



732884

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1/AD/2R

.

03/12/2020 04:32 PM

.

.

---

Senator Taddeo moved the following:

**Senate Amendment (with title amendment)**

Delete lines 31 - 105

and insert:

1004.098 Applicants for president of a state university; public records exemption; public meetings exemption.

(1) (a) Any personal identifying information of an applicant for president of a state university is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) The personal identifying information of applicants who



732884

12 comprise a final group of applicants for president of a state  
13 university is no longer confidential and exempt from s.  
14 119.07(1) and s. 24(a), Art. I of the State Constitution at  
15 least 21 days before the date of a meeting at which an interview  
16 will be conducted or at which final action or a vote is to be  
17 taken on the employment of the applicants.

18 (2) (a) Any portion of a meeting held for the purpose of  
19 identifying or vetting applicants for president of a state  
20 university, including any portion of a meeting that would  
21 disclose personal identifying information of such applicants, is  
22 exempt from s. 286.011 and s. 24(b), Art. I of the State  
23 Constitution.

24 (b) A complete recording must be made of any portion of a  
25 meeting that is closed pursuant to paragraph (a), and any closed  
26 portion of such meeting may not be held off the record. The  
27 recording of the closed portion of a meeting is exempt from s.  
28 119.07(1) and s. 24(a), Art. I of the State Constitution.

29 (c) The public meeting exemption provided in paragraph (a)  
30 does not apply to:

31 1. Any portion of a meeting held for the purpose of  
32 establishing qualifications of potential applicants or  
33 establishing any compensation framework to be offered to  
34 potential applicants for president of a state university.

35 2. Any meeting held after a final group of applicants for  
36 president of a state university has been established at which an  
37 interview is conducted or at which final action or a vote is to  
38 be taken on the employment of such applicants.

39 (3) This section is subject to the Open Government Sunset  
40 Review Act in accordance with s. 119.15 and shall stand repealed



732884

41 on October 2, 2025, unless reviewed and saved from repeal  
42 through reenactment by the Legislature.

43 Section 2. The Legislature finds that it is a public  
44 necessity that any personal identifying information of an  
45 applicant for president of a state university be made  
46 confidential and exempt from s. 119.07(1), Florida Statutes, and  
47 s. 24(a), Art. I of the State Constitution. The Legislature also  
48 finds that it is a public necessity that any portion of a  
49 meeting held for the purpose of identifying or vetting  
50 applicants for president of a state university, including any  
51 portion of a meeting that would disclose personal identifying  
52 information of such applicants, be made exempt from s. 286.011,  
53 Florida Statutes, and s. 24(b), Art. I of the State  
54 Constitution, and that the recording of such meeting be made  
55 exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I  
56 of the State Constitution. The task of filling the position of  
57 president of a state university is often conducted by an  
58 executive search committee. Many, if not most, applicants for  
59 such a position are currently employed at another job at the  
60 time they apply and could jeopardize their current positions if  
61 it were to become known that they were seeking employment  
62 elsewhere. These exemptions from public records and public  
63 meeting requirements are needed to ensure that such a search  
64 committee can avail itself of the most experienced and desirable  
65 pool of qualified applicants from which to fill the position of  
66 president of a state university. If potential applicants fear  
67 the possibility of losing their current jobs as a consequence of  
68 attempting to progress along their chosen career path or simply  
69 seeking different and more rewarding employment, failure to have



732884

70 these safeguards in place could have a chilling effect on the  
71 number and quality of applicants available to fill the position  
72 of president of a state university.

73  
74 ===== T I T L E   A M E N D M E N T =====

75 And the title is amended as follows:

76       Delete lines 6 - 14

77 and insert:

78       of a state university; specifying that personal  
79       identifying information of applicants who comprise a  
80       final group of applicants is no longer confidential  
81       and exempt at a time certain; providing an exemption  
82       from public meeting requirements for any portion of a  
83       meeting held for the purpose of identifying or vetting  
84       applicants for president of a state university,  
85       including any portion of a meeting