

1                   A bill to be entitled  
2           An act relating to public records and public meetings;  
3           creating s. 1004.098, F.S.; providing an exemption  
4           from public records requirements for any personal  
5           identifying information of an applicant for president  
6           of a state university or a Florida College System  
7           institution; specifying that personal identifying  
8           information of applicants who comprise a final group  
9           of applicants is no longer confidential and exempt at  
10          a time certain; providing an exemption from public  
11          meeting requirements for any portion of a meeting held  
12          for the purpose of identifying or vetting applicants  
13          for president of a state university or Florida College  
14          System institution, including any portion of a meeting  
15          that would disclose identifying information of such  
16          applicants; requiring a recording to be made of any  
17          portion of a closed meeting and providing that no  
18          portion of a closed meeting may be held off the  
19          record; providing that the recording of any closed  
20          portion of a meeting is exempt from public records  
21          requirements; specifying that certain meetings are not  
22          exempt from public meeting requirements; providing for  
23          future legislative review and repeal of the  
24          exemptions; providing a statement of public necessity;  
25          providing an effective date.

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

Section 1. Section 1004.098, Florida Statutes, is created to read:

1004.098 Applicants for president of a state university or Florida College System institution; public records exemption; public meetings exemption.-

(1) (a) Any personal identifying information of an applicant for president of a state university or Florida College System institution is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) The personal identifying information of applicants who comprise a final group of applicants for president of a state university or Florida College System institution is no longer confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution at least 21 days before the date of a meeting at which an interview will be conducted or at which final action or a vote is to be taken on the employment of the applicants.

(2) (a) Any portion of a meeting held for the purpose of identifying or vetting applicants for president of a state university or a Florida College System institution, including any portion of a meeting that would disclose personal

50 identifying information of such applicants, is exempt from s.  
51 286.011 and s. 24(b), Art. I of the State Constitution.

52 (b) A complete recording must be made of any portion of a  
53 meeting that is closed pursuant to paragraph (a), and any closed  
54 portion of such meeting may not be held off the record. The  
55 recording of the closed portion of a meeting is exempt from s.  
56 119.07(1) and s. 24(a), Art. I of the State Constitution.

57 (c) The public meeting exemption provided in paragraph (a)  
58 does not apply to:

59 1. Any portion of a meeting held for the purpose of  
60 establishing qualifications of potential applicants or  
61 establishing any compensation framework to be offered to  
62 potential applicants for president of a state university or a  
63 Florida College System institution.

64 2. Any meeting held after a final group of applicants for  
65 president of a state university or a Florida College System  
66 institution has been established at which an interview is  
67 conducted or at which final action or a vote is to be taken on  
68 the employment of such applicants.

69 (3) This section is subject to the Open Government Sunset  
70 Review Act in accordance with s. 119.15 and shall stand repealed  
71 on October 2, 2026, unless reviewed and saved from repeal  
72 through reenactment by the Legislature.

73 Section 2. The Legislature finds that it is a public  
74 necessity that any personal identifying information of an

75 applicant for president of a state university or a Florida  
76 College System institution be made confidential and exempt from  
77 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
78 State Constitution. The Legislature also finds that it is a  
79 public necessity that any portion of a meeting held for the  
80 purpose of identifying or vetting applicants for president of a  
81 state university or a Florida College System institution,  
82 including any portion of a meeting that would disclose personal  
83 identifying information of such applicants, be made exempt from  
84 s. 286.011, Florida Statutes, and s. 24(b), Article I of the  
85 State Constitution, and that the recording of such meeting be  
86 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
87 Article I of the State Constitution. The task of filling the  
88 position of president of a state university or a Florida College  
89 System institution is often conducted by an executive search  
90 committee. Many, if not most, applicants for such a position are  
91 currently employed at another job at the time they apply and  
92 could jeopardize their current positions if it were to become  
93 known that they were seeking employment elsewhere. These  
94 exemptions from public records and public meeting requirements  
95 are needed to ensure that such a search committee can avail  
96 itself of the most experienced and desirable pool of qualified  
97 applicants from which to fill the position of president of a  
98 state university or a Florida College System institution. If  
99 potential applicants fear the possibility of losing their

100 current jobs as a consequence of attempting to progress along  
101 their chosen career path or simply seeking different and more  
102 rewarding employment, failure to have these safeguards in place  
103 could have a chilling effect on the number and quality of  
104 applicants available to fill the position of president of a  
105 state university or a Florida College System institution.

106 Section 3. This act shall take effect upon becoming a law.