

By the Committee on Governmental Operations; and Senator King

585-2530-07

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.

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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30 repealed on October 2, 2012, unless reviewed and saved from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 2404 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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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2406

A reference to Senate Bill 2404 is substituted for the House
bill number.