

By Senator Argenziano

3-1138-05

See HB

1 A bill to be entitled
2 An act relating to public records exemptions;
3 amending s. 257.43, F.S.; providing an
4 exemption from public records requirements for
5 the identity of donors to the citizen support
6 organization created to provide assistance,
7 funding, and promotional support for the
8 library, archives, and records management
9 programs of the Division of Library and
10 Information Services of the Department of State
11 who desire to remain anonymous; providing for
12 review and repeal; amending s. 265.703, F.S.;
13 providing an exemption from public records
14 requirements for the identity of donors to the
15 citizen support organization created to provide
16 assistance, funding, and promotional support
17 for the cultural and arts programs of the
18 Division of Cultural Affairs of the Department
19 of State who desire to remain anonymous;
20 providing for review and repeal; providing a
21 statement of public necessity; providing a
22 contingent effective date.

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

26 Section 1. Subsection (3) of section 257.43, Florida
27 Statutes, as created by SB ___, 2005 Regular Session, is
28 amended to read:

29 257.43 Citizen support organization; use of state
30 administrative services and property; audit.--

31

1 (3)(a) ANNUAL AUDIT.--The citizen support organization
2 shall provide for an annual financial audit in accordance with
3 s. 215.981. The identity of donors who desire to remain
4 anonymous shall be confidential and exempt from s. 119.07(1)
5 and s. 24(a), Art. I of the State Constitution, and that
6 anonymity shall be maintained in the auditor's report.

7 (b) This subsection is subject to the Open Government
8 Sunset Review Act of 1995 in accordance with s. 119.15 and
9 shall stand repealed on October 2, 2010, unless reviewed and
10 saved from repeal through reenactment by the Legislature.

11 Section 2. Subsection (3) of section 265.703, Florida
12 Statutes, as created by SB ___, 2005 Regular Session, is
13 amended to read:

14 265.703 Citizen support organization; use of state
15 administrative services and property; audit.--

16 (3)(a) ANNUAL AUDIT.--The citizen support organization
17 shall provide for an annual financial audit in accordance with
18 section 215.981. The identity of donors who desire to remain
19 anonymous shall be confidential and exempt from s. 119.07(1)
20 and s. 24(a), Art. I of the State Constitution, and that
21 anonymity shall be maintained in the auditor's report.

22 (b) This subsection is subject to the Open Government
23 Sunset Review Act of 1995 in accordance with s. 119.15 and
24 shall stand repealed on October 2, 2010, unless reviewed and
25 saved from repeal through reenactment by the Legislature.

26 Section 3. The Legislature finds that it is a public
27 necessity that the identity of donors to the citizen support
28 organizations created to provide assistance, funding, and
29 promotional support for the library, archives, and records
30 management programs of the Division of Library and Information
31 Services of the Department of State and for the cultural and

1 arts programs of the Division of Cultural Affairs of the
2 Department of State who desire to remain anonymous be held
3 confidential and exempt from section 119.07(1), Florida
4 Statutes, and Section 24(a), Article I of the State
5 Constitution upon the request of the donor, and that the
6 donor's anonymity be maintained in the annual financial audit
7 required under section 215.981, Florida Statutes, because the
8 disclosure of the identities of such donors might adversely
9 impact a citizen support organization's ability to receive
10 donations from individuals who request anonymity.

11 Section 4. This act shall take effect on the same date
12 that SB ____ or similar legislation takes effect, but shall
13 not take effect unless such legislation is adopted in the same
14 legislative session or an extension thereof and becomes a law.

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