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18 February 2014

The Honorable Travis Hutson
Florida House of Representatives
402 S. Monroe Street, Room 1102 Cap
Tallahassee, FL 32399-1300

Re: HB 775 Exemption/Florida State Boxing Commission

Dear Representative Hutson:

We are writing to express our concerns regarding HB 775, creating an exemption from the public records law for proprietary confidential business information in reports submitted to the Florida State Boxing Commission by a promoter. We believe this exemption, at least without further clarification, is unwarranted.

Specifically, the constitutionally-required statement of public necessity is speculative at best, particularly when one considers the fact that boxing promoters have functioned "in the Sunshine" for many years. Without more factual specificity regarding the critical need for such an exemption, this bill fails to meet the standard for creating an exception to the constitutional right of access to public records under Article I, section 24, Fla. Con.

Publicly-owned venues routinely base the amount to be charged promoters on total attendance or total ticket sales; without the public's ability to access that information, a promoter and public official would be unduly shielded from censure of any "sweetheart" deals.

For these reasons, Representative Hutson, we will respectfully oppose HB 775 unless there is some significant change and additional, fact-specific information is added to the constitutionally-required statement of public necessity. If you have any questions, please do not hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Will Weatherford, Speaker, Florida House of Representatives
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association