



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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SENATOR WILTON SIMPSON

18th District

Memorandum

To: Florida's Business Community
From: State Senator Wilton Simpson
Date: May 23, 2016
Re: Public Records Lawsuits

If your business has contracts with local or state government, you need to understand the change that was made to the public records law.

Under the new law, a person must make a request for public records directly to the contracting agency. If the agency doesn't have the requested records, the agency must then contact you, the contractor.

Recently, it's come to my attention that individuals are still contacting businesses directly and demanding public records relating to contracts. **This is against the law.**

In some cases, state agencies are telling contractors to send records directly to individuals who have requested them. **This is against the law.**

Businesses are being sued in direct violation of the process outlined in the new law and are then being pressured into paying a cash settlement to avoid going to court. **This is wrong.**

On March 8, 2016, House Bill 273 was signed into law and took effect immediately:
<http://laws.flrules.org/2016/20>

The Florida Legislature passed this law to protect businesses. For more background info, please see:
<http://www.flsenate.gov/Media/PressReleases/Show/2156>
<http://www.flsenate.gov/Media/PressReleases/Show/2302>
<http://www.flsenate.gov/Media/PressReleases/Show/2095>
<http://www.flsenate.gov/Session/Bill/2016/0390/Analyses/2016s0390.fp.PDF>
<http://www.myfloridalegal.com/ago.nsf/Opinions/FFA361674B780AE085257CFD00650CCB>

Please read the law, share with your business associates and contact Rachel Perrin Rogers in my office at PerrinRogers.Rachel@FLSenate.gov or 850.487.5018 if you have further questions.

REPLY TO:

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ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore