

CHAPTER 2023-41

Committee Substitute for Senate Bill No. 234

An act relating to statutorily required reports; amending s. 286.001, F.S.; defining the term “state entity”; revising the procedure for filing statutorily required or authorized reports; deleting provisions requiring that abstracts be filed for statutorily required or authorized reports; requiring state entities to redact exempt or confidential and exempt information from reports before filing; providing that the Division of Library and Information Services of the Department of State or the department, or any contractor thereof, is not responsible for redaction and may not be held liable for the failure of a state entity to redact exempt or confidential and exempt information from its reports; requiring state entities to submit a specified accompanying statement identifying the applicable provisions for such redactions; requiring the state entity to retain or archive reports in accordance with certain schedules; requiring the division to compile and annually update a list of all statutorily required reports and their submission dates; requiring the division to publish such list on the department’s website; requiring the division to compile, beginning on a specified date, bibliographic information on received reports in a specified system; requiring the division to update the bibliographic information on a quarterly basis; requiring that the bibliographic information be distributed quarterly to the Governor and the Legislature, beginning on a specified date; providing legislative findings and intent; requiring the division to implement and maintain a publicly available, Internet-based system for such reports by a specified date; specifying features and functions for such system; deleting a provision requiring state entities to create, store, manage, update, retrieve, and disseminate statutorily required or authorized reports in an electronic format; deleting a provision related to construction; providing an appropriation; providing an effective date.

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

Section 1. Section 286.001, Florida Statutes, is amended to read:

286.001 Reports statutorily required; filing, maintenance, retrieval, and provision of copies.—

(1) For purposes of this section, the term “state entity” means any agency or officer of the executive, legislative, or judicial branch of state government, the State Board of Education, the Board of Governors of the State University System, the Public Service Commission, or a water management district operating under the authority of chapter 373.

(2) ~~A state entity Unless otherwise specifically provided by law, any agency or officer of the executive, legislative, or judicial branches of state government, the State Board of Education, the Board of Governors of the~~

~~State University System, or the Public Service Commission required or authorized by law to make a regular or periodic report reports regularly or periodically shall fulfill the requirement to submit the report by electronically filing such requirement by filing an abstract of the report with the statutorily or administratively designated recipients of the report and an abstract and one copy of the report with the Division of Library and Information Services of the Department of State, unless the head of the reporting entity makes a determination that the additional cost of providing the entire report to the statutorily or administratively designated recipients is justified. A one-page summary justifying the determination shall be submitted to the chairs of the governmental operations committees of both houses of the Legislature. The abstract of the contents of such report shall be no more than one-half page in length. The actual report must shall be retained by the reporting agency or officer, and copies of the report must shall be provided to interested parties and the statutorily or administratively designated recipients of the report upon request.~~

(a) A state entity that submits a report pursuant to this section is solely responsible for redacting any portion of the report which is not subject to public inspection. The division or the department, or any contractor thereof, is not responsible for and may not be held liable for the failure of a state entity to redact exempt or confidential and exempt information from its reports.

(b) If a report is redacted, the state entity submitting the report must provide to the division an accompanying statement that identifies the specific statutory basis for the redaction.

(3) The state entity shall retain or archive each report in accordance with the applicable records retention schedule.

~~(4)(2) With respect to reports statutorily required of state entities agencies or officers within the executive, legislative, or judicial branches of state government, the State Board of Education, the Board of Governors of the State University System, or the Public Service Commission, it is the duty of the division, in addition to its duties under s. 257.05, to:~~

(a) By November 1, 2023, with assistance from the state entities, compile a list of statutorily required reports and their submission dates. The division shall update this list by each November 1 thereafter. The division shall publish the list on the Department of State's publicly accessible website. Regularly compile and update bibliographic information on such reports for distribution as provided in paragraph (b). Such bibliographic information may be included in the bibliographies prepared by the division pursuant to s. 257.05(3).

(b) Beginning January 1, 2024, compile bibliographic information on each statutorily required report it receives for publication in the system implemented and maintained under subsection (5). The division shall update the bibliographic information on a quarterly basis. The bibliographic

information may be included in the bibliographies prepared by the division pursuant to s. 257.05(3).

(c) Beginning April 15, 2024, and each calendar quarter thereafter, distribute the most recently completed quarter's bibliography created pursuant to paragraph (b) to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) The Legislature finds that statutory reporting requirements for state entities is of great value to the public for accountability and transparency in government. A single, modern, Internet-based repository is necessary to compile reports on government activities as well as to ensure that statutorily required reports are easily accessible and available to the public. The ability to search for a statutorily required report by specific information will save time for the requestor and reduce the workload of state entities that are required to respond to requests for reports. Therefore, the Legislature intends that the division receive statutorily required reports, and by January 1, 2024, the division shall implement and maintain a publicly available, Internet-based system that includes, but is not limited to, the following features and functions:

(a) A section or subsection that is dedicated to the cataloging of statutorily required reports;

(b) The ability for state entities to electronically file statutorily required reports and to receive electronic confirmation of those filings;

(c) The ability to search for and retrieve electronic versions of statutorily required reports by using the report's designated recipient, the state entity that submitted the report, the date of the report's submission, the law requiring the state entity to submit the report, the title or topic of the report, and identifiable keywords; and

(d) The ability for users to receive automated notifications of the filing of statutorily required reports based on user-defined criteria Provide for at least quarterly distribution of bibliographic information on reports to:

1. Agencies and officers within the executive, legislative, and judicial branches of state government, the State Board of Education, the Board of Governors of the State University System, and the Public Service Commission, free of charge; and

2. Other interested parties upon request properly made and upon payment of the actual cost of duplication pursuant to s. 119.07(1).

(3) As soon as practicable, the administrative head of each executive, legislative, or judicial agency and each agency of the State Board of Education, the Board of Governors of the State University System, and the Public Service Commission required by law to make reports periodically shall ensure that those reports are created, stored, managed, updated, retrieved, and disseminated through electronic means.

(4)—This section may not be construed to waive or modify the requirement in s. 257.05(2) pertaining to the provision of copies of state publications to the division.

Section 2. For the 2023-2024 fiscal year, the sum of \$1 million in nonrecurring funds from the General Revenue Fund is appropriated to the Department of State for the purpose of implementing and maintaining the searchable, publicly available, Internet-based system for statutorily required reports as required by this act.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor May 11, 2023.

Filed in Office Secretary of State May 11, 2023.