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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/19/2008	.	
	.	
	.	

1 The Committee on Governmental Operations (Dean) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5
 6 Delete everything after the enacting clause
 7 and insert:

8
 9 Section 1. Subsection (10) is added to section 292.055,
 10 Florida Statutes, as created by SB 1462, to read:

11 292.055 Direct-support organization.--

12 (10) CONFIDENTIALITY OF DONORS.--

13 (a) The identity of a donor or prospective donor to the
 14 direct-support organization who desires to remain anonymous, and
 15 all information identifying such donor or prospective donor, is
 16 confidential and exempt from the provisions of s. 119.07(1) and
 17 s. 24(a), Art. I of the State Constitution.



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18 (b) Portions of meetings of the direct-support organization
19 during which the identity of donors or prospective donors is
20 discussed are exempt from the provisions of s. 286.011 and s.
21 24(b), Art. I of the State Constitution.

22 (c) This subsection is subject to the Open Government
23 Sunset Review Act in accordance with s. 119.15, and shall stand
24 repealed on October 2, 2013, unless reviewed and saved from
25 repeal through reenactment by the Legislature.

26 Section 2. The Legislature finds it is a public necessity
27 to protect the identity of donors and prospective donors to the
28 direct-support organization authorized to assist the Department
29 of Veterans' Affairs in carrying out its function to serve the
30 military veterans of this state. This protection will enable the
31 direct-support organization to effectively and efficiently
32 administer the promotion and public-education efforts of the
33 direct-support organization which are related to the goal of
34 assisting veterans who return from the recent conflicts. The
35 purpose of the exemption is to honor the request for anonymity of
36 donors or prospective donors to the not-for-profit corporation
37 and thereby encourage donations from individuals and entities
38 that might otherwise decline to contribute. Without the
39 exemption, potential donors may be dissuaded from contributing to
40 the direct-support organization because such donors fear being
41 harmed by the release of sensitive financial information.
42 Difficulty in soliciting donations would hamper the ability of
43 the direct-support organization to carry out its education and
44 rehabilitation activities to promote and advance a veteran's
45 reintegration into the community through funding by both the
46 public sector and the private sector. Further, the Legislature
47 finds that it is a public necessity to exempt that portion of a



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48 meeting of the direct-support organization at which the identity
49 of a donor or prospective donor is discussed. The failure to
50 close that portion of a meeting at which such information is
51 discussed would defeat the purpose of the exemption and could
52 result in the release of the identity of a donor or prospective
53 donor, which could result in a reduction in donations, which
54 would hinder the effective and efficient operation of this
55 governmental program.

56 Section 3. This act shall take effect July 1, 2008, if
57 Senate Bill 1462, or similar legislation establishing a direct-
58 support organization for the Department of Veterans' Affairs, is
59 adopted in the same legislative session or an extension thereof
60 and becomes law.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64
65 Delete everything before the enacting clause
66 and insert:

67
68 A bill to be entitled
69 An act relating to public records and meetings; amending
70 s. 292.055, F.S.; providing an exemption from public-
71 records requirements for information concerning certain
72 donors and prospective donors to the direct-support
73 organization of the Department of Veterans' Affairs;
74 providing an exemption from public-meetings requirements
75 for portions of meetings of the direct-support
76 organization at which the identity of donors and
77 prospective donors is discussed; providing for future

Bill No. SB 1464



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78 | legislative review and repeal of the exemption under the
79 | Open Government Sunset Review Act; providing a statement
80 | of public necessity; providing a contingent effective
81 | date.