

By Senator Latvala

19-1257-02

See HJR 327

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to
Section 24 of Article I of the State
Constitution relating to public records and
meetings exemptions.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 24 of Article I
of the State Constitution is agreed to and shall be submitted
to the electors of this state for approval or rejection at the
next general election or at an earlier special election
specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 24. Access to public records and meetings.--

(a) Every person has the right to inspect or copy any
public record made or received in connection with the official
business of any public body, officer, or employee of the
state, or persons acting on their behalf, except with respect
to records exempted pursuant to this section or specifically
made confidential by this Constitution. This section
specifically includes the legislative, executive, and judicial
branches of government and each agency or department created
thereunder; counties, municipalities, and districts; and each
constitutional officer, board, and commission, or entity
created pursuant to law or this Constitution.

(b) All meetings of any collegial public body of the
executive branch of state government or of any collegial
public body of a county, municipality, school district, or
special district, at which official acts are to be taken or at

1 | which public business of such body is to be transacted or
2 | discussed, shall be open and noticed to the public and
3 | meetings of the legislature shall be open and noticed as
4 | provided in Article III, Section 4(e), except with respect to
5 | meetings exempted pursuant to this section or specifically
6 | closed by this Constitution.

7 | (c) This section shall be self-executing. The
8 | legislature, however, may provide by general law passed by a
9 | two-thirds vote of each house for the exemption of records
10 | from the requirements of subsection (a) and the exemption of
11 | meetings from the requirements of subsection (b), provided
12 | that such law shall state with specificity the public
13 | necessity justifying the exemption and shall be no broader
14 | than necessary to accomplish the stated purpose of the law.
15 | The legislature shall enact laws governing the enforcement of
16 | this section, including the maintenance, control, destruction,
17 | disposal, and disposition of records made public by this
18 | section, except that each house of the legislature may adopt
19 | rules governing the enforcement of this section in relation to
20 | records of the legislative branch. Laws enacted pursuant to
21 | this subsection shall contain only exemptions from the
22 | requirements of subsections (a) or (b) and provisions
23 | governing the enforcement of this section, and shall relate to
24 | one subject.

25 | (d) All laws that are in effect on July 1, 1993 that
26 | limit public access to records or meetings shall remain in
27 | force, and such laws apply to records of the legislative and
28 | judicial branches, until they are repealed. Rules of court
29 | that are in effect on the date of adoption of this section
30 | that limit access to records shall remain in effect until they
31 | are repealed.

1 BE IT FURTHER RESOLVED that the following statement be
2 placed on the ballot:

3 CONSTITUTIONAL AMENDMENT

4 ARTICLE I, SECTION 24

5 LAWS PROVIDING PUBLIC RECORDS OR MEETINGS EXEMPTIONS;
6 TWO-THIRDS VOTE REQUIRED.--Proposing an amendment to the State
7 Constitution to require that laws providing exemptions from
8 public records or public meetings requirements must be passed
9 by a two-thirds vote of each house of the Legislature.

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