

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Oversight, Transparency & Administration Subcommittee

Representative Rommel offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

1004.097 Information identifying applicants for president, vice president, provost, or dean at state universities and Florida College System institutions; public records exemption; public meeting exemption.

(1) Any personal identifying information of an applicant for president, vice president, provost, or dean of a state university or Florida College System institution is confidential

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16 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
17 Constitution.

18 (2) Any meeting held for the purpose of identifying or
19 vetting applicants for president, vice president, provost, or
20 dean of a state university or Florida College System institution
21 is exempt from s. 286.011 and s. 24(b), Art. I of the State
22 Constitution. This exemption does not apply to a meeting held
23 for the purpose of establishing qualifications of potential
24 applicants or any compensation framework to be offered to
25 potential applicants. However, any portion of such a meeting
26 that would disclose personal identifying information of an
27 applicant or potential applicant is exempt from s. 286.011 and
28 s. 24(b), Art. I of the State Constitution.

29 (3) Any meeting or interview held after a final group of
30 applicants has been established and held for the purpose of
31 making a final selection to fill the position of president, vice
32 president, provost, or dean of a state university or Florida
33 College System institution is subject to the provisions of s.
34 286.011 and s. 24(b), Art. I of the State Constitution.

35 (4) The names of applicants who comprise a final group of
36 applicants pursuant to subsection (3) must be released by the
37 state university or Florida College System institution no later
38 than 21 days before the date of the meeting at which final
39 action or vote is to be taken on the employment of the
40 applicants.

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41 (5) Any personal identifying information of applicants who
42 comprise a final group of applicants pursuant to subsection (3)
43 become subject to the provisions of s. 119.07(1) and s. 24(a),
44 Art. I of the State Constitution at the time the names of such
45 applicants are released pursuant to subsection (4).

46 (6) This section is subject to the Open Government Sunset
47 Review Act in accordance with s. 119.15 and shall stand repealed
48 on October 2, 2022, unless reviewed and saved from repeal
49 through reenactment by the Legislature.

50 Section 2. The Legislature finds that it is a public
51 necessity that any personal identifying information of an
52 applicant for president, vice president, provost, or dean of a
53 state university or Florida College System institution be made
54 confidential and exempt from s. 119.07(1), Florida Statutes, and
55 s. 24(a), Art. I of the State Constitution. It is also the
56 finding of the Legislature that any meeting held for the purpose
57 of identifying or vetting applicants for president, vice
58 president, provost, or dean of a state university or Florida
59 College System institution and any portion of a meeting held for
60 the purpose of establishing qualifications of, or any
61 compensation framework to be offered to, such potential
62 applicants that would disclose personal identifying information
63 of an applicant or potential applicant be made exempt from s.
64 286.011, Florida Statutes, and s. 24(b), Art. I of the State
65 Constitution. The task of filling the position of president,

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66 vice president, provost, or dean within a state university or
67 Florida College System institution is often conducted by an
68 executive search committee. Many, if not most, applicants for
69 such a position are currently employed at another job at the
70 time they apply and could jeopardize their current positions if
71 it were to become known that they were seeking employment
72 elsewhere. These exemptions from public records and public
73 meeting requirements are needed to ensure that such a search
74 committee can avail itself of the most experienced and desirable
75 pool of qualified applicants from which to fill the position of
76 president, vice president, provost, or dean of a state
77 university or Florida College System institution. If potential
78 applicants fear the possibility of losing their current jobs as
79 a consequence of attempting to progress along their chosen
80 career path or simply seeking different and more rewarding
81 employment, failure to have these safeguards in place could have
82 a chilling effect on the number and quality of applicants
83 available to fill the position of president, vice president,
84 provost, or dean of a state university or Florida College System
85 institution.

86 Section 3. This act shall take effect upon becoming a law.

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89 **T I T L E A M E N D M E N T**

90 Remove everything before the enacting clause and insert:

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91 An act relating to public records and public meetings; creating
92 s. 1004.097, F.S.; providing an exemption from public records
93 requirements for any personal identifying information of an
94 applicant for president, vice president, provost, or dean of a
95 state university or Florida College System institution;
96 providing an exemption from public meeting requirements for any
97 meeting held for the purpose of identifying or vetting
98 applicants for president, vice president, provost, or dean of a
99 state university or Florida College System institution and for
100 any portion of a meeting held for the purpose of establishing
101 qualifications of, or any compensation framework to be offered
102 to, such potential applicants that would disclose personal
103 identifying information of an applicant or potential applicant;
104 providing for applicability; requiring release of the names of
105 specified applicants within a certain timeframe; providing for
106 future legislative review and repeal of the exemptions;
107 providing a statement of public necessity; providing an
108 effective date.