recover monies and property by:

- Protecting the identity of a person who initiates a false claim action;
- Allowing the Department of Legal Affairs to privately investigate the merits of a claim to determine if the government should intervene; and
- Maintaining the confidentiality of state information that is similarly shielded under a federal public records exemption, which, if disclosed in Florida, would compromise the confidentiality of the federal investigation.

The original exemption was enacted in 2013 and is scheduled for repeal on October 2, 2018, unless continued by the Legislature.

If approved by the Governor, these provisions take effect October 1, 2018.

Vote: Senate 37-0; House 108-0