

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 655 (2026)

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED        (Y/N)

ADOPTED AS AMENDED        (Y/N)

ADOPTED W/O OBJECTION        (Y/N)

FAILED TO ADOPT        (Y/N)

WITHDRAWN        (Y/N)

OTHER           

Committee/Subcommittee hearing bill: Civil Justice & Claims  
Subcommittee

Representative Duggan offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 70.90, Florida Statutes, is created to  
read:

70.90 Public meetings and records regarding a claim under  
the Bert J. Harris, Jr. Private Property Rights Protection Act.—

(1) Notwithstanding section 286.011(1), any board or  
commission of any state agency or authority or any agency or  
authority of any county, municipal corporation, or political  
subdivision, and the chief administrative or executive officer  
of the governmental entity may meet in private with the entity's  
attorney during the 90-day-notice period specified in s.

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17 70.001(4) to discuss claims submitted in accordance with that  
18 subsection provided that the following conditions are met:

19 (a) The entity's attorney shall advise the entity at a  
20 public meeting that he or she desires advice concerning a claim  
21 submitted in accordance with s. 70.001(4).

22 (b) The subject matter of the meeting must be confined to  
23 settlement negotiations or strategy sessions relating to a claim  
24 submitted in accordance with s. 70.001(4).

25 (c) The entire session must be recorded by a certified  
26 court reporter. The reporter shall record the times of  
27 commencement and termination of the session, all discussion and  
28 proceedings, the names of all persons present at any time, and  
29 the names of all persons speaking. No portion of the session may  
30 be off the record. The court reporter's notes must be fully  
31 transcribed and filed with the entity's clerk within a  
32 reasonable time after the meeting.

33 (d) The entity shall give reasonable public notice of the  
34 time and date of the attorney-client session and the names of  
35 persons who will be attending the session. The session must  
36 commence at an open meeting at which the persons chairing the  
37 meeting shall announce the commencement and estimated length of  
38 the attorney-client session and the names of the persons  
39 attending. At the conclusion of the attorney-client session, the  
40 meeting must be reopened, and the person chairing the meeting  
41 shall announce the termination of the session.

42 (e) The transcript must be made part of the public record

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43 upon settlement of a claim under s. 70.001, or upon the  
44 expiration of the statute of limitations for the claim arising  
45 under chapter 70 in the event that no litigation is filed and  
46 there is no settlement of a claim under s. 70.001.

47 (2) This section is subject to the Open Government Sunset  
48 Review Act in accordance with s. 119.15 and shall stand repealed  
49 on October 2, 2031, unless reviewed and saved from repeal  
50 through reenactment by the Legislature.

51 Section 2. The Legislature finds that it is a public  
52 necessity that meetings to discuss a presuit claim under the  
53 Bert J. Harris, Jr., Private Property Rights Protection Act be  
54 made confidential and closed to the public. When those meetings  
55 are conducted in an open meeting, the governing body cannot  
56 effectively review, discuss, and prepare strategies for  
57 resolution of the claim. Similar meetings regarding ongoing  
58 litigation are currently confidential. Making these hearings  
59 confidential and closed to the public encourages a local  
60 government to reasonably develop negotiation strategies that  
61 make presuit resolution more likely. Requiring public hearings  
62 relating to a Bert Harris claim defeats the purpose of having a  
63 presuit claim process, namely, to foster settlement quickly  
64 while limiting attorney fees of all parties. The public is  
65 protected by the requirement that the records of the meeting are  
66 open once the claim is settled.

67 Section 3. This act shall take effect July 1, 2026.  
68

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to public meetings; creating s. 70.90,  
F.S.; providing that specified entities may meet in  
private with their attorneys to discuss certain claims  
concerning private property rights; specifying what  
may be discussed during such closed meetings;  
requiring that such meetings be transcribed; providing  
that such transcripts become public records at  
specified times; providing for future review;  
providing a public necessity statement; providing an  
effective date.