

By Senator Williams

4-693-98

1                                   A bill to be entitled  
2           An act relating to private corporations;  
3           amending s. 155.40, F.S.; providing that a  
4           private corporation that leases a public  
5           hospital or public health care facility is not  
6           a person acting on behalf of such entity and  
7           subject to the open records and meetings law  
8           under certain circumstances; providing a  
9           finding of public purpose; providing future  
10          repeal; providing an effective date.

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

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14           Section 1. Subsection (6) is added to section 155.40,  
15 Florida Statutes, to read:

16           155.40 Sale or lease of county, district, or municipal  
17 hospital.--

18           (6)(a) A private corporation that leases a public  
19 hospital or other public health care facility is not a "person  
20 acting on behalf of" the public hospital or other public  
21 health care facility as that term is used in Sections 24(a)  
22 and (b) of Article I of the State Constitution, unless:

23           1. The public hospital or other public health care  
24 facility was the incorporator of the private company, and

25           2. A majority of the members of the governing board of  
26 the private corporation are also members of the governing  
27 board of the public entity that owns the public hospital or  
28 the other public health care facility.

29           (b) The exemption provided in this subsection expires  
30 July 1, 2003, and must be reviewed by the Legislature in  
31 accordance with s. 119.15 before that date.

