

By Senator Ring

32-00256A-08

2008356__

1 A bill to be entitled
2 An act relating to public records; defining the term
3 "publicly owned building or facility"; creating an
4 exemption from public-records requirements for information
5 that identifies a donor or prospective donor of a donation
6 made for the benefit of a publicly owned building or
7 facility if the donor desires to remain anonymous;
8 providing for future legislative review and repeal of the
9 exemption under the Open Government Sunset Review Act;
10 providing a statement of public necessity; providing an
11 effective date.

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

14
15 Section 1. Confidentiality of certain donor information
16 related to a publicly owned building or facility.--

17 (1) As used in this section, the term "publicly owned
18 building or facility" means a building or facility the title to
19 which is vested in the state or a political subdivision of the
20 state.

21 (2) If a donor or prospective donor of a donation made for
22 the benefit of a publicly owned building or facility desires to
23 remain anonymous, information that would identify the name,
24 address, or telephone number of that donor or prospective donor
25 is confidential and exempt from s. 119.07(1), Florida Statutes,
26 and s. 24(a), Art. I of the State Constitution.

27 (3) This section is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15, Florida Statutes, and
29 shall stand repealed on October 2, 2013, unless reviewed and

32-00256A-08

2008356__

30 saved from repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that information that would identify the name, address,
33 or telephone number of a donor or prospective donor of a donation
34 made for the benefit of a publicly owned building or facility be
35 made confidential and exempt from public-records requirements if
36 the donor or prospective donor desires to remain anonymous. In
37 order to encourage private investment in publicly owned buildings
38 or facilities, it is a public necessity to promote the giving of
39 gifts to, and the raising of private funds for, the acquisition,
40 renovation, rehabilitation, and operation of publicly owned
41 buildings or facilities. An essential element of a robust plan of
42 promoting the giving of private gifts and the raising of private
43 funds is the need to protect the identity of prospective and
44 actual donors who desire to remain anonymous. If the identity of
45 prospective and actual donors who desire to remain anonymous is
46 subject to disclosure, there is a chilling effect on donations
47 because donors are concerned about disclosure of personal
48 information leading to theft and, in particular, identity theft,
49 including personal safety and security. Therefore, the
50 Legislature finds that it is a public necessity to make
51 confidential and exempt from public-records requirements
52 information that would identify a donor or prospective donor of a
53 donation made for the benefit of a publicly owned building or
54 facility if the donor or prospective donor wishes to remain
55 anonymous.

56 Section 3. This act shall take effect July 1, 2008.