

By the Committee on Governmental Operations; and Senator Dean

585-05458-08

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1 A bill to be entitled

2 An act relating to public records and meetings; amending
3 s. 292.055, F.S.; providing an exemption from public-
4 records requirements for information concerning certain
5 donors and prospective donors to the direct-support
6 organization of the Department of Veterans' Affairs;
7 providing an exemption from public-meetings requirements
8 for portions of meetings of the direct-support
9 organization at which the identity of donors and
10 prospective donors is discussed; providing for future
11 legislative review and repeal of the exemption under the
12 Open Government Sunset Review Act; providing a statement
13 of public necessity; providing a contingent effective
14 date.

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

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

20 292.055 Direct-support organization.--

21 (10) CONFIDENTIALITY OF DONORS.--

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

27 (b) Portions of meetings of the direct-support organization
28 during which the identity of donors or prospective donors is
29 discussed are exempt from the provisions of s. 286.011 and s.

585-05458-08

20081464c1

30 24(b), Art. I of the State Constitution.

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33 repealed on October 2, 2013, unless reviewed and saved from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

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

585-05458-08

20081464c1

59 close that portion of a meeting at which such information is
60 discussed would defeat the purpose of the exemption and could
61 result in the release of the identity of a donor or prospective
62 donor, which could result in a reduction in donations, and would
63 hinder the effective and efficient operation of this governmental
64 program.

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