

By Senator Lynn

7-1115-03

1 A bill to be entitled
2 An act relating to public records; creating s.
3 44.1026, F.S.; providing that oral or written
4 communications or documents in a presuit or
5 voluntary mediation proceeding are confidential
6 and exempt from public disclosure under the
7 public-records law; authorizing disclosure of
8 communications and documents upon consent of
9 all participants to the mediation; providing an
10 exception for executed settlements and certain
11 communications; providing for future
12 legislative review and repeal; providing a
13 finding of public necessity; providing a
14 contingent effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 44.1026, Florida Statutes, is
19 created to read:
20 44.1026 Presuit and voluntary mediation; public
21 records exemption.--All oral or written communications or
22 documents, including written documents of the mediator, in a
23 presuit or voluntary mediation proceeding are confidential and
24 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
25 Constitution. Such communications and documents, however, may
26 be disclosed upon the consent of all participants to the
27 presuit mediation or parties to the voluntary mediation.
28 Executed settlement agreements or communications as provided
29 in s. 44.1025(3) are neither confidential nor exempt. This
30 section is subject to the Open Government Sunset Review Act of
31 1995 in accordance with s. 119.15, and shall stand repealed on

