



396156

GO.GO.02561

Proposed Committee Substitute by the Committee on Governmental
Oversight and Accountability

A bill to be entitled
An act relating to public records; amending s.
447.308, F.S.; providing an exemption from public
records requirements for a showing of interest signed
by the employees or group of employees who no longer
desire to be represented by a certified bargaining
agent; providing for future legislative review and
repeal of the exemption; providing for the reversion
of specified statutory text under certain conditions;
providing statements of public necessity; providing an
effective date.

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

Section 1. Subsection (1) of section 447.308, Florida
Statutes, is amended to read:

447.308 Revocation of certification of employee
organization.—

(1) Any employee or group of employees which no longer
desires to be represented by the certified bargaining agent may
file with the commission a petition to revoke certification. The
petition must ~~shall~~ be accompanied by dated statements signed by
at least 30 percent of the employees in the unit, indicating
that such employees no longer desire to be represented for
purposes of collective bargaining by the certified bargaining
agent. The time of filing said petition is ~~shall be~~ governed by
~~the provisions of s. 447.307(3) (d) relating to petitions for~~



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certification. The showing of interest signed by the employees is confidential and exempt from s. 119.07(1) and s. 24(a), Article I of the State Constitution, except that any employee, employer, or employee organization having sufficient reason to believe any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid shall be given a reasonable opportunity to verify and challenge the signatures appearing on the petition. The commission or one of its designated agents shall investigate the petition to determine its sufficiency. If the commission finds the petition to be insufficient, it may dismiss the petition. If the commission finds that the petition is sufficient, it shall immediately:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part.

Section 2. The amendment made by this act to s. 447.308(1), Florida Statutes, is subject to the Open Government Sunset Review Act in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. If the expansion of the exemption is not saved from repeal, the text of that subsection shall revert to that in existence on June 30,



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2026, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the amendment to the text which expires pursuant to this section.

Section 3. The Legislature finds that it is a public necessity that the showing of interest statements signed by public employees indicating their desire to no longer be represented by their bargaining agent be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The showing of interest statements signed by public employees indicating their desire to be represented by a bargaining agent is already confidential and exempt pursuant to s. 447.307, Florida Statutes, in order to avoid the practical effect of chilling the employees' exercise of the right to form and join a union. Similarly, the showing of interest statements seeking to decertify a union must be kept confidential in order to avoid the practical effect of chilling the employees' exercise of the right to no longer be represented by a union. The Legislature finds that the harm that may result from the release of this showing of interest information outweighs any public benefit that may be derived from the disclosure of the information.

Section 4. This act shall take effect upon becoming a law.