

HB 1405

2007

1 A bill to be entitled
2 An act relating to a public records and public meetings
3 exemption; providing an exemption from public records
4 requirements for documents in the possession of a state
5 agency, unit of local government, or an agency or
6 instrumentality thereof that contain identifying and
7 location information of potential or actual donors of
8 funds, or that identify any donation of gifts or funds, to
9 any publicly owned house museum designated by the United
10 States Department of the Interior as a National Historic
11 Landmark; providing an exemption from public meetings
12 requirements for any portion of a meeting of any governing
13 board, or a subcommittee thereof, of such a publicly owned
14 house museum during which information made confidential
15 and exempt under the act is discussed; providing an
16 exemption from public records requirements for any records
17 generated during those portions of meetings which are
18 closed to the public under the act; providing for review
19 and repeal; providing a statement of public necessity;
20 providing an effective date.

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

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24 Section 1. Section 267.076, Florida Statutes, is created
25 to read:

26 267.076 Confidentiality of certain donor information
27 related to publicly owned house museums designated as National
28 Historic Landmarks; public meetings exemption.--

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29 (1) Any document in the possession of a state agency, unit
30 of local government, or an agency or instrumentality thereof
31 that identifies the name, identity, home or employment telephone
32 number, home or employment address, or personal assets of any
33 potential or actual donor, or that identifies any donation of
34 gifts or funds, to a publicly owned house museum designated by
35 the United States Department of the Interior as a National
36 Historic Landmark is confidential and exempt from s. 119.07(1)
37 and s. 24(a), Art. I of the State Constitution.

38 (2) Any portion of a meeting of any governing board, or
39 any subcommittee thereof, of a publicly owned house museum
40 designated by the United States Department of the Interior as a
41 National Historic Landmark during which information made
42 confidential and exempt under subsection (1) is discussed is
43 exempt from s. 286.011 and s. 24(b), Art. I of the State
44 Constitution.

45 (3) Any records generated during those portions of
46 meetings which are closed to the public under subsection (2),
47 including, but not limited to, minutes, tape recordings,
48 videotapes, transcriptions, or notes, are confidential and
49 exempt from s. 119.071(1) and s. 24(a), Art. I of the State
50 Constitution.

51 (4) This section is subject to the Open Government Sunset
52 Review Act in accordance with s. 119.15 and shall stand repealed
53 on October 2, 2012, unless reviewed and saved from repeal
54 through reenactment by the Legislature.

55 Section 2. It is the finding of the Legislature that, in
56 order to protect Florida's historic resources, it is in the

57 public interest to promote the donation of gifts to, and the
58 raising of private funds for, the acquisition, renovation,
59 rehabilitation, and operation of publicly owned house museums
60 designated by the United States Department of the Interior as
61 National Historic Landmarks. An essential element of a robust
62 plan for promoting the donation of private gifts and the raising
63 of private funds is the need to protect the privacy of potential
64 and actual donors to such museums and information regarding
65 their donations. If the identity of potential and actual donors
66 or the amount of donations is subject to disclosure, it produces
67 a chilling effect on donations. Donors are justifiably concerned
68 about the disclosure of personal information which could lead to
69 theft and, in particular, identity theft. Donors are also
70 justifiably concerned about the possibility of their personal
71 safety and security being compromised. Therefore, the
72 Legislature finds that it is a public necessity that any
73 document in the possession of a state agency, unit of local
74 government, or an agency or instrumentality thereof that
75 identifies the name, identity, home or employment telephone
76 number, home or employment address, or personal assets of any
77 potential or actual donor, or that identifies any donation of
78 gifts or funds, to a publicly owned house museum designated by
79 the United States Department of the Interior as a National
80 Historic Landmark be held confidential and exempt from public
81 records requirements. It is the further finding of the
82 Legislature that it is a public necessity that any portion of a
83 meeting of any governing board, or any subcommittee thereof, of
84 a publicly owned house museum designated by the United States

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85 Department of the Interior as a National Historic Landmark
86 during which information made confidential and exempt under this
87 act is discussed be made exempt from public meetings
88 requirements. It is the further finding of the Legislature that
89 it is a public necessity that any records generated during those
90 portions of meetings which are closed to the public under the
91 act, including, but not limited to, minutes, tape recordings,
92 videotapes, transcriptions, or notes, be held confidential and
93 exempt from public records requirements.

94 Section 3. This act shall take effect July 1, 2007.