

By the Committee on Governmental Oversight and Accountability;
and Senator Brandes

585-03446-13

20131004c1

1 A bill to be entitled
2 An act relating to public data; providing definitions;
3 requiring each agency to submit an inventory in its
4 custody to specified persons; specifying the
5 information that must be included in each inventory;
6 authorizing the Department of State to use fees
7 collected and deposited in the Records Management
8 Trust Fund for certain purposes; granting rulemaking
9 authority to the department; providing an effective
10 date.

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

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14 Section 1. Public data inventory.—

15 (1) As used in this section, the term:

16 (a) "Agency" means any committee, unit, or office of the
17 legislative branch of government as described in chapter 11,
18 Florida Statutes, any commission, unit, or office of the
19 executive branch of government as described in chapter 14,
20 Florida Statutes, and any agency as described in chapter 20,
21 Florida Statutes.

22 (b) "Department" means the Department of State.

23 (c) "Public data" means any document, paper, letter, map,
24 book, tape, photograph, film, sound recording, data processing
25 software, or other material, regardless of the physical form,
26 characteristics, or means of transmission, made or received
27 pursuant to law or in connection with the transaction of
28 official business by an agency.

29 (2) Each agency shall submit an inventory of all public

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30 data in its custody to the President of the Senate, the Speaker
31 of the House of Representatives, and the Secretary of State by
32 January 1, 2014, and every 6 months thereafter. The department
33 may develop guidelines for the processing and submission of
34 public data inventories. Each inventory shall include the
35 following information for each type or category of data held by
36 the agency:

37 (a) A description of the data, including a record layout.

38 (b) The format, source, quality, and accuracy of the data.

39 (c) Whether the data is currently available to the public
40 without a public records request, and, if it is available, the
41 format and venue in which it is available.

42 (d) A description of data not currently available to the
43 public without a public records request, but which the agency
44 recommends be made publicly available.

45 (e) A description of all data that is confidential or
46 exempt from s. 119.07(1), Florida Statutes, or s. 24(a), Art. I
47 of the State Constitution and the statutory citations that make
48 such data confidential or exempt.

49 (f) An explanation of any data-sharing activities with any
50 other agency.

51 (3) The department may use fees collected and deposited
52 into the Records Management Trust Fund for the purpose of paying
53 for costs incurred by the department in administering this
54 section.

55 (4) The department may adopt rules to implement and
56 administer this section.

57 Section 2. This act shall take effect July 1, 2013.