

1 A bill to be entitled
 2 An act relating to public meetings; amending s.
 3 286.011, F.S.; providing that specified entities may
 4 meet in private with their attorneys to discuss
 5 certain claims concerning private property rights;
 6 specifying what may be discussed during such closed
 7 meetings; requiring that such meetings be transcribed;
 8 providing that such transcripts become public records
 9 at specified times; providing an effective date.

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

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 13 Section 1. Subsection (8) of section 286.011, Florida
 14 Statutes, is amended to read:

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

17 (8) Notwithstanding the provisions of subsection (1), any
 18 board or commission of any state agency or authority or any
 19 agency or authority of any county, municipal corporation, or
 20 political subdivision, and the chief administrative or executive
 21 officer of the governmental entity, may meet in private with the
 22 entity's attorney during the 90-day-notice period specified in
 23 s. 70.001(4) to discuss claims submitted in accordance with that
 24 paragraph, and may meet in private with the entity's attorney to
 25 discuss pending litigation to which the entity is presently a

26 party before a court or administrative agency, provided that the
27 following conditions are met:

28 (a) The entity's attorney shall advise the entity at a
29 public meeting that he or she desires advice concerning the
30 litigation or concerning a claim submitted in accordance with s.
31 70.001(4).

32 (b) The subject matter of the meeting shall be confined to
33 settlement negotiations or strategy sessions related to
34 litigation expenditures or relating to a claim submitted in
35 accordance with s. 70.001(4).

36 (c) The entire session shall be recorded by a certified
37 court reporter. The reporter shall record the times of
38 commencement and termination of the session, all discussion and
39 proceedings, the names of all persons present at any time, and
40 the names of all persons speaking. No portion of the session
41 shall be off the record. The court reporter's notes shall be
42 fully transcribed and filed with the entity's clerk within a
43 reasonable time after the meeting.

44 (d) The entity shall give reasonable public notice of the
45 time and date of the attorney-client session and the names of
46 persons who will be attending the session. The session shall
47 commence at an open meeting at which the persons chairing the
48 meeting shall announce the commencement and estimated length of
49 the attorney-client session and the names of the persons
50 attending. At the conclusion of the attorney-client session, the

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51 meeting shall be reopened, and the person chairing the meeting
52 shall announce the termination of the session.

53 (e) The transcript shall be made part of the public record
54 upon conclusion of the litigation, upon settlement of a claim
55 under s. 70.001, or upon the expiration of the statute of
56 limitation for the claim arising under chapter 70 in the event
57 no litigation is filed and there is no settlement of a claim
58 under s. 70.001.

59 Section 2. This act shall take effect July 1, 2023.