

By Senator King

8-1945-07

See HB 853

1                                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           267.1736, F.S.; providing an exemption from  
4           public-records requirements for certain donor  
5           and prospective donor information involving  
6           state-owned properties in a historic district  
7           in the City of St. Augustine; providing for  
8           future legislative review and repeal under the  
9           Open Government Sunset Review Act; providing a  
10          statement of public necessity; providing a  
11          contingent effective date.

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

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15           Section 1. Subsection (9) is added to section  
16 267.1736, Florida Statutes, as created by HB 851, 2007 Regular  
17 Session, to read:

18           267.1736 Direct-support organization.--

19           (9)(a) The identity of a donor or prospective donor to  
20 the direct-support organization who desires to remain  
21 anonymous, and all information identifying such donor or  
22 prospective donor, is confidential and exempt from the  
23 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
24 Constitution; and that anonymity must be maintained in the  
25 auditor's report. The university and the Auditor General shall  
26 have access to all records of the direct-support organization  
27 upon request.

28           (b) This subsection is subject to the Open Government  
29 Sunset Review Act in accordance with s. 119.15 and shall stand  
30 repealed on October 2, 2012, unless reviewed and saved from  
31 repeal through reenactment by the Legislature.

1           Section 2. The Legislature finds a public necessity in  
2 protecting the identity of donors and prospective donors to  
3 the direct-support organization authorized to assist the  
4 University of Florida in carrying out its dual historic  
5 preservation and historic preservation education purposes and  
6 responsibilities for the various state-owned properties within  
7 the historic district currently subleased by the Department of  
8 State to the City of St. Augustine for management. This  
9 protection will enable the direct-support organization to  
10 effectively and efficiently administer the promotion,  
11 preservation, and public education efforts related to these  
12 state-owned properties. The purpose of the exemption is to  
13 honor the request for anonymity of donors or prospective  
14 donors to the not-for-profit corporation and thereby encourage  
15 donations from individuals and entities that might otherwise  
16 decline to contribute. Without the exemption, potential donors  
17 may be dissuaded from contributing to the direct-support  
18 organization because such donors fear being harmed by the  
19 release of sensitive financial information. Difficulty in  
20 soliciting donations would hamper the ability of the  
21 direct-support organization to carry out its marketing,  
22 promotion, education, and preservation activities and would  
23 hinder fulfillment of the goal of the state in maintaining  
24 these state-owned properties and in preserving, promoting, and  
25 advancing historic preservation of these properties through  
26 funding by both the public sector and the private sector.

27           Section 3. This act shall take effect on the same date  
28 that SB \_\_\_\_ or similar legislation takes effect, if such  
29 legislation is adopted in the same legislative session or an  
30 extension thereof and becomes law.  
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