

# CHAPTER 83-273

## House Bill No. 1257

An act relating to public hearings and meetings; adding s. 120.52(15), Florida Statutes, 1982 Supplement, defining "communications media technology"; adding s. 120.53(6), Florida Statutes, requiring agencies to adopt rules for the use of certain communications media technology for the presentation of testimony, evidence, and argument, including oral and written communications, at meetings, hearings, and workshops; providing an effective date.

WHEREAS, state agencies and the public should be allowed to employ advances in telecommunication media technology to increase efficiency and convenience of transacting public business with or by a state agency, and

WHEREAS, any communications received should be afforded equal consideration regardless of the method of communication, NOW, THEREFORE

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

Section 1. Short title.--This act shall be cited as the "Telecommunications in Evidence Act."

Section 2. Subsection (15) is added to section 120.52, Florida Statutes, 1982 Supplement, to read:

120.52 Definitions.--As used in this act:

(15) "Communications media technology" means the electronic transmission of printed matter, audio, full motion video, freeze frame video, compressed video, and digital video, by any method available.

Section 3. Subsection (6) is added to section 120.53, Florida statutes, to read:

120.53 Adoption of rules of procedure and public inspection.--

6 Each state agency, as defined in s. 216.011 shall adopt rules providing a procedure for conducting meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such meetings, hearings, and workshops, by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. Nothing in this subsection shall be construed to diminish the public's right to inspect public records under chapter

119. Limiting points of access to meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the public's right of access and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such meetings, hearings, and workshops.

Section 4. This act shall take effect October 1, 1983.

Approved by the Governor June 24, 1983.

Filed in Office Secretary of State June 27, 1983.