

**REFORMING FLORIDA'S  
OPEN GOVERNMENT LAWS  
IN THE 21<sup>ST</sup> CENTURY**

**The Commission on Open Government Reform**

**January 2009**



Barbara Petersen  
Chair

STATE OF FLORIDA  
**Commission on Open Government Reform**

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January 27, 2009

Letter from the Chairman

The Commission on Open Government Reform was created by Executive Order in June 2007, for the express purpose of reviewing, evaluating, and issuing recommendations regarding Florida's public records and public meetings laws. The Commission was tasked with preparing a report for submission to the Governor, the President of the Senate, and the Speaker of the House. The purpose of the report is to examine the issues raised during the Commission's tenure, and to make recommendations in response to the issues identified.

The nine-member Commission held four public hearings, inviting speakers to provide testimony on specific topics and the issues identified in the executive order. Testimony from the public was also solicited, as was written testimony.

In developing the report, the Commission did extensive legal research, including a thorough review of the history of Florida's open government laws, a study of current statutory law and applicable case law, and a study of laws enacted in other states.

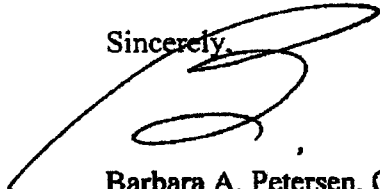
Generally considered a leader in the area of open government, Florida has a long history of providing public access to the meetings and records of its government. This rich tradition of open government culminated in the 1992 general election when Florida voters overwhelmingly approved a constitutional amendment guaranteeing access to the records of all three branches of state government and to the meetings of the collegial bodies of state agencies and local governments at which public business is to be transacted or discussed.

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Although both the open meetings law and the public records law have been amended since first enacted and some reforms made, never in Florida's long history of open government have both laws been reviewed in their entirety. As a result, there are inconsistencies and redundancies in the law, and some argue that the state's open government laws have failed to keep pace with today's technology, resulting in an erosion of the public's constitutional right of access to government meetings and records.

We respectfully submit the final report, Reforming Florida's Open Government Laws in the 21<sup>st</sup> Century, including the conclusions and recommendations, of the Commission on Open Government Reform.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'B. Petersen', written over the word 'Sincerely,'.

Barbara A. Petersen, Chair

Enclosure



CHARLIE CRIST  
GOVERNOR

STATE OF FLORIDA

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