

1 A bill to be entitled
 2 An act relating to public records; creating s.
 3 1004.097, F.S.; providing an exemption from public
 4 records requirements for information contained in an
 5 application provided to an executive search committee,
 6 or information otherwise obtained by an executive
 7 search committee, regarding an applicant for a
 8 position within a Florida College System institution
 9 or a state university; providing for future
 10 legislative review and repeal of the exemption;
 11 providing a statement of public necessity; providing
 12 an effective date.

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

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 16 Section 1. Section 1004.097, Florida Statutes, is created
 17 to read:

18 1004.097 Applicant information held by executive search
 19 committee; public records exemption.—Information contained in an
 20 application provided to an executive search committee, or
 21 information otherwise obtained by an executive search committee,
 22 regarding an applicant for a position within a Florida College
 23 System institution or a state university is confidential and
 24 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 25 Constitution. This section is subject to the Open Government
 26 Sunset Review Act in accordance with s. 119.15 and shall stand
 27 repealed on October 2, 2018, unless reviewed and saved from
 28 repeal through reenactment by the Legislature.

HB 637

2013

29 Section 2. It is the finding of the Legislature that it is
30 a public necessity that information contained in an application
31 provided to an executive search committee, or information
32 otherwise obtained by an executive search committee, regarding
33 an applicant for a position within a Florida College System
34 institution or a state university be made confidential and
35 exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I
36 of the State Constitution. The task of filling a vacant position
37 within a Florida College System institution or a state
38 university is often conducted by an executive search committee.
39 Many, if not most, applicants for such a position are currently
40 employed at another job at the time they apply and could
41 jeopardize their current positions if it were to become known
42 that they were seeking employment elsewhere. This exemption is
43 needed to ensure that such a search committee can avail itself
44 of the most experienced and desirable pool of qualified
45 applicants from which to fill the position. If potential
46 applicants fear the possibility of losing their current jobs as
47 a consequence of attempting to progress along their chosen
48 career path or simply seeking different and more rewarding
49 employment, failure to have this safeguard in place could have a
50 chilling effect on the number and quality of applicants
51 available to fill a position.

52 Section 3. This act shall take effect October 1, 2013.