

Bill No. SB 2624

Barcode 722926

CHAMBER ACTION

Senate

House

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The Committee on Health Regulation (Fasano) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Task Force on Open Government; creation; membership; duties.--

(1) There is created a Task Force on Open Government within the Office of Open Government to review, evaluate, and issue recommendations concerning the public-records and public-meetings laws as provided in this section.

(2) The task force shall meet the requirements of s. 20.052, Florida Statutes. It shall consist of nine members:

(a) Three members appointed by the Governor;

(b) Three members appointed by the Speaker of the House of Representatives;

(c) Three members appointed by the President of the Senate.

(3) The office shall assist the task force and provide

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1 all necessary data collection, analysis, research, and support
2 services.

3 (4)(a) Members must be appointed within 45 days after
4 the effective date of this act. No sooner than 55 days and no
5 later than 75 days after the effective date of this act, the
6 task force shall meet to establish procedures for the conduct
7 of its business and to elect a chair and vice chair.

8 (b) The task force shall meet at the call of the chair
9 but no less frequently than every 3 months.

10 (c) A majority of the members of the task force
11 constitutes a quorum, and a quorum is necessary for the
12 purpose of voting on any proposed action or recommendation of
13 the task force.

14 (d) The meetings shall be held in locations throughout
15 the state for the purpose of taking public testimony regarding
16 the issues set forth in subsection (5).

17 (5) The task force shall consider the issues of
18 privacy and public access as they relate to the collection and
19 dissemination of information contained in public records
20 maintained by an agency as defined in s. 119.011, Florida
21 Statutes. With respect to such issues, the task force shall
22 specifically consider:

23 (a) How the collection, storage, retrieval,
24 dissemination, and accessibility of public records through
25 advanced technologies, including Internet access, has
26 affected:

27 1. The expectation of privacy regarding sensitive,
28 personal information contained in public records;

29 2. The role and effectiveness of the custodian of
30 public records as defined in s. 119.011, Florida Statutes;

31 3. The ability of agency networks to communicate with

1 each other;

2 4. The security and safety of residents; and

3 5. The interests of business, research, and media

4 industries in these records.

5 (b) How best to balance the positive and negative

6 effects of electronic access to public records.

7 (c) Whether agencies require excessive and unnecessary

8 information, and if so, the best manner in which to address

9 the issue.

10 (d) Whether categories of information, including, but

11 not limited to, personal identifying information, proprietary

12 confidential business information, and medical information,

13 should be made confidential or exempt from public disclosure

14 in part or in totality.

15 (e)1. What information is and should be accessible

16 electronically, the circumstances warranting accessibility,

17 and the need for restrictions with respect thereto; and

18 2. Whether levels of electronic accessibility should

19 be established based on the nature of the information and the

20 user of the information, circumstances warranting the

21 establishment of levels of accessibility, and the need for

22 restrictions with respect thereto.

23 (f)1. What impediments exist with regard to preventing

24 the unauthorized or inadvertent disclosure of confidential or

25 exempt information in current and future agency records;

26 2. Who should be responsible for ensuring that such

27 information is kept confidential or exempt from public

28 disclosure; and

29 3. What, if any, penalties should be in place if such

30 disclosure occurs.

31 (6) The task force, as it considers appropriate, may

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1 examine and recommend changes to laws, rules, and policies
2 governing all public records.

3 (7) The task force shall review, at a minimum,
4 documents compiled by the legislative, executive, and judicial
5 branches; the clerks of court; and The Florida Bar relating to
6 the topics of privacy, technology, and public records,
7 including official records and court records.

8 (8) The task force shall submit a final report to the
9 Governor, the Chief Justice of the Supreme Court, the
10 President of the Senate, and the Speaker of the House of
11 Representatives by January 1, 2008. The final report must
12 include specific recommendations regarding the privacy and
13 public records issues identified in this act. To the extent
14 possible, the report shall include proposed legislation or
15 recommendations for changes in rules. The report shall
16 identify any necessary support services, additional training,
17 and fiscal impact resulting from its recommendations.

18 (9) Members of the task force shall serve without
19 compensation, but are entitled to reimbursement for per diem
20 and travel expenses as provided in s. 112.061, Florida
21 Statutes. Per diem and travel expenses for task force members
22 who are employees of the state shall be provided from the
23 budgets of the employing agencies.

24 (10) The task force is terminated June 30, 2008.

25 Section 2. There is appropriated from the General
26 Revenue Fund to the Executive Office of the Governor the sum
27 of _____ for the purpose of reimbursement for per diem and
28 travel expenses as authorized by this act.

29 Section 3. This act shall take effect upon becoming a
30 law.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6 A bill to be entitled

7 An act relating to the Task Force on Open
8 Government; creating the Task Force on Open
9 Government within the Office of Open
10 Government; providing purposes; providing for
11 the appointment of members to the task force;
12 requiring that the office assist the task force
13 and provide certain services; requiring that
14 the task force meet before a specified deadline
15 to establish certain procedures and elect a
16 chair and vice chair; providing guidelines for
17 scheduling meetings; authorizing the chair of
18 the task force to call meetings; providing
19 requirements for voting on any proposed action
20 or recommendation of the task force; providing
21 for the locations of meetings; requiring the
22 task force to consider certain issues and
23 information; authorizing the task force to
24 recommend changes to laws, rules, and policies
25 governing public records; requiring the task
26 force to review certain documents; requiring
27 the submission of a final report to the
28 Governor, the Chief Justice of the Supreme
29 Court, the President of the Senate, and the
30 Speaker of the House of Representatives before
31 a specified deadline; requiring the report to

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1 include certain information; providing for the
2 reimbursement of members of the task force for
3 expenses; providing for the future termination
4 of the task force; providing an appropriation;
5 providing an effective date.

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