

A bill to be entitled

An act relating to public records; creating s. 21.0195, F.S.; exempting from public records requirements working papers, including all documentary or other information, prepared or maintained by the Legislative Sunset Advisory Committee in performing its duties under ch. 21, F.S., to conduct an evaluation and prepare a report; specifying that information received for such purpose that is confidential and exempt shall remain confidential and exempt; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Section 21.0195, Florida Statutes, is created to read:

21.0195 Confidentiality of information to conduct an evaluation and prepare a report.--

(1) A working paper, including all documentary or other information, prepared or maintained by the committee in performing its duties under this chapter to conduct an evaluation and prepare a report is exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(2) A record held by another entity that is considered to be confidential and exempt by law and that the committee receives in connection with the performance of the committee's functions under this chapter remains confidential and exempt

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29 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the
30 State Constitution.

31 (3) This section is subject to the Open Government Sunset
32 Review Act of 1995 in accordance with s. 119.15 and shall stand
33 repealed on October 2, 2011, unless reviewed and saved from
34 repeal through reenactment by the Legislature.

35 Section 2. The Legislature finds that it is a public
36 necessity that the working papers, including all documentary or
37 other information, prepared or maintained by the Legislative
38 Sunset Advisory Committee in performing its duties under chapter
39 21, Florida Statutes, to conduct an evaluation and prepare a
40 report on whether to abolish a state agency and its advisory
41 committees as defined in s. 21.002, Florida Statutes, be made
42 exempt from public records requirements. The Legislature finds
43 that the release of such information would hinder the ability of
44 the committee to conduct its evaluation and prepare its report
45 on whether to abolish a state agency and its advisory committees
46 because employees and other interested persons might be
47 reluctant to provide information knowing that the information
48 would be public and could potentially affect their employment or
49 other dealings with the agency under review. Protecting such
50 information would help the committee complete a more thorough
51 and reliable evaluation and therefore make a better
52 recommendation as to whether or not to terminate a state agency
53 and its advisory committees.

54 Section 3. This act shall take effect July 1, 2006, if
55 House Bill 1123 or similar legislation is adopted in the same
56 legislative session or an extension thereof and becomes law.