

1 A bill to be entitled
 2 An act relating to public records and meetings;
 3 creating s. 490.017, F.S.; providing an exemption from
 4 public meetings requirements for certain portions of
 5 meetings of the Interstate Compact for School
 6 Psychologists Commission and its executive committee;
 7 providing an exemption from public records
 8 requirements for recordings, minutes, and records
 9 generated during exempt portions of such meetings;
 10 providing for future legislative review and repeal of
 11 the exemptions; providing statements of public
 12 necessity; providing a contingent effective date.

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

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 16 **Section 1. Section 490.017, Florida Statutes, is created**
 17 **to read:**

18 490.017 Interstate Compact for School Psychologists
 19 Commission; public meetings and public records exemptions.—

20 (1) Any portion of a meeting of the Interstate Compact for
 21 School Psychologists Commission or its executive committee in
 22 which any of the following information is discussed is exempt
 23 from s. 286.011 and s. 24(b), Art. I of the State Constitution:

24 (a) Noncompliance of a member state with its obligations
 25 under the compact;

26 (b) The employment, compensation, discipline, or other
27 matters, practices, or procedures related to specific employees
28 or other matters related to the commission's internal personnel
29 practices and procedures;

30 (c) Current, threatened, or reasonably anticipated
31 litigation;

32 (d) Negotiation of contracts for the purchase, lease, or
33 sale of goods, services, or real estate;

34 (e) Accusing any person of a crime or formally censuring
35 any person;

36 (f) Trade secrets or commercial or financial information
37 that is privileged or confidential;

38 (g) Information of a personal nature if disclosure would
39 constitute a clearly unwarranted invasion of personal privacy;

40 (h) Investigative records compiled for law enforcement
41 purposes;

42 (i) Information relating to any investigative reports
43 prepared by or on behalf of or for use by the commission or
44 executive committee when investigating or determining compliance
45 with the compact; or

46 (j) Matters specifically exempted from disclosure by
47 federal or state practice laws.

48 (2) If a meeting, or portion of a meeting, is closed, the
49 presiding officer shall state that the meeting will be closed
50 and reference each relevant exempting provision, and such

51 reference shall be recorded in the minutes.

52 (3) The commission shall keep minutes that fully and
53 clearly describe all matters discussed in a meeting and shall
54 provide a full and accurate summary of actions taken, and the
55 reasons therefore, including a description of the views
56 expressed. All documents considered in connection with an action
57 shall be identified in such minutes. All minutes and documents
58 of a closed meeting shall remain under seal, subject to release
59 only by a majority vote of the commission or order of a court of
60 competent jurisdiction.

61 (4) Recordings, minutes, and records generated during any
62 portion of an exempt meeting are exempt from s. 119.07(1) and s.
63 24(a), Art. I of the State Constitution.

64 (5) This section is subject to the Open Government Sunset
65 Review Act in accordance with s. 119.15 and shall stand repealed
66 on October 2, 2028, unless reviewed and saved from repeal
67 through reenactment by the Legislature.

68 **Section 2.** (1) The Legislature finds that it is a public
69 necessity that any portion of a meeting of the Interstate
70 Compact for School Psychologists Commission or its executive
71 committee in which any information in s. 468.1336(1), Florida
72 Statutes, is discussed be made exempt from s. 286.011, Florida
73 Statutes, and s. 24(b), Article I of the State Constitution.

74 (2) The Interstate Compact for School Psychologists
75 requires that any portion of a meeting in which any information

76 | in s. 468.1336(1), Florida Statutes, is discussed be closed to
77 | the public. In the absence of a public meetings exemption, this
78 | state would be prohibited from becoming a member state of the
79 | compact. Thus, this state would be unable to effectively and
80 | efficiently administer the compact.

81 | (3) The Legislature also finds that it is a public
82 | necessity that the recordings, minutes, and records generated
83 | during any portion of a meeting in which any information in s.
84 | 468.1336(1), Florida Statutes, is discussed be made exempt from
85 | s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
86 | State Constitution. Release of such information would negate the
87 | public meetings exemption. As such, the Legislature finds that
88 | the public records exemption is a public necessity.

89 | **Section 3.** This act shall take effect on the same date
90 | that HB 327 or similar legislation takes effect, if such
91 | legislation is adopted in the same legislative session or an
92 | extension thereof and becomes law.