

By Senator Wright

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1 A bill to be entitled
2 An act relating to public records and meetings;
3 creating s. 1012.9931, F.S.; providing an exemption
4 from public meetings requirements for certain portions
5 of meetings of the Interstate Teacher Mobility Compact
6 Commission and its executive committee; providing an
7 exemption from public records requirements for
8 recordings, minutes, and records generated during
9 exempt portions of such meetings and for certain files
10 and information relating to specified investigations;
11 providing for future legislative review and repeal of
12 the exemptions; providing statements of public
13 necessity; providing a contingent effective date.

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

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17 Section 1. Section 1012.9931, Florida Statutes, is created
18 to read:

19 1012.9931 Interstate Teacher Mobility Compact Commission;
20 public meetings and public records exemptions.-

21 (1) Any portion of a meeting of the Interstate Teacher
22 Mobility Compact Commission or its executive committee in which
23 any of the following information is discussed is exempt from s.
24 286.011 and s. 24(b), Art. I of the State Constitution:

25 (a) Noncompliance of a member state with its obligations
26 under the compact;

27 (b) The employment, compensation, discipline, or other
28 matters, practices, or procedures related to specific employees
29 or other matters related to the commission's internal personnel

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30 practices and procedures;

31 (c) Current, threatened, or reasonably anticipated
32 litigation;

33 (d) Negotiation of contracts for the purchase, lease, or
34 sale of goods, services, or real estate;

35 (e) Accusing any person of a crime or formally censuring
36 any person;

37 (f) Trade secrets or commercial or financial information
38 that is privileged or confidential;

39 (g) Information of a personal nature if disclosure would
40 constitute a clearly unwarranted invasion of personal privacy;

41 (h) Investigative records compiled for law enforcement
42 purposes;

43 (i) Information relating to any investigative reports
44 prepared by or on behalf of or for use by the commission or
45 executive committee when investigating or determining compliance
46 with the compact;

47 (j) Matters specifically exempted from disclosure by
48 federal or state practice laws; or

49 (k) Other matters as set forth by the commission's bylaws
50 and rules.

51 (2) Recordings, minutes, and records generated during any
52 portion of an exempt meeting are exempt from s. 119.07(1) and s.
53 24(a), Art. I of the State Constitution.

54 (3) Files and information regarding an investigation and
55 discipline of teachers in other member states are exempt from s.
56 119.07(1) and s. 24(a), Art. I of the State Constitution to
57 protect and maintain the security and confidentiality thereof in
58 at least the same manner that the member state maintains its own

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59 investigatory or disciplinary files and information. Prior to
60 disclosing any disciplinary or investigatory information
61 received from another member state, the disclosing state shall
62 communicate its intention and purpose for such disclosure to the
63 member state that originally provided that information.

64 (4) This section is subject to the Open Government Sunset
65 Review Act in accordance with s. 119.15 and shall stand repealed
66 on October 2, 2028, unless reviewed and saved from repeal
67 through reenactment by the Legislature.

68 Section 2. (1) The Legislature finds that it is a public
69 necessity that any portion of a meeting of the Interstate
70 Teacher Mobility Compact Commission or its executive committee
71 in which any information in s. 1012.9931(1), Florida Statutes,
72 is discussed be made exempt from s. 286.011, Florida Statutes,
73 and s. 24(b), Article I of the State Constitution.

74 (2) The Interstate Teacher Mobility Compact requires that
75 any portion of a meeting in which any information in s.
76 1012.9931(1), Florida Statutes, is discussed be closed to the
77 public. In the absence of a public meetings exemption, this
78 state would be prohibited from becoming a member state of the
79 compact. Thus, this state would be unable to effectively and
80 efficiently administer the compact.

81 (3) The Interstate Teacher Mobility Compact requires that
82 files and information regarding an investigation and discipline
83 of teachers in other member states be protected and that the
84 security and confidentiality of such files and information be
85 maintained. In the absence of a public records exemption, this
86 state would be prohibited from becoming a member state of the
87 compact. Thus, this state would be unable to effectively and

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88 efficiently administer the compact.

89 (4) The Legislature finds that it is a public necessity
90 that the recordings, minutes, and records generated during any
91 portion of a meeting in which any information in s.
92 1012.9931(1), Florida Statutes, is discussed be made exempt from
93 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
94 State Constitution. Release of such information would negate the
95 public meetings exemption. As such, the Legislature finds that
96 the public records exemption is a public necessity.

97 Section 3. This act shall take effect on the same date that
98 SB ____ or similar legislation takes effect, if such legislation
99 is adopted in the same legislative session or an extension
100 thereof and becomes a law.