



First Amendment FOUNDATION

ANTI-PROTEST BILL BLOCKED

A federal judge enjoined the anti-protest law passed and signed into law in April. Nonprofit organizations, including the Dream Defenders, sued to prevent the law from being enforced arguing it chilled their constitutional right of speech.

Judge Mark Walker explained that the chilling effect is "particularly pronounced given that the law not only creates a risk of prosecution, but also subjects the person to mandatory time in custody until first appearance." The court found the law overbroad and vague in violation of the First Amendment.

As Judge Walker noted the vagueness of the law "permits those in power to weaponize its enforcement against *any* group who wishes to express *any* message that the government disproves of...while there may be some Floridians who welcome the chilling effect that this law has on plaintiffs in this case, depending on who is in power next time, it could be their ox being gored."



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NEW STUDY: OPEN GOVERNMENT COALITIONS MAKE A DIFFERENCE

A new study published in the Journal of Civic Information finds that the states with open government coalitions (like FAF) are more likely to have counties that have better public records outcomes. FAF is proud to serve the public and promote transparency in the Sunshine State. We will continue to advocate and defend your right of access.

APPLICATIONS OPEN FOR 2022 LEGAL FELLOW

FAF is seeking applicants for the 2022 Weiss Open Government Legal Fellowship. The fellow will analyze and track legislation that amends the Public Records Act and Sunshine Law. The fellow will receive a monthly stipend. Application information available on [FAF's website](#).

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READ THE OPINION

A textbook review committee is subject to the Sunshine Law and must meet in public. In *Florida Citizens Alliance v. School Board of Collier County*, the Second District Court of Appeal ruled that the committee, which was delegated authority to review and evaluate textbooks and make recommendations for the school board, must meet in public and provide reasonable notice of meetings. This decision reaffirms that the **entire decision-making process** is subject to the Sunshine Law. In addition, when decision-making authority has been delegated to a committee, its meetings must be open to the public, regardless of the review procedures used by the board.

IN OTHER NEWS

Judge Daniel finds in Rayonier's favor -- BOCC officials violated Public Records Act Adam Kaufman *Fernandina Observer*

- Judge rules Nassau County officials violated public records laws by failing to timely provide records and improperly deleting text messages.

State workers scared over COVID, say Florida agencies have no plan to protect them James Call *Tallahassee Democrat*

- Want to know a state agency's COVID protocols? It may take months. Some state agencies have failed to fulfill requests for agency policies submitted in March. After more than 170 days, the Department of Health stated it had no records responsive to the request.

United Faculty of Florida seeking public records regarding COVID safety Emilie Kyler *CBS4*



2022 LEGISLATIVE UPDATE

Fall interim committee weeks start next week. Ahead of committee weeks, FAF has reviewed the exemptions subject to the Open Government Sunset Review Act. [You can read FAF's recommendations here.](#)

Our efforts to ensure access to public records and meetings is made possible with your support. To help sustain our legislative advocacy, [contribute here.](#)