

HB 667

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1                   A bill to be entitled  
2       An act relating to public records; amending s. 119.0713,  
3       F.S.; providing an exemption from public records  
4       requirements for information received, produced, or  
5       derived as the result of an investigation conducted by an  
6       inspector general on behalf of a unit of local government;  
7       providing for limited duration of the exemption;  
8       specifying when investigative and audit reports of an  
9       inspector general become final; providing for future  
10      review and repeal of the exemption; providing a statement  
11      of public necessity; providing an effective date.

12  
13   Be It Enacted by the Legislature of the State of Florida:

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15       Section 1. Subsection (2) of section 119.0713, Florida  
16       Statutes, is amended to read:

17       119.0713 Local government agency exemptions from  
18       inspection or copying of public records.—

19       (2) (a) The audit report of an internal auditor and the  
20       investigative and audit reports of an inspector general prepared  
21       for or on behalf of a unit of local government become ~~becomes~~ a  
22       public record when the audit or investigation becomes final. As  
23       used in this subsection, the term "unit of local government"  
24       means a county, municipality, special district, local agency,  
25       authority, consolidated city-county government, or any other  
26       local governmental body or public body corporate or politic  
27       authorized or created by general or special law. An audit or  
28       investigation becomes final when the audit or investigative

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29 report is presented to the unit of local government. Audit  
30 workpapers and notes related to such audit report and  
31 information received, produced, or derived as the result of an  
32 investigation conducted by an inspector general are confidential  
33 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
34 Constitution until the audit or investigation is completed and  
35 the audit or investigative report becomes final, or when the  
36 audit or investigation is no longer active.

37 (b) Paragraph (a) is subject to the Open Government Sunset  
38 Review Act in accordance with s. 119.15 and shall stand repealed  
39 on October 2, 2016, unless reviewed and saved from repeal  
40 through reenactment by the Legislature.

41 Section 2. The Legislature finds that it is a public  
42 necessity that all investigative and audit reports, including  
43 audit workpapers and notes related to such audit, and  
44 information received, produced, or derived as the result of an  
45 investigation conducted by an inspector general, prepared for or  
46 on behalf of a unit of local government in a county or  
47 municipality that has established a local investigatory process  
48 to enforce more stringent standards of conduct and disclosure  
49 requirements as provided in s. 112.326, Florida Statutes, be  
50 made exempt from public record requirements until the audit or  
51 investigation is completed and the audit or investigative report  
52 becomes final, or when the audit or investigation is no longer  
53 active. This exemption is necessary because the release of such  
54 information could potentially be defamatory to an individual  
55 under investigation, cause unwarranted damage to the good name  
56 or reputation of the individual, or significantly impair the

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57 investigation. The exemption creates a secure environment in  
58 which an inspector general may conduct an investigation.

59       Section 3.   This act shall take effect July 1, 2011.