

By Senator Posey

24-1689-06

See HB

1 A bill to be entitled
2 An act relating to public records; creating s.
3 21.0195, F.S.; exempting from public records
4 requirements working papers, including all
5 documentary or other information, prepared or
6 maintained by the Legislative Sunset Advisory
7 Committee in performing its duties under ch.
8 21, F.S., to conduct an evaluation and prepare
9 a report; specifying that information received
10 for such purpose that is confidential and
11 exempt shall remain confidential and exempt;
12 providing for future legislative review and
13 repeal; providing a statement of public
14 necessity; providing a contingent effective
15 date.

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

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

21 21.0195 Confidentiality of information to conduct an
22 evaluation and prepare a report.--

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

29 (2) A record held by another entity that is considered
30 to be confidential and exempt by law and that the committee
31 receives in connection with the performance of the committee's

1 functions under this chapter remains confidential and exempt
2 from the provisions of s. 119.07(1) and s. 24(a), Art. I of
3 the State Constitution.

4 (3) This section is subject to the Open Government
5 Sunset Review Act in accordance with s. 119.15 and shall stand
6 repealed on October 2, 2011, unless reviewed and saved from
7 repeal through reenactment by the Legislature.

8 Section 2. The Legislature finds that it is a public
9 necessity that the working papers, including all documentary
10 or other information, prepared or maintained by the
11 Legislative Sunset Advisory Committee in performing its duties
12 under chapter 21, Florida Statutes, to conduct an evaluation
13 and prepare a report on whether to abolish a state agency and
14 its advisory committees as defined in s. 21.002, Florida
15 Statutes, be made exempt from public records requirements. The
16 Legislature finds that the release of such information would
17 hinder the ability of the committee to conduct its evaluation
18 and prepare its report on whether to abolish a state agency
19 and its advisory committees because employees and other
20 interested persons might be reluctant to provide information
21 knowing that the information would be public and could
22 potentially affect their employment or other dealings with the
23 agency under review. Protecting such information would help
24 the committee complete a more thorough and reliable evaluation
25 and therefore make a better recommendation as to whether or
26 not to terminate a state agency and its advisory committees.

27 Section 3. This act shall take effect July 1, 2006, if
28 Senate Bill ___ or similar legislation is adopted in the same
29 legislative session or an extension thereof and becomes law.

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