

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

HB 7007 — OGSR/Department of Agriculture and Consumer Services
by Government Operations Subcommittee and Rep. Chambliss (SB 7036 by Agriculture
Committee)

The Open Government Sunset Review Act requires the Legislature to review each public record and each public meeting exemption five years after enactment. If the Legislature does not reenact the exemption, it automatically repeals on October 2nd of the fifth year after enactment.

The Department of Agriculture and Consumer Services (DACS) investigates and regulates several professions and organizations in the State of Florida, including the regulation of charitable organizations. DACS receives examination and investigation data from agencies in other states and federal agencies. Many charitable organizations operate both inside and outside of Florida making coordination with other state and federal agencies critical. The data from these partner agencies helps DACS carry out its mission to provide, among other duties, oversight of charitable organizations. In order to receive and share certain investigatory information, DACS must enter into agreements to maintain the confidentiality of the information.

In 2016, the Legislature created a public record exemption for criminal or civil intelligence or investigative information or any other information held by DACS as part of a joint or multi-agency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency when the information shared is confidential or exempt under the laws or regulations of that state or federal agency. The public records exemption does not apply to information held by DACS as part of an independent examination or investigation conducted by DACS.

The bill saves from repeal the public record exemption, which will repeal on October 2, 2021, if this bill does not become law.

If approved by the Governor, these provisions take effect October 1, 2021.

Vote: Senate 40-0; House 116-0