

ENROLLED

HB 459, Engrossed 1

2006 Legislature

1                                   A bill to be entitled  
 2           An act relating to public records; amending s. 744.7082,  
 3           F.S.; creating an exemption from public records  
 4           requirements for identifying information of persons making  
 5           a donation of funds or property to the direct-support  
 6           organization of the Statewide Public Guardianship Office;  
 7           providing for review and repeal under the Open Government  
 8           Sunset Review Act; providing a statement of public  
 9           necessity; providing a contingent effective date.

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

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13           Section 1. Subsections (6) and (7) of section 744.7082,  
 14 Florida Statutes, are renumbered as subsections (7) and (8),  
 15 respectively, and a new subsection (6) is added to that section  
 16 to read:

17           744.7082 Direct-support organization; definition; use of  
 18 property; board of directors; audit; dissolution.--

19           (6) PUBLIC RECORDS.--The identity of a donor or  
 20 prospective donor of funds or property to the direct-support  
 21 organization who desires to remain anonymous, and all  
 22 information identifying the donor or prospective donor, is  
 23 confidential and exempt from the provisions of s. 119.07(1) and  
 24 s. 24(a), Art. I of the State Constitution, and that anonymity  
 25 must be maintained in any publication concerning the direct-  
 26 support organization.

27           Section 2. Subsection (6) of s. 744.7082, Florida  
 28 Statutes, is subject to the Open Government Sunset Review Act in

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29 accordance with s. 119.15, Florida Statutes, and shall stand  
30 repealed on October 2, 2011, unless reviewed and saved from  
31 repeal through reenactment by the Legislature.

32 Section 3. The Legislature finds that it is a public  
33 necessity that the name and other identifying information of a  
34 donor or prospective donor to the direct-support organization of  
35 the Statewide Public Guardianship Office be held confidential  
36 and exempt from public disclosure because the disclosure of this  
37 information would adversely impact the efforts of the direct-  
38 support organization to collect funding or gifts of property to  
39 support the statewide office. The sole purpose of the direct-  
40 support organization is to raise funds for the statewide office,  
41 and donor contributions are a key element in the ability of the  
42 organization to achieve its goals. Some individuals who desire  
43 to donate to the direct-support organization wish to remain  
44 anonymous. The direct-support organization would be adversely  
45 affected if identifying information of a donor is released to  
46 the public. Therefore, the Legislature finds that any benefit  
47 derived from public disclosure of identifying information of a  
48 donor is outweighed by the necessity to keep the information  
49 confidential.

50 Section 4. This act shall take effect July 1, 2006, if  
51 House Bill 457, or similar legislation revising provisions  
52 relating to the Statewide Public Guardianship Office, is adopted  
53 in the same legislative session or an extension thereof and  
54 becomes law.