1   A bill to be entitled
2   An act relating to public meetings; amending s. 286.011,
3   F.S.; expanding persons authorized to attend a private
4   meeting between a governmental entity and the entity's
5   attorneys to discuss pending litigation to which the
6   governmental entity is a party before a court or
7   administrative agency; revising and providing additional
8   conditions precedent to such private meetings; providing
9   an effective date.
10
11 Be It Enacted by the Legislature of the State of Florida:
12
13   Section 1. Subsection (8) of section 286.011, Florida
14 Statutes, is amended to read:
15   286.011 Public meetings and records; public inspection;
16 criminal and civil penalties.—
17   (8) Notwithstanding the provisions of subsection (1), any
18 board or commission of any state agency or authority or any
19 agency or authority of any county, municipal corporation, or
20 political subdivision, and the chief administrative or executive
21 officer of the governmental entity, and the risk manager and
22 division heads of the governmental entity identified by the
23 chief administrative or executive officer as being involved in
24 pending litigation may meet in private with the entity's
25 attorneys attorney to discuss pending litigation to which the
26 entity is presently a party before a court or administrative
27 agency, if provided that the following conditions are met:
28   (a) The entity gives reasonable public notice of the time

hb0405-00

29 and date of the attorney-client session and the names of persons

30 who will be attending the session.

31   (b) The session commences as an open meeting at which the

32 person chairing the meeting announces the commencement and

33 estimated length of the attorney-client session and the names of

34 the persons attending.

35   (c) The entity's attorney advises shall advise the entity

36 at the a public meeting that he or she desires advice concerning

37 the litigation, which advisory announcement may be made

38 immediately before the attorney-client session begins.

39   (d)(b) The subject matter of the session is meeting shall

40 be confined to settlement negotiations or strategy sessions

41 relating related to litigation expenditures.

42   (e) A person who is an adverse party to the litigation is

43 not permitted to attend the attorney-client session.

44   (f)(c) The entire session is shall be recorded by a

45 certified court reporter. The reporter shall record the times of

46 commencement and termination of the session, all discussion and

47 proceedings, the names of all persons present at any time, and

48 the names of all persons speaking. No portion of the session

49 shall be off the record. The court reporter's notes must shall

50 be fully transcribed and filed with the entity's clerk within a

51 reasonable time after the meeting.

52   (g)(d) The entity shall give reasonable public notice of

53 the time and date of the attorney-client session and the names

54 of persons who will be attending the session. The session shall

55 commence at an open meeting at which the persons chairing the

56 meeting shall announce the commencement and estimated length of

57 ~~the attorney-client session and the names of the persons~~

58 ~~attending.~~ At the conclusion of the attorney-client session, the

59 meeting is ~~shall be~~ reopened, and the person chairing the

60 meeting announces ~~shall announce~~ the termination of the

61 attorney-client session.

62   (h)~~(e)~~ The transcript is ~~shall be~~ made part of the public

63 record upon conclusion of the litigation.

64   (i) A person in attendance at the attorney-client session

65 agrees not to disclose any part of the discussion that took

66 place during the session until the conclusion of the litigation

67 unless ordered by the court.

68   Section 2. This act shall take effect upon becoming a law.