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LEGISLATIVE ALERT

March 5, 2014

It's cold and gray in Tallahassee today, but tomorrow might bring *a little more Sunshine* to the sunshine state!

Tomorrow, the **Senate Governmental Oversight and Accountability Committee**, chaired by Sen. Jeremy Ring (D-Margate), will hear **SPB 7064** making some substantive – and *POSITIVE* – changes to Florida's open government laws. **SPB 7064** –

- Amends s. 119.01(3), prohibiting public agencies from paying dues to any foundation or association unless certain records of the foundation or association are open for public inspection and copying, including all financial, business, and membership records pertaining to the agency paying dues, and all other records that the foundation or association shares with its members.

- Amends s. 119.07(1), stipulating that an agency can't require that a public record request be made in writing *unless* there is a specific statute requiring that requests be made in writing (and there are only a few!).

- Amends s. 119.071(4)(d), the extensive use fee provision, stipulating that the cost of clerical or supervisory assistance can be no greater than the hourly rate, less benefits, of the lowest paid person capable of performing the task.

- Amends s. 119.0701, relating to contracts between a public agency and a contractor, to require contractors to notify the public agency (1) before denying a request to inspect or copy public records held by the contractor, and (2) if the contractor is going to be sued for failure to comply with the public records law.

- Creates s. 119.0702, requiring public records law training of all agency employees who deal with public record requests.

- Amends s. 119.12 and s. 286.011, allowing recovery of attorney fees and court costs incurred in litigating the entitlement to recover such fees.

SPB 7064 addresses a series of issues that have been brought to the attention of **Senate President Don Gaetz (R-Destin)** over the past few years, and he should be commended for his strong support of efforts to

clarify and strengthen Florida's open government laws to ensure government transparency and accountability.

SPB 7064 is very similar to its House companion, **HB 1151**, sponsored by **Representative Dave Hood (R-Daytona Beach)**, and must be approved by the committee tomorrow before getting a permanent bill number. Of course, there's a good chance that the bill language will be amended and tweaked as it makes its way through the legislative process, but it's important to stress that *this is a very important step in the right direction* towards open government reform in Florida.

The **Senate Governmental Oversight and Accountability Committee** is meeting tomorrow, **March 6, at 9:00 AM**, in room **412 Knott Building**.

If you have questions about SPB 7064, please contact Barbara Petersen at 800/337-3518 or sunshine@floridafaf.org.