

**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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30       Article I of the State Constitution, except that any employee,  
31       employer, or employee organization having sufficient reason to  
32       believe any of the employee signatures were obtained by  
33       collusion, coercion, intimidation, or misrepresentation or are  
34       otherwise invalid shall be given a reasonable opportunity to  
35       verify and challenge the signatures appearing on the petition.  
36       The commission or one of its designated agents shall investigate  
37       the petition to determine its sufficiency. If the commission  
38       finds the petition to be insufficient, it may dismiss the  
39       petition. If the commission finds that the petition is  
40       sufficient, it shall immediately:

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

44           (b) Identify the public employer or employers.

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

50       Section 2. The amendment made by this act to s. 447.308(1),  
51       Florida Statutes, is subject to the Open Government Sunset  
52       Review Act in accordance with s. 119.15, Florida Statutes, and  
53       shall stand repealed on October 2, 2031, unless reviewed and  
54       saved from repeal through reenactment by the Legislature. If the  
55       expansion of the exemption is not saved from repeal, the text of  
56       that subsection must revert to that in existence on June 30,  
57       2026, except that any amendment to such text enacted other than  
58       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.