



March 5, 2021

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

Re: HB 913 – Requests for Public Records

The First Amendment Foundation writes to express our support for House Bill 913, which will be heard by the House Government Operations subcommittee on Monday, March 8, 2021.

HB 913 prevents an agency from filing a declaratory action to determine the status of the records as exempt or confidential. The declaratory action would be filed by an agency (as plaintiff) against the citizen who initially sought public records (as the defendant). Declaratory actions stall requests and force requestors to pay legal costs to defend their constitutional right of access to records.

Section 119.01(1), F.S. provides a right of access to *any* person. This legislation ensures that records are not limited to individuals with the time and resources to defend a declaratory action brought by the government.

Please let us know if you have any further questions.

With best regards,

FIRST AMENDMENT FOUNDATION

A handwritten signature in blue ink that reads "Pamela C. Marsh".

Pamela C. Marsh  
President

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

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