

By the Council for Smarter Government and Representatives
Carassas, Wiles, Justice, Joyner and Gottlieb

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House Joint Resolution

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 amendment to Section 24 of Article I of the
State Constitution set forth below is agreed to and shall be
submitted to the electors of Florida for approval or rejection
at the general election to be held in November 2002:

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
which public business of such body is to be transacted or
discussed, shall be open and noticed to the public and
meetings of the legislature shall be open and noticed as

1 provided in Article III, Section 4(e), except with respect to
2 meetings exempted pursuant to this section or specifically
3 closed by this Constitution.

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

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25 judicial branches, until they are repealed.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28 are repealed.

29 BE IT FURTHER RESOLVED that in accordance with the
30 requirements of section 101.161, Florida Statutes, the title
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1 and substance of the amendment proposed herein shall appear on
2 the ballot as follows:

3 LAWS PROVIDING PUBLIC RECORDS OR MEETINGS EXEMPTIONS;

4 TWO-THIRDS VOTE REQUIRED

5 Requires that laws providing exemptions from public
6 records or public meetings requirements must, after the
7 effective date of this amendment, be passed by a two-thirds
8 vote of each house of the Legislature.

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