

1 A bill to be entitled
 2 An act relating to public meetings; amending s.
 3 286.011, F.S.; defining terms; specifying conditions
 4 under which members of any board or commission of any
 5 state agency or authority or of any agency or
 6 authority of any county, municipal corporation, or
 7 political subdivision may participate in fact-finding
 8 exercises or excursions; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsection (1) of section 286.011, Florida
 13 Statutes, is amended to read:

14 286.011 Public meetings and records; public inspection;
 15 criminal and civil penalties.—

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

17 1. "De facto meeting" means the use of board or commission
 18 staff or third parties, acting as intermediaries, to facilitate
 19 a discussion of public business between or among board or
 20 commission members.

21 2. "Discussion" means a conversation between or among
 22 board or commission members regardless of whether through oral,
 23 written, electronic, or any other form of communication.

24 3. "Meeting" means a gathering, whether formal or
 25 informal, of two or more members elected to or of the same board

26 or commission, even if they have not yet taken office.

27 4. "Official act" means the adoption of a resolution or
 28 rule or other formal action being taken by the board or
 29 commission.

30 5. "Public business" means any matter before, or
 31 foreseeably expected to come before, the board or commission.

32 (b) Except as otherwise provided in the State
 33 Constitution, all meetings or de facto meetings of any board or
 34 commission of any state agency or authority or of any agency or
 35 authority of any county, municipal corporation, or political
 36 subdivision at which official acts are to be taken or public
 37 business is to be transacted or discussed are declared to be
 38 public meetings open to the public.,~~except as otherwise~~
 39 ~~provided in the Constitution, including meetings with or~~
 40 ~~attended by any person elected to such board or commission, but~~
 41 ~~who has not yet taken office, at which official acts are to be~~
 42 ~~taken are declared to be public meetings open to the public at~~
 43 ~~all times, and~~

44 (c) Members of the same board or commission may
 45 participate in fact-finding exercises or excursions to research
 46 public business, and may participate in meetings with a member
 47 of the Legislature, if:

48 1. The board or commission provides reasonable notice;

49 2. The exercise, excursion, or meeting is open to the
 50 public;

51 3. A vote, an official act, or an agreement regarding an
 52 action at a future meeting does not occur;

53 4. A discussion of public business, as those terms are
 54 defined in paragraph (a), does not occur; and

55 5. Appropriate records, minutes, audio recordings, or
 56 video recordings are made and retained as a public record.

57 (d) A ~~no~~ resolution, rule, or formal action is not ~~shall~~
 58 be considered binding unless ~~except as~~ taken or made at a public
 59 such meeting. The board or commission must provide reasonable
 60 notice of all such meetings.

61 Section 2. This act shall take effect upon becoming a law.