

Reference:

Article I, Section 24, Article XII, Section 20

Ballot Title:

Access to Public Records and Meetings

Ballot Summary:

Proposing an amendment to the State Constitution, effective July 1, 1993, to grant public access to records and meetings of the executive, judicial, and legislative branches of the government, and other governmental entities; to allow the legislature to enact exemptions and rules; continuing existing exemptions until repealed; and to apply existing exemptions relating to records of other governmental entities to judicial and legislative records.

Full Text:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 24. Access to public records and meetings.-

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this constitution. This section specifically includes the legislative, executive, and judicial branches of the government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this constitution.

(b) All meetings of any collegial public body of the executive branch of state government or any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislative shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this constitution.

(c) This section shall be self-executing. The legislature, however, may provide by general law for the exemption of records from the requirements of subsection (A) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are In effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

ARTICLE XII

SCHEDULE

SECTION 20. Access to public records. – Section 24 of Article I, relating to access to public records, shall take effect July 1,1993.