

By the Committee on Governmental Oversight and Accountability;
and Senator Martin

585-02790-26

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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 the 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
certification. The showing of interest signed by the employees
is confidential and exempt from s. 119.07(1) and s. 24(a),

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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 must revert to that in existence on June 30, 2026, except that any amendment to such text enacted other than by this act must be preserved and continue to operate to the

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59 extent that such amendments are not dependent upon the amendment
60 to the text which expires pursuant to this section.

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

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