

By Senator Dean

3-02998-08

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1                   A bill to be entitled  
2           An act relating to public records; amending s. 292.075,  
3           F.S.; providing an exemption from public-records  
4           requirements for information concerning certain donors and  
5           prospective donors to the direct-support organization of  
6           the Department of Veterans' Affairs; providing for future  
7           legislative review and repeal of the exemption under the  
8           Open Government Sunset Review Act; providing a statement  
9           of public necessity; providing a contingent effective  
10          date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (10) is added to section 292.075,  
15 Florida Statutes, as created by SB \_\_\_\_\_, to read:

16           292.075 Direct-support organization.--

17           (10) CONFIDENTIALITY OF DONORS.--

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

26           (b) This subsection is subject to the Open Government  
27 Sunset Review Act in accordance with s. 119.15, and shall stand  
28 repealed on October 2, 2013, unless reviewed and saved from  
29 repeal through reenactment by the Legislature.

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

51           Section 3. This act shall take effect July 1, 2008, if  
52 Senate Bill \_\_\_\_, or similar legislation establishing a direct-  
53 support organization for the Department of Veterans' Affairs, is  
54 adopted in the same legislative session or an extension thereof  
55 and becomes law.