

1 (b)1. All investigatory records held by the commission
2 in conjunction with an investigation conducted pursuant to
3 this subsection, including minutes and findings of an exempt
4 probable cause panel meeting convened in conjunction with such
5 investigation, are exempt from s. 119.07(1) and s. 24(a), Art.
6 I of the State Constitution for a period not to exceed 10 days
7 after the panel makes a determination regarding probable
8 cause.

9 2. Those portions of a meeting of the probable cause
10 panel at which records made exempt pursuant to subparagraph 1.
11 are discussed are exempt from s. 286.011 and s. 24(b), Art. I
12 of the State Constitution.

13 3. This paragraph is subject to the Open Government
14 Sunset Review Act of 1995 in accordance with s. 119.15 and
15 shall stand repealed on October 2, 2010, unless reviewed and
16 saved from repeal through reenactment by the Legislature.

17 Section 2. The Legislature finds that it is a public
18 necessity that investigatory records held by the Commission
19 for Independent Education in conjunction with an investigation
20 conducted pursuant to section 1005.38(6), Florida Statutes,
21 including minutes and findings of an exempt probable cause
22 panel meeting convened in conjunction with such
23 investigations, be made exempt from public records
24 requirements for a period not to exceed 10 days after a panel
25 makes a determination regarding probable cause. The
26 Legislature further finds that it is a public necessity that
27 those portions of meetings of any probable cause panel
28 convened in conjunction with such investigations at which
29 exempt investigatory records are discussed be made exempt from
30 public meetings requirements. The exemptions created by this
31 act relating to investigations conducted by the Commission for

1 Independent Education prevent unfounded complaints and
2 investigations from being used to damage the good name of an
3 institution or persons associated with the institution.
4 Because the information made exempt under this act will be
5 available to the public after a determination regarding
6 probable cause is made, public oversight will be maintained.

7 Section 3. This act shall take effect on the same date
8 that SB 1250 or similar legislation takes effect, if such
9 legislation is adopted in the same legislative session or an
10 extension thereof and becomes law.

11
12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 CS/SB 1272

15 Conforms the statement of public necessity to a change made in
16 the exemption. That change narrowed the exemption to portions
17 of meetings of probable cause panels at which exempt
investigatory records are discussed, instead of all
proceedings of the panel.