



27 requiring the board or commission to provide notice of  
 28 such pleading to the department; authorizing the  
 29 department to join the board or commission in defense  
 30 of such suit; amending ss. 257.35, 383.402, 497.140,  
 31 627.311, 627.351, 943.031, and 943.0313; conforming  
 32 cross-references to changes made by the act; providing  
 33 an effective date.

34

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

36

37 Section 1. Section 119.011, Florida Statutes, is amended  
 38 to read:

39 119.011 Definitions.—As used in this chapter, the term:

40 (1) "Actual cost of duplication" means the cost of the  
 41 material and supplies used to duplicate the public record, but  
 42 does not include labor cost or overhead cost associated with  
 43 such duplication.

44 (2) "Agency" means any state, county, district, authority,  
 45 or municipal officer, department, division, board, bureau,  
 46 commission, or other separate unit of government created or  
 47 established by law including, for the purposes of this chapter,  
 48 the Commission on Ethics, the Public Service Commission, ~~and~~ the  
 49 Office of Public Counsel, and any other public or private  
 50 agency, person, partnership, corporation, or business entity  
 51 acting on behalf of any public agency.

52 (3) "Confidential and exempt" means that a record or

53 information is not subject to inspection or copying except as  
 54 authorized by statute.

55 (4) (a) (3) (a) "Criminal intelligence information" means  
 56 information with respect to an identifiable person or group of  
 57 persons collected by a criminal justice agency in an effort to  
 58 anticipate, prevent, or monitor possible criminal activity.

59 (b) "Criminal investigative information" means information  
 60 with respect to an identifiable person or group of persons  
 61 compiled by a criminal justice agency in the course of  
 62 conducting a criminal investigation of a specific act or  
 63 omission, including, but not limited to, information derived  
 64 from laboratory tests, reports of investigators or informants,  
 65 or any type of surveillance.

66 (c) "Criminal intelligence information" and "criminal  
 67 investigative information" do shall not include:

- 68 1. The time, date, location, and nature of a reported  
 69 crime.
- 70 2. The name, sex, age, and address of a person arrested or  
 71 of the victim of a crime except as provided in s. 119.071(2)(h).
- 72 3. The time, date, and location of the incident and of the  
 73 arrest.
- 74 4. The crime charged.
- 75 5. Documents given or required by law or agency rule to be  
 76 given to the person arrested, except as provided in s.  
 77 119.071(2)(h), and, except that the court in a criminal case may  
 78 order that certain information required by law or agency rule to

79 be given to the person arrested be maintained in a confidential  
 80 manner and exempt from the provisions of s. 119.07(1) until  
 81 released at trial if it is found that the release of such  
 82 information would:

83 a. Be defamatory to the good name of a victim or witness  
 84 or would jeopardize the safety of such victim or witness; and

85 b. Impair the ability of a state attorney to locate or  
 86 prosecute a codefendant.

87 6. Informations and indictments except as provided in s.  
 88 905.26.

89 (d) With the exception of information in cases that are  
 90 barred from prosecution under s. 775.15 or another statute of  
 91 limitation, the term ~~word~~ "active" has ~~shall have~~ the following  
 92 meaning:

93 1. Criminal intelligence information is ~~shall be~~  
 94 considered "active" if ~~as long as~~ it is related to intelligence  
 95 gathering conducted with a reasonable, good faith belief that it  
 96 will lead to detection of ongoing or reasonably anticipated  
 97 criminal activities.

98 2. Criminal investigative information is ~~shall be~~  
 99 considered "active" if ~~as long as~~ it is related to an ongoing  
 100 investigation that is being conducted ~~which is continuing~~ with a  
 101 reasonable, good faith anticipation of securing an arrest or  
 102 prosecution in the foreseeable future.

103 3. ~~In addition,~~ Criminal intelligence information and  
 104 criminal investigative information are ~~shall be~~ considered

105 "active" if ~~while~~ such information is directly related to  
 106 pending prosecutions or appeals. ~~The word "active" shall not~~  
 107 ~~apply to information in cases which are barred from prosecution~~  
 108 ~~under the provisions of s. 775.15 or other statute of~~  
 109 ~~limitation.~~

110 (5)~~(4)~~ "Criminal justice agency" means:

- 111 (a) A ~~Any~~ law enforcement agency, court, or prosecutor;
- 112 (b) Another ~~Any other~~ agency charged by law with criminal  
 113 law enforcement duties;
- 114 (c) An ~~Any~~ agency having custody of criminal intelligence  
 115 information or criminal investigative information for the  
 116 purpose of assisting such law enforcement agencies in the  
 117 conduct of active criminal investigation or prosecution or for  
 118 the purpose of litigating civil actions under the Racketeer  
 119 Influenced and Corrupt Organization Act, during the time that  
 120 such agencies are in possession of criminal intelligence  
 121 information or criminal investigative information pursuant to  
 122 their criminal law enforcement duties; or
- 123 (d) The Department of Corrections.

124 (6)~~(5)~~ "Custodian of public records" means the elected or  
 125 appointed state, county, or municipal officer charged with the  
 126 responsibility of maintaining the office having public records,  
 127 or his or her designee.

128 (7)~~(6)~~ "Data processing software" means the programs and  
 129 routines used to employ and control the capabilities of data  
 130 processing hardware, including, but not limited to, operating

131 systems, compilers, assemblers, utilities, library routines,  
 132 maintenance routines, applications, and computer networking  
 133 programs.

134 (8)~~(7)~~ "Duplicated copies" means new copies produced by  
 135 duplicating, as defined in s. 283.30.

136 (9) "Exempt" means that a record or information is not  
 137 subject to inspection or copying unless the custodian of public  
 138 records determines, in his or her discretion, that inspection or  
 139 copying is appropriate.

140 (10)~~(8)~~ "Exemption" means a provision of general law which  
 141 provides that a specified record or meeting, or portion thereof,  
 142 is not subject to the access requirements of s. 119.07(1), s.  
 143 286.011, or s. 24, Art. I of the State Constitution.

144 (11)~~(9)~~ "Information technology resources" means data  
 145 processing hardware and software and services, communications,  
 146 supplies, personnel, facility resources, maintenance, and  
 147 training.

148 (12)~~(10)~~ "Paratransit" has the same meaning as provided in  
 149 s. 427.011.

150 (13)~~(11)~~ "Proprietary software" means data processing  
 151 software that is protected by copyright or trade secret laws.

152 (14)~~(12)~~ "Public records" means all documents, papers,  
 153 letters, maps, books, tapes, photographs, films, sound  
 154 recordings, data processing software, or other material,  
 155 regardless of the physical form, characteristics, or means of  
 156 transmission, made or received pursuant to law or ordinance or

157 in connection with the transaction of official business by any  
 158 agency.

159 (15)~~(13)~~ "Redact" means to conceal from a copy of an  
 160 original public record, or to conceal from an electronic image  
 161 that is available for public viewing, that portion of the record  
 162 containing exempt or confidential information.

163 (16)~~(14)~~ "Sensitive," as it relates to ~~for purposes of~~  
 164 ~~defining~~ agency-produced software ~~that is sensitive~~, means only  
 165 those portions of the ~~data processing~~ software, including the  
 166 specifications and documentation, which are used to:

167 (a) Collect, process, store, and retrieve information that  
 168 is exempt from s. 119.07(1);

169 (b) Collect, process, store, and retrieve financial  
 170 management information of the agency, such as payroll and  
 171 accounting records; or

172 (c) Control and direct access authorizations and security  
 173 measures for automated systems.

174 Section 2. Present paragraphs (c) through (i) of  
 175 subsection (1) of section 119.07, Florida Statutes, are  
 176 redesignated as paragraphs (d) through (j), respectively,  
 177 present paragraph (i) of that subsection is amended, a new  
 178 paragraph (c) is added to that subsection, and paragraph (d) of  
 179 subsection (4) of that section is amended, to read:

180 119.07 Inspection and copying of records; photographing  
 181 public records; fees; exemptions.—

182 (1)

183 (c) A public records request need not be made in writing  
 184 unless otherwise required by law. If a written request is  
 185 required by law, the custodian of public records must provide  
 186 the statutory citation to the requester.

187 (j)~~(i)~~ The absence of a civil action instituted for the  
 188 purpose stated in paragraph (h) ~~(g)~~ does not relieve the  
 189 custodian of public records of the duty to maintain the record  
 190 as a public record if the record is in fact a public record  
 191 subject to public inspection and copying under this subsection  
 192 and does not otherwise excuse or exonerate the custodian of  
 193 public records from any unauthorized or unlawful disposition of  
 194 such record.

195 (4) The custodian of public records shall furnish a copy  
 196 or a certified copy of the record upon payment of the fee  
 197 prescribed by law. If a fee is not prescribed by law, the  
 198 following fees are authorized:

199 (d) If the nature or volume of public records requested to  
 200 be inspected or copied pursuant to this subsection is such as to  
 201 require extensive use of information technology resources or  
 202 extensive clerical or supervisory assistance by personnel of the  
 203 agency involved, or both, the agency may charge, in addition to  
 204 the actual cost of duplication, a reasonable special service  
 205 charge, ~~which shall be reasonable and shall be based on the~~  
 206 actual cost incurred or attributable to the agency for such  
 207 extensive use of information technology resources or the labor  
 208 cost of the personnel providing the service that is actually

209 incurred by the agency or attributable to the agency for the  
 210 clerical and supervisory assistance required, or both. The cost  
 211 of clerical or supervisory assistance may not exceed the rate of  
 212 the lowest paid personnel who the agency reasonably determines  
 213 is capable of providing such clerical or supervisory assistance,  
 214 and excludes employer-paid health insurance premiums and other  
 215 employer-paid benefits.

216 Section 3. Subsection (2) of section 119.0701, Florida  
 217 Statutes, is amended to read:

218 119.0701 Contracts; public records.—

219 (2) In addition to other contract requirements provided by  
 220 law, each ~~public agency~~ contract between a public agency and a  
 221 contractor ~~for services~~ must include a provision that requires  
 222 the contractor to comply with public records laws, specifically  
 223 to:

224 (a) Keep and maintain public records that ordinarily and  
 225 necessarily would be required by the public agency in order to  
 226 perform the service.

227 (b) Provide the public with access to public records on  
 228 the same terms and conditions that the public agency would  
 229 provide the records and at a cost that does not exceed the cost  
 230 provided in this chapter or as otherwise provided by law.

231 (c) Ensure that public records that are exempt or  
 232 confidential and exempt from public records disclosure  
 233 requirements are not disclosed except as authorized by law.

234 (d) Meet all requirements for retaining public records and

235 transfer~~7~~ at no cost~~7~~ to the public agency all public records in  
 236 possession of the contractor upon termination of the contract  
 237 and destroy any duplicate public records that are exempt or  
 238 confidential and exempt from public records disclosure  
 239 requirements. All records stored electronically must be provided  
 240 to the public agency in a format that is compatible with the  
 241 information technology systems of the public agency.

242 (e) Notify the public agency's custodian of public records  
 243 before denying a request to inspect or copy a record held by the  
 244 contractor. This requirement does not impose any additional duty  
 245 on the public agency.

246 (f) Notify the public agency if the contractor is served  
 247 with a civil action to enforce the provisions of this chapter.  
 248 This requirement does not impose any additional duty on the  
 249 public agency.

250 Section 4. Section 119.0702, Florida Statutes, is created  
 251 to read:

252 119.0702 Training of agency staff.—Each agency must  
 253 provide training on the requirements of this chapter to each of  
 254 its employees. The training provided shall be commensurate with  
 255 an employee's duties.

256 Section 5. Section 119.12, Florida Statutes, is amended to  
 257 read:

258 119.12 Attorney ~~Attorney's~~ fees.—

259 (1) If a civil action is filed against an agency to  
 260 enforce the provisions of this chapter and if the court

261 determines that such agency unlawfully refused to permit a  
 262 public record to be inspected or copied, the court shall assess  
 263 and award~~7~~ against the ~~agency~~ responsible agency~~7~~ the reasonable  
 264 costs of enforcement ~~including reasonable attorneys' fees~~.

265 (2) The reasonable costs of enforcement include, but are  
 266 not limited to, reasonable attorney fees, including those fees  
 267 incurred in litigating entitlement to, and the determination or  
 268 quantification of, attorney fees for the underlying civil  
 269 action. At a minimum, the court shall award the reasonable costs  
 270 of enforcement for those counts upon which the plaintiff  
 271 prevailed.

272 (3) Notwithstanding s. 284.30, a party filing an action  
 273 against the state or any of its agencies covered by the State  
 274 Risk Management Trust Fund to enforce the provisions of this  
 275 chapter is not required to serve a copy of the pleading claiming  
 276 attorney fees on the Department of Financial Services. In order  
 277 to have attorney fees paid by the State Risk Management Trust  
 278 Fund, the agency against whom the action is brought shall  
 279 provide notice to the department of the pleading claiming  
 280 attorney fees upon receipt. The department may participate with  
 281 the agency in the defense of the suit and any appeal thereof  
 282 with respect to the attorney fees.

283 Section 6. Subsection (4) of section 286.011, Florida  
 284 Statutes, is amended to read:

285 286.011 Public meetings and records; public inspection;  
 286 criminal and civil penalties.—

287 (4) (a) Whenever an action has been filed against a ~~any~~  
 288 board or commission of a ~~any~~ state agency or authority or an ~~any~~  
 289 agency or authority of a ~~any~~ county, municipal corporation, or  
 290 political subdivision to enforce the provisions of this section  
 291 or to invalidate the actions of any such board, commission,  
 292 agency, or authority, which action was taken in violation of  
 293 this section, and the court determines that the defendant or  
 294 defendants to such action acted in violation of this section,  
 295 the court shall assess a reasonable attorney ~~attorney's~~ fee  
 296 against such agency, and may assess a reasonable attorney  
 297 ~~attorney's~~ fee against the individual filing such an action if  
 298 the court finds it was filed in bad faith or was frivolous. Any  
 299 fees so assessed may be assessed against the individual member  
 300 or members of such board or commission; provided, that in any  
 301 case where the board or commission seeks the advice of its  
 302 attorney and such advice is followed, ~~no~~ such fees may not ~~shall~~  
 303 be assessed against the individual member or members of the  
 304 board or commission. However, this subsection does ~~shall~~ not  
 305 apply to a state attorney or his or her duly authorized  
 306 assistants or any officer charged with enforcing the provisions  
 307 of this section.

308 (b) Notwithstanding s. 284.30, a party filing an action to  
 309 enforce the provisions of this section against a board or  
 310 commission of a state agency is not required to serve a copy of  
 311 the pleading claiming attorney fees on the Department of  
 312 Financial Services. In order to have attorney fees paid by the

313 State Risk Management Trust Fund, the board or commission  
 314 against whom the action is brought shall provide notice to the  
 315 department of the pleading claiming attorney fees upon receipt.  
 316 The department may participate with the board or commission in  
 317 the defense of the suit and any appeal thereof with respect to  
 318 the attorney fees.

319 Section 7. Subsection (1) of section 257.35, Florida  
 320 Statutes, is amended to read:

321 257.35 Florida State Archives.—

322 (1) There is created within the Division of Library and  
 323 Information Services of the Department of State the Florida  
 324 State Archives for the preservation of those public records, as  
 325 defined in s. 119.011 ~~s. 119.011(12)~~, manuscripts, and other  
 326 archival material that have been determined by the division to  
 327 have sufficient historical or other value to warrant their  
 328 continued preservation and have been accepted by the division  
 329 for deposit in its custody. It is the duty and responsibility of  
 330 the division to:

331 (a) Organize and administer the Florida State Archives.

332 (b) Preserve and administer any such records ~~as shall be~~  
 333 transferred to its custody; accept, arrange, and preserve them,  
 334 according to approved archival practices; and allow ~~permit~~ them,  
 335 at reasonable times and under the supervision of the division,  
 336 to be inspected and copied.

337 (c) Assist the records and information management program  
 338 in the determination of retention values for records.

339           (d) Cooperate with and assist, insofar as practicable, in  
 340 state institutions, departments, agencies, counties,  
 341 municipalities, and individuals engaged in activities in the  
 342 field of state archives, manuscripts, and history and accept  
 343 from any person any paper, book, record, or similar material  
 344 that ~~which~~ in the judgment of the division warrants preservation  
 345 in the state archives.

346           (e) Provide a public research room where, under rules  
 347 established by the division, the materials in the state archives  
 348 may be studied.

349           (f) Conduct, promote, and encourage research in Florida  
 350 history, government, and culture and maintain a program of  
 351 information, assistance, coordination, and guidance for public  
 352 officials, educational institutions, libraries, the scholarly  
 353 community, and the general public engaged in such research.

354           (g) Cooperate with and, insofar as practicable, assist  
 355 agencies, libraries, institutions, and individuals in projects  
 356 designed to preserve original source materials relating to  
 357 Florida history, government, and culture and prepare and publish  
 358 handbooks, guides, indexes, and other literature directed toward  
 359 encouraging the preservation and use of the state's documentary  
 360 resources.

361           (h) Encourage and initiate efforts to preserve, collect,  
 362 process, transcribe, index, and research the oral history of  
 363 Florida government.

364           (i) Assist and cooperate with the records and information

365 management program in the training and information program  
 366 described in s. 257.36(1)(g).

367 Section 8. Subsection (9) of section 383.402, Florida  
 368 Statutes, is amended to read:

369 383.402 Child abuse death review; State Child Abuse Death  
 370 Review Committee; local child abuse death review committees.—

371 (9) The State Child Abuse Death Review Committee or a  
 372 local committee shall have access to all information of a law  
 373 enforcement agency which is not the subject of an active  
 374 investigation and which pertains to the review of the death of a  
 375 child. A committee may not disclose ~~any~~ information that is not  
 376 subject to public disclosure by the law enforcement agency, and  
 377 active criminal intelligence information or criminal  
 378 investigative information, as defined in s. 119.011 ~~s.~~  
 379 ~~119.011(3)~~, may not be made available for review or access under  
 380 this section.

381 Section 9. Subsection (5) of section 497.140, Florida  
 382 Statutes, is amended to read:

383 497.140 Fees.—

384 (5) The department shall charge a fee not to exceed \$25  
 385 for the certification of a public record. The fee shall be  
 386 determined by rule of the department. The department shall  
 387 assess a fee for duplication of a public record as provided in  
 388 s. 119.07(4) ~~s. 119.07(1)(a) and (e)~~.

389 Section 10. Paragraph (b) of subsection (4) of section  
 390 627.311, Florida Statutes, is amended to read:

391 627.311 Joint underwriters and joint reinsurers; public  
 392 records and public meetings exemptions.—

393 (4) The Florida Automobile Joint Underwriting Association:

394 (b) Shall keep portions of association meetings during  
 395 which confidential and exempt underwriting files or confidential  
 396 and exempt claims files are discussed exempt from the provisions  
 397 of s. 286.011 and s. 24(b), Art. I of the State Constitution.  
 398 All closed portions of association meetings shall be recorded by  
 399 a court reporter. The court reporter shall record the times of  
 400 commencement and termination of the meeting, all discussion and  
 401 proceedings, the names of all persons present at any time, and  
 402 the names of all persons speaking. No portion of any closed  
 403 meeting shall be off the record. Subject to the provisions of  
 404 this paragraph and s. 119.07(1)(e)-(g) ~~s. 119.07(1)(d)-(f)~~, the  
 405 court reporter's notes of any closed meeting shall be retained  
 406 by the association for a minimum of 5 years. A copy of the  
 407 transcript, less any confidential and exempt information, of any  
 408 closed meeting during which confidential and exempt claims files  
 409 are discussed shall become public as to individual claims files  
 410 after settlement of that claim.

411 Section 11. Paragraph (x) of subsection (6) of section  
 412 627.351, Florida Statutes, is amended to read:

413 627.351 Insurance risk apportionment plans.—

414 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

415 (x)1. The following records of the corporation are  
 416 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and

417 s. 24(a), Art. I of the State Constitution:

418 a. Underwriting files, except that a policyholder or an  
 419 applicant shall have access to his or her own underwriting  
 420 files. Confidential and exempt underwriting file records may  
 421 also be released to other governmental agencies upon written  
 422 request and demonstration of need; such records held by the  
 423 receiving agency remain confidential and exempt as provided  
 424 herein.

425 b. Claims files, until termination of all litigation and  
 426 settlement of all claims arising out of the same incident,  
 427 although portions of the claims files may remain exempt, as  
 428 otherwise provided by law. Confidential and exempt claims file  
 429 records may be released to other governmental agencies upon  
 430 written request and demonstration of need; such records held by  
 431 the receiving agency remain confidential and exempt as provided  
 432 herein.

433 c. Records obtained or generated by an internal auditor  
 434 pursuant to a routine audit, until the audit is completed, or if  
 435 the audit is conducted as part of an investigation, until the  
 436 investigation is closed or ceases to be active. An investigation  
 437 is considered "active" while the investigation is being  
 438 conducted with a reasonable, good faith belief that it could  
 439 lead to the filing of administrative, civil, or criminal  
 440 proceedings.

441 d. Matters reasonably encompassed in privileged attorney-  
 442 client communications.

443 e. Proprietary information licensed to the corporation  
 444 under contract and the contract provides for the confidentiality  
 445 of such proprietary information.

446 f. All information relating to the medical condition or  
 447 medical status of a corporation employee which is not relevant  
 448 to the employee's capacity to perform his or her duties, except  
 449 as otherwise provided in this paragraph. Information that is  
 450 exempt shall include, but is not limited to, information  
 451 relating to workers' compensation, insurance benefits, and  
 452 retirement or disability benefits.

453 g. Upon an employee's entrance into the employee  
 454 assistance program, a program to assist any employee who has a  
 455 behavioral or medical disorder, substance abuse problem, or  
 456 emotional difficulty which affects the employee's job  
 457 performance, all records relative to that participation shall be  
 458 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
 459 s. 24(a), Art. I of the State Constitution, except as otherwise  
 460 provided in s. 112.0455(11).

461 h. Information relating to negotiations for financing,  
 462 reinsurance, depopulation, or contractual services, until the  
 463 conclusion of the negotiations.

464 i. Minutes of closed meetings regarding underwriting  
 465 files, and minutes of closed meetings regarding an open claims  
 466 file until termination of all litigation and settlement of all  
 467 claims with regard to that claim, except that information  
 468 otherwise confidential or exempt by law shall be redacted.

469           2. If an authorized insurer is considering underwriting a  
 470 risk insured by the corporation, relevant underwriting files and  
 471 confidential claims files may be released to the insurer  
 472 provided the insurer agrees in writing, notarized and under  
 473 oath, to maintain the confidentiality of such files. If a file  
 474 is transferred to an insurer, that file is no longer a public  
 475 record because it is not held by an agency subject to the  
 476 provisions of the public records law. Underwriting files and  
 477 confidential claims files may also be released to staff and the  
 478 board of governors of the market assistance plan established  
 479 pursuant to s. 627.3515, who must retain the confidentiality of  
 480 such files, except such files may be released to authorized  
 481 insurers that are considering assuming the risks to which the  
 482 files apply, provided the insurer agrees in writing, notarized  
 483 and under oath, to maintain the confidentiality of such files.  
 484 Finally, the corporation or the board or staff of the market  
 485 assistance plan may make the following information obtained from  
 486 underwriting files and confidential claims files available to  
 487 licensed general lines insurance agents: name, address, and  
 488 telephone number of the residential property owner or insured;  
 489 location of the risk; rating information; loss history; and  
 490 policy type. The receiving licensed general lines insurance  
 491 agent must retain the confidentiality of the information  
 492 received.

493           3. A policyholder who has filed suit against the  
 494 corporation has the right to discover the contents of his or her

495 own claims file to the same extent that discovery of such  
 496 contents would be available from a private insurer in litigation  
 497 as provided by the Florida Rules of Civil Procedure, the Florida  
 498 Evidence Code, and other applicable law. Pursuant to subpoena, a  
 499 third party has the right to discover the contents of an  
 500 insured's or applicant's underwriting or claims file to the same  
 501 extent that discovery of such contents would be available from a  
 502 private insurer by subpoena as provided by the Florida Rules of  
 503 Civil Procedure, the Florida Evidence Code, and other applicable  
 504 law, and subject to any confidentiality protections requested by  
 505 the corporation and agreed to by the seeking party or ordered by  
 506 the court. The corporation may release confidential underwriting  
 507 and claims file contents and information as it deems necessary  
 508 and appropriate to underwrite or service insurance policies and  
 509 claims, subject to any confidentiality protections deemed  
 510 necessary and appropriate by the corporation.

511 4. Portions of meetings of the corporation are exempt from  
 512 ~~the provisions of~~ s. 286.011 and s. 24(b), Art. I of the State  
 513 Constitution wherein confidential underwriting files or  
 514 confidential open claims files are discussed. All portions of  
 515 corporation meetings which are closed to the public shall be  
 516 recorded by a court reporter. The court reporter shall record  
 517 the times of commencement and termination of the meeting, all  
 518 discussion and proceedings, the names of all persons present at  
 519 any time, and the names of all persons speaking. No portion of  
 520 any closed meeting shall be off the record. Subject to the

521 provisions hereof and s. 119.07(1)(e)-(g) ~~s. 119.07(1)(d)-(f)~~,  
 522 the court reporter's notes of any closed meeting shall be  
 523 retained by the corporation for a minimum of 5 years. A copy of  
 524 the transcript, less any exempt matters, of any closed meeting  
 525 wherein claims are discussed shall become public as to  
 526 individual claims after settlement of the claim.

527 Section 12. Paragraph (b) of subsection (9) of section  
 528 943.031, Florida Statutes, is amended to read:

529 943.031 Florida Violent Crime and Drug Control Council.—

530 (9) CONFIDENTIALITY; EXEMPTED PORTIONS OF COUNCIL MEETINGS  
 531 AND RECORDS.—

532 (b) The Florida Violent Crime and Drug Control Council is  
 533 ~~shall be~~ considered a "criminal justice agency," as that term is  
 534 defined in s. 119.011 ~~within the definition of s. 119.011(4)~~.

535 Section 13. Subsection (7) of section 943.0313, Florida  
 536 Statutes, is amended to read:

537 943.0313 Domestic Security Oversight Council.—The  
 538 Legislature finds that there exists a need to provide executive  
 539 direction and leadership with respect to terrorism prevention,  
 540 preparation, protection, response, and recovery efforts by state  
 541 and local agencies in this state. In recognition of this need,  
 542 the Domestic Security Oversight Council is hereby created. The  
 543 council shall serve as an advisory council pursuant to s.  
 544 20.03(7) to provide guidance to the state's regional domestic  
 545 security task forces and other domestic security working groups  
 546 and to make recommendations to the Governor and the Legislature

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547 regarding the expenditure of funds and allocation of resources  
548 related to counter-terrorism and domestic security efforts.

549 (7) AGENCY DESIGNATION.—For purposes of this section, the  
550 Domestic Security Oversight Council is ~~shall be~~ considered a  
551 criminal justice agency, as that term is defined in s. 119.011  
552 ~~within the definition of s. 119.011(4).~~

553 Section 14. This act shall take effect July 1, 2014.