

## Florida's Sunshine Law

Florida's Government-in-the-Sunshine Law ensures the public's right of access to governmental meetings and records. All public institutions must adhere to Florida's Sunshine Laws.

### Meetings



Virtually all state and local public bodies, whether elected or appointed, are subject to the open meetings requirements. For your meetings, this means that:

- (1) meetings must be open and accessible to the public;
- (2) reasonable notice of such meetings must be given; and
- (3) minutes of the meetings must be taken.

**What constitutes a meeting?** Any time two or more members discuss matters that are before the council— or foreseeably may come before the council— the discussion is regarded as a meeting. This applies to informal encounters or discussions as well as formal meetings and actions. There is no requirement for a quorum to be present for the meeting to be covered under the law.

### Public Records

**What are public records?** The Florida Supreme Court has determined that public records are all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge. In addition to written documents such as papers, letters, maps, and books, public records may include tapes, photographs, films, sound recordings, data processing software or other material connected with the transaction of official business. (Portions of public records which are confidential, such as social security numbers, medical records and so on, must be redacted before the document can be released to the public.)



**How may an individual obtain public records?** A request for public records may be made in person, over the phone or in writing, and the requester is not obligated to disclose the reason for the request. A custodian of public records must honor the request, provided any applicable fees are paid. Should a public records request be denied on the basis that it is exempt from inspection, the custodian must state the basis for that exemption including the statutory citation.

The local state attorney may prosecute alleged violations of the open meetings and public records laws.

*For more information on Florida's Sunshine Law, you can download the [Government in the Sunshine Manual](#), compiled by the Attorney General's Office and published annually by the First Amendment Foundation.*