

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 287.09451, F.S.; providing an exemption from public
 4 records requirements for the identity of a donor or
 5 prospective donor to the direct-support organization
 6 authorized to assist the Office of Supplier Diversity
 7 within the Department of Management Services, and all
 8 information identifying such donor or prospective
 9 donor; providing conditions for the exemption;
 10 providing for future review and repeal of the
 11 exemption; providing a statement of public necessity;
 12 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. Paragraph (h) is added to subsection (7) of s.
 17 287.09451, Florida Statutes, as amended by HB 1309, 2013 Regular
 18 Session, to read:

19 287.09451 Office of Supplier Diversity; powers, duties,
 20 and functions.—

21 (7) The Office of Supplier Diversity may administratively
 22 transfer certain operations to a direct-support organization as
 23 described in this subsection.

24 (h)1. The identity of a donor or prospective donor to the
 25 direct-support organization who desires to remain anonymous, and
 26 all information identifying such donor or prospective donor, is
 27 confidential and exempt from the provisions of s. 119.07(1) and
 28 section 24(a), Article I of the State Constitution, so long as

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29 | the contribution, gift, or bequest is received anonymously. Such
30 | anonymity must be maintained in the auditor's report.

31 | 2. Subparagraph 1. is subject to the Open Government
32 | Sunset Review Act in accordance with s. 119.15 and shall stand
33 | repealed on October 2, 2018, unless reviewed and saved from
34 | repeal through reenactment by the Legislature.

35 | Section 2. The Legislature finds that it is a public
36 | necessity that the identity of a donor or prospective donor to
37 | the direct-support organization authorized to assist the Office
38 | of Supplier Diversity within the Department of Management
39 | Services, and all information identifying such donor or
40 | prospective donor, be made confidential and exempt from public
41 | records requirements, if such donor or prospective donor desires
42 | to remain anonymous and the donor's contribution, gift, or
43 | bequest is received anonymously. In order to encourage private
44 | support for the mission of the Office of Supplier Diversity, it
45 | is a public necessity to promote the giving of gifts to the
46 | office and the raising of private funds for the office's
47 | operation. An essential element of an effective plan for
48 | promoting the donation of private gifts and private fundraising
49 | efforts is the need to protect the identity of prospective and
50 | actual donors who desire to remain anonymous. If the identity of
51 | prospective and actual donors who desire to remain anonymous is
52 | subject to public disclosure, the result is a chilling effect on
53 | donations that arises from donor concerns over personal
54 | information being revealed that could lead to theft,
55 | particularly identity theft, and that could possibly place the
56 | personal safety and security of a donor in jeopardy. Therefore,

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57 the Legislature finds that it is a public necessity that the
58 identity of a donor or prospective donor to the direct-support
59 organization authorized to assist the Office of Supplier
60 Diversity within the Department of Management Services, and all
61 information identifying such donor or prospective donor, be made
62 confidential and exempt from public records requirements, if
63 such donor or prospective donor desires to remain anonymous and
64 the donor's contribution, gift, or bequest is received
65 anonymously.

66 Section 3. This act shall take effect on the same date
67 that HB 1309 or similar legislation takes effect, if such
68 legislation is adopted in the same legislative session or an
69 extension thereof and becomes law.