



February 17, 2021

House Government Operations Subcommittee
209 House Office Building
402 S. Monroe Street
Tallahassee, FL 32399-1300

Re: Open Government Bill Before the House Government Operations Subcommittee

The First Amendment Foundation writes to express our concerns with GOS1, which is scheduled to be heard by the House Government Operations subcommittee on Thursday, February 18, 2021.

FAF has no objection to GOS1. However, we suggest that the bill be amended to provide some sort of record of those portions of meetings that would be closed under the exemption. Records of closed meetings are vitally important, allowing for oversight of the commission in the event that questions arise whether the commission limited discussions to those topics permitted to be private.

We suggest an amendment requiring all exempt portions of meetings to be recorded and transcribed, so that a court could review transcripts and determine whether a meeting was restricted to a discussion of the exempt information. We can provide sample language. In addition, last year's SB 1170, lines 278-292, provides an example of language for recording exempt portions of meetings.

Please let us know whether we can provide any further information.

Best regards,

Pamela C. Marsh, President

cc: The Honorable Chris Sprowls, Speaker, Florida House
Mr. Jim Baltzelle, Associated Press, Chair, First Amendment Foundation
Mr. Samuel Morley, General Counsel, Florida Press Association
Ms. Lisa Nellesen Savage, Chair, Florida Society of News Editors

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