

Sunshine Law Talking Points

Good morning and thank you for allowing me to speak briefly about Florida's open meetings and Public Records laws.

Florida is one of a few states that has a statutory and constitutional right of the public to access meetings and government records.

Florida's open meeting law is found in Section 286.011, F.S and requires at a minimum that:

- Meetings of collegial or public bodies be open to the public
- Reasonable notice of meetings of collegial or public bodies be given;
- And minutes of those meetings must be taken

This law applies to any formal or informal meetings, gatherings, or communications between this task force's members, where discussions of any issues set to come before the taskforce will take place. The open meeting requirements also apply to telephone, email, text message, or other electronic communications between task force members. No discussions between task force members relating to taskforce business should take place outside of a public meeting.

Additionally, members of the public are allowed to attend task force meetings and afforded the opportunity to be heard at those meetings. The taskforce may adopt reasonable rules to facilitate orderly conduct and the orderly flow of meetings.

Meeting minutes must be promptly recorded and open to public inspection. Formal changes to draft minutes must be discussed and adopted during public meetings.

Should the task force vote on an issue, task force members may *not* abstain from voting, unless a statutory conflict of interest exists. Written ballots can be used if:

1. The vote is made openly at a public meeting; and,
2. The name of the person voting and their selection are indicated.
3. The ballots are to be maintained and made available for public inspection.

Voting by secret ballot is not permitted.

Per Florida's open meetings law, no resolution, rule, regulation or formal action shall be binding except as taken at an open meeting.

The public has the right to access records made or received in connection with official government business intended to "perpetuate, communicate, or formalize knowledge of some type," per Chapter 119, F.S., and case law.

The records of this task force will be subject to Florida's public records requirements.

Please note that the public records requirements of Chapter 119 apply to documents in draft form and private notes of task force members when shared or circulated for review and comment or used to generate portions of other documents used by the task force. All records relating to government business are presumed open and all meetings of a public body are presumed open to the public unless a specific statutory exemption exists. More information on Florida's public records and meetings laws can

be found in Section 286.011 and Chapter 119, F.S. and the sunshine manual. For more information on the open meetings and public records laws be sure to review both statutory provisions, and the manual.

Thank you for your time, for serving on the task force, and allowing me to speak to you.