

CS/HB 655

2026

A bill to be entitled
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.

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

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 s. 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

26 attorney during the 90-day-notice period specified in s.
27 70.001(4) to discuss claims submitted in accordance with that
28 subsection provided that the following conditions are met:

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

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

35 (c) The entire session must be recorded by a certified
36 court reporter. The reporter shall record the times of
37 commencement and termination of the session, all discussion and
38 proceedings, the names of all persons present at any time, and
39 the names of all persons speaking. No portion of the session may
40 be off the record. The court reporter's notes must be fully
41 transcribed and filed with the entity's clerk within a
42 reasonable time after the meeting.

43 (d) The entity shall give reasonable public notice of the
44 time and date of the attorney-client session and the names of
45 persons who will be attending the session. The session must
46 commence at an open meeting at which the persons chairing the
47 meeting shall announce the commencement and estimated length of
48 the attorney-client session and the names of the persons
49 attending. At the conclusion of the attorney-client session, the
50 meeting must be reopened, and the person chairing the meeting

51 shall announce the termination of the session.

52 (e) The transcript must be made part of the public record
53 upon settlement of a claim under s. 70.001, or upon the
54 expiration of the statute of limitations for the claim arising
55 under this chapter in the event that no litigation is filed and
56 there is no settlement of a claim under s. 70.001.

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58 Review Act in accordance with s. 119.15 and shall stand repealed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

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

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76 open once the claim is settled.

77 **Section 3.** This act shall take effect July 1, 2026.