

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 1005.38, F.S., relating
 4 to exemptions from public record and public meeting
 5 requirements for investigatory records held by and
 6 portions of meetings conducted by the Commission for
 7 Independent Education in disciplinary proceedings;
 8 removing the scheduled repeal of the exemptions;
 9 providing an effective date.

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

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13 Section 1. Paragraph (b) of subsection (6) of section
 14 1005.38, Florida Statutes, is amended to read:

15 1005.38 Actions against a licensee and other penalties.—

16 (6) The commission may conduct disciplinary proceedings
 17 through an investigation of any suspected violation of this
 18 chapter or any rule of the commission, including a finding of
 19 probable cause and making reports to any law enforcement agency
 20 or regulatory agency.

21 (b)1. All investigatory records held by the commission in
 22 conjunction with an investigation conducted pursuant to this
 23 subsection are exempt from s. 119.07(1) and s. 24(a), Art. I of
 24 the State Constitution for a period not to exceed 10 days after
 25 the panel makes a determination regarding probable cause.

26 2.a. Those portions of meetings of the probable cause

27 | panel at which records made exempt pursuant to subparagraph 1.
 28 | are discussed are exempt from s. 286.011 and s. 24(b), Art. I of
 29 | the State Constitution. The closed portion of a meeting must be
 30 | recorded and no portion of the closed meeting may be off the
 31 | record. The recording shall be maintained by the commission.

32 | b. The recording of a closed portion of a meeting and the
 33 | minutes and findings of such meeting are exempt from s.
 34 | 119.07(1) and s. 24(a), Art. I of the State Constitution for a
 35 | period not to exceed 10 days after the panel makes a
 36 | determination regarding probable cause.

37 | ~~3. This paragraph is subject to the Open Government Sunset~~
 38 | ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
 39 | ~~on October 2, 2015, unless reviewed and saved from repeal~~
 40 | ~~through reenactment by the Legislature.~~

41 | Section 2. This act shall take effect October 1, 2015.