

By Senator Bullard

39-1164-07

1 A bill to be entitled
2 An act relating to public records; creating s.
3 267.076, F.S.; creating an exemption from
4 public-records and open-meetings requirements
5 for names and other information that identifies
6 potential or actual donors of funds, or the
7 donations made, to any publicly owned house
8 museum that is designated by the United States
9 Department of the Interior as a National
10 Historic Landmark; providing for future
11 legislative review and repeal of the exemption
12 under the Open Government Sunset Review Act;
13 providing a finding of public necessity;
14 providing an effective date.

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

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18 Section 1. Section 267.076, Florida Statutes, is
19 created to read:

20 267.076 Confidentiality of certain donor information
21 related to publicly owned house museums designated as National
22 Historic Landmarks.--Any document that identifies the name,
23 identity, home or employment telephone number, home or
24 employment address, or personal assets of any potential or
25 actual donor, or that identifies any donation of gifts or
26 funds, to a publicly owned house museum designated by the
27 United States Department of the Interior as a National
28 Historic Landmark is exempt from s. 119.07(1) and s. 24(a),
29 Art. I of the State Constitution. Any portion of a meeting of
30 any governing board, or subcommittees thereof, of such a
31 publicly owned house museum during which such information is

1 discussed is exempt from s. 286.011 and s. 24(b), Art. I of
2 the State Constitution. This section is subject to the Open
3 Government Sunset Review Act in accordance with s. 119.15, and
4 shall stand repealed on October 2, 2011, unless reviewed and
5 saved from repeal through reenactment by the Legislature.

6 Section 2. In order to protect Florida's historic
7 resources, it is a public necessity to promote the giving of
8 gifts to, and the raising of private funds for, the
9 acquisition, renovation, rehabilitation, and operation of
10 publicly owned house museums designated by the United States
11 Department of the Interior as National Historic Landmarks. An
12 essential element of a robust plan of promoting the giving of
13 private gifts and the raising of private funds is the need to
14 protect the privacy of potential and actual donors and their
15 donations. If the identity of potential and actual donors or
16 the amount of donations is subject to disclosure, there is a
17 chilling effect on donations because donors are concerned
18 about disclosure of personal information leading to theft and,
19 in particular, identity theft, including personal safety and
20 security. Therefore, the Legislature finds that it is a public
21 necessity to exempt from public-records requirements documents
22 that contain identifying information concerning any potential
23 or actual donors or donations of gifts or funds to a publicly
24 owned house museum designated by the United States Department
25 of the Interior as a National Historic Landmark which are held
26 by state agencies, units of local government, or an agency or
27 instrumentality of a unit of local government and to exempt
28 from the open-meetings requirements those portions of public
29 meetings during which such information is discussed.

30 Section 3. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Creates an exemption from public-records and open-meetings requirements for names and other information that identifies potential or actual donors of funds, or the donations made, to publicly owned house museums designated by the United States Department of the Interior as a National Historic Landmark. Provides for future legislative review and repeal of the exemption under the Open Government Sunset Review Act.