

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 the name, address, or telephone number of
 6 a donor or prospective donor of a donation made for the
 7 benefit of a publicly owned building or facility who
 8 desires to remain anonymous; providing for future
 9 legislative review and repeal of the exemption under the
 10 Open Government Sunset Review Act; providing a statement
 11 of public necessity; providing an effective date.

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

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

HB 795

2009

29 shall stand repealed on October 2, 2014, unless reviewed and
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,
33 address, or telephone number of a donor or prospective donor of
34 a donation made for the benefit of a publicly owned building or
35 facility who desires to remain anonymous be made confidential
36 and exempt from public records requirements. In order to
37 encourage private investment in publicly owned buildings or
38 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
42 of promoting the giving of private gifts and the raising of
43 private funds is the need to protect the identity of prospective
44 and actual donors who desire to remain anonymous. If the
45 identity of prospective and actual donors who desire to remain
46 anonymous is subject to disclosure, there is a chilling effect
47 on donations because donors are concerned about disclosure of
48 personal information leading to theft and, in particular,
49 identity theft, including personal safety and security.
50 Therefore, the Legislature finds that it is a public necessity
51 to make confidential and exempt from public records requirements
52 information that would identify the name, address, or telephone
53 number of a donor or prospective donor of a donation made for
54 the benefit of a publicly owned building or facility who wishes
55 to remain anonymous.

56 Section 3. This act shall take effect July 1, 2009.