

By Senator Brandes

22-00823A-13

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1                   A bill to be entitled  
2           An act relating to public data; providing definitions;  
3           requiring each agency to submit an inventory of public  
4           data in its custody to the Secretary of State;  
5           specifying the information that must be included in  
6           each inventory; requiring the Secretary of State to  
7           establish a website by a specified date; establishing  
8           website requirements; authorizing the Department of  
9           State to use fees collected and deposited in the  
10          Records Management Trust Fund to pay for the  
11          administration of the website; granting rulemaking  
12          authority to the department; providing an effective  
13          date.

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

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17       Section 1. Public data inventory.—

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

19       (a) "Agency" means any committee, unit, or office of the  
20 legislative branch of government as described in chapter 11, an  
21 agency as described in chapter 20, and any government entity  
22 under chapters 25, 26, 27, 28, 30, 34, and 35, Florida Statutes.

23       (b) "Public data" means any public record made or received  
24 in connection with the official business of an agency, unless  
25 otherwise made confidential or exempt pursuant to law.

26       (2) Each agency shall submit an inventory of all public  
27 data in its custody to the Secretary of State by July 1, 2014,  
28 and every 6 months thereafter. The Secretary of State may  
29 develop guidelines for the processing and submission of public

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30 data inventories. Each inventory shall include the following  
31 information for each type or category of data held by the  
32 agency:

33 (a) A description of the data, including a record layout.

34 (b) The format, source, quality, and accuracy of the data.

35 (c) Whether the data is currently available to the public  
36 without a public records request pursuant to chapter 119,  
37 Florida Statutes, and, if it is available, the format and venue  
38 in which it is available.

39 (d) A description of data not currently available to the  
40 public without a public records request pursuant to chapter 119,  
41 Florida Statutes, but which the agency recommends be made  
42 publicly available.

43 (e) A description of all data that is confidential or  
44 exempt from the requirements of s. 119.07(1), Florida Statutes,  
45 and s. 24(a), Art. I of the State Constitution and the statutory  
46 citations that make such data confidential or exempt.

47 (f) An explanation of any data-sharing activities with any  
48 other agency.

49 (3) The Secretary of State shall establish a website on  
50 which the inventories of public data shall be posted by January  
51 1, 2015. The website shall, at a minimum, include:

52 (a) For each agency, the information required under  
53 paragraph (2) (a).

54 (b) The relationship of the data reported by one agency to  
55 another agency's data, including, but not limited to,  
56 dependence, association, commonality, similarity, and affinity.

57 (c) A comparison of existing data distribution methods.

58 (4) The Department of State may use fees collected and

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59 deposited into the Records Management Trust Fund for the purpose  
60 of paying for costs incurred by the department in administering  
61 this section.

62 (5) The department may adopt rules to implement and  
63 administer this section.

64 Section 2. This act shall take effect July 1, 2013.