

1                   A bill to be entitled  
 2           An act relating to public meetings; amending s.  
 3           286.011, F.S.; defining terms; specifying conditions  
 4           under which members of any board or commission of any  
 5           state agency or authority or of any agency or  
 6           authority of any county, municipal corporation, or  
 7           political subdivision may participate in fact-finding  
 8           exercises or excursions; providing an effective date.  
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10 Be It Enacted by the Legislature of the State of Florida:  
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12           Section 1. Subsection (1) of section 286.011, Florida  
 13 Statutes, is amended to read:

14           286.011 Public meetings and records; public inspection;  
 15 criminal and civil penalties.—

16           (1) (a) As used in this section, the term:

17           1. "De facto meeting" means the use of board or commission  
 18 staff or third parties, acting as intermediaries, to facilitate  
 19 a discussion of public business between or among board or  
 20 commission members.

21           2. "Discussion" means a conversation between or among  
 22 board or commission members regardless of whether through oral,  
 23 written, electronic, or any other form of communication.

24           3. "Meeting" means a gathering, whether formal or  
 25 informal, of two or more members elected to or of the same board

26 | or commission, even if they have not yet taken office.

27 | 4. "Official act" means the adoption of a resolution or  
 28 | rule or other formal action being taken by the board or  
 29 | commission.

30 | 5. "Public business" means any matter before, or  
 31 | foreseeably expected to come before, the board or commission.

32 | (b) Except as otherwise provided in the State  
 33 | Constitution, all meetings or de facto meetings of any board or  
 34 | commission of any state agency or authority or of any agency or  
 35 | authority of any county, municipal corporation, or political  
 36 | subdivision at which official acts are to be taken or public  
 37 | business is to be transacted or discussed are declared to be  
 38 | public meetings open to the public., ~~except as otherwise~~  
 39 | ~~provided in the Constitution, including meetings with or~~  
 40 | ~~attended by any person elected to such board or commission, but~~  
 41 | ~~who has not yet taken office, at which official acts are to be~~  
 42 | ~~taken are declared to be public meetings open to the public at~~  
 43 | ~~all times, and~~

44 | (c) Members of the same board or commission may  
 45 | participate in fact-finding exercises or excursions to research  
 46 | public business, and may participate in meetings with a member  
 47 | of the Legislature, if:

48 | 1. The board or commission provides reasonable notice;

49 | 2. The exercise, excursion, or meeting is open to the  
 50 | public;

51           3. A vote, an official act, or an agreement regarding an  
 52 action at a future meeting does not occur;

53           4. A discussion of public business, as those terms are  
 54 defined in paragraph (a), does not occur; and

55           5. Appropriate records, minutes, audio recordings, or  
 56 video recordings are made and retained as a public record.

57           (d) A ~~no~~ resolution, rule, or formal action is not ~~shall~~  
 58 be considered binding unless ~~except as~~ taken or made at a public  
 59 such meeting. The board or commission must provide reasonable  
 60 notice of all such meetings.

61           Section 2. This act shall take effect upon becoming a law.