

Section 1. Section 286.0114, Florida Statutes, is created to read:

286.0114 Meetings of governing bodies of local government authorities; citizen participation entitlement.--

(1) SHORT TITLE.--This act may be cited as the "Vox Populi – Voice of the People Act."

(2) DEFINITIONS.--For purposes of this section, the term:

(a) "Governing body" means the governing body or governing board of a local government authority as defined in paragraph (b), and includes both elected and appointed members thereof.

(b) "Local government authority" means any regional, county, or municipal governmental entity, special district, community college district, or school district, or any elected or appointed political subdivision thereof.

(c) "Public meeting" means any meeting of the governing body of a local government authority, whether designated as a regular meeting, special meeting, ~~or emergency, or workshop~~ meeting, subject to s. 286.011(1) which are not otherwise exempt from public meeting requirements under state or federal law.

(3) PURPOSE.--The State of Florida is committed to democratic, participatory government that seeks to involve citizens in all aspects of the decisionmaking process. The purpose of this act is to delineate and prescribe uniform requirements with respect to opportunities for citizen input and full citizen participation at ~~official~~ meetings of governing bodies of local government authorities.

(4) MEETING DECORUM.--

(a) Meetings of the governing body of a local government authority are ~~formal~~ governmental meetings that are conducted to transact public business. In conducting the public's business, the governing body shall maintain a commitment to the principles of civility, honor, and dignity. Individuals appearing before the governing body of a local government authority are required to observe these principles when making comments on items and issues before the governing body for consideration.

(b) Individuals appearing before the governing body ~~may, but shall not be required to,~~ state their name and address for the public record. All comments must be made from an easily accessible central location or by other reasonable accommodations and shall address the subject of the agenda item as provided in this section. Members of the governing body, staff members, and citizens are required to use civil and appropriate language when addressing the governing body or the audience and must refrain from using profanity, cursing, or exhibiting aggressive or threatening behavior when addressing the governing body or other participants. All comments must be directed to the presiding officer or the members of the governing body and not to ~~individual members of the governing body or to the audience.~~ ~~No personal verbal attacks toward any individual by either the governing body, staff, or citizens shall be allowed during a meeting of the governing body.~~

(c) Participants shall adhere to their allotted time for addressing the governing body as provided in this section and may submit written documents in order to fully address their concerns with the governing body.

(5) CITIZEN PARTICIPATION ENTITLEMENT; REQUIREMENTS.—The governing body of a local government authority must provide opportunities for citizens to address issues at ~~official~~ meetings of the governing body during each order of business as described in paragraphs (a)-(f):

(a) Non-agenda or citizen-participation order of business.—

1. The governing body of a local government authority must allocate, at a minimum, 15 minutes at the beginning of each meeting of the governing body for citizens who wish to appear before the governing body to make a request of the governing body, voice a complaint or concern, express an opinion, or express recognition. The presiding officer shall divide the allotted time equally among all who have registered to speak, but in no case may a citizen be allotted less than 3 minutes to speak. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. If an item presented under the citizen-participation portion of the non-agenda order of business requires a longer presentation by the citizen or requires staff research or materials, the item shall be rescheduled by the presiding officer for ~~a future~~ the next regularly scheduled meeting of the governing body under the citizen-participation portion of the order of business dealing with agenda items.

2. The non-agenda or citizen-participation order of business shall be scheduled near the beginning of the meeting and in no event shall the non-agenda or citizen-participation order of business be the final item on the order of business, unless provision is made for more than one non-agenda or citizen-participation order of business per meeting.

(b) Agenda order of business.—

1. An item brought before the governing body under the citizen-participation or non-agenda order of business which cannot be presented within the prescribed 3-minute timeframe or which requires additional research or materials in order for the governing body to properly respond may be placed on the governing body's agenda by either of the following means:

a. The presiding officer shall schedule the item for ~~a future~~ the next regularly scheduled meeting of the governing body under the citizen participation portion of the agenda; or

b. The citizen must submit a request in writing to appear on the governing body's agenda and file such request with the office of the appropriate official designated by the governing body for the filing of such request a minimum of 2 weeks in advance of the

meeting of the governing body. The written request shall state the nature of the item and shall request that the item be placed on an upcoming agenda of the governing body. A copy of the letter must be provided to the governing body on the day that it is received by the designated official's office. The designated official shall ensure that a copy of the letter is provided to the proper governmental department so that research can be conducted and information provided to the governing body as part of the agenda and to allow staff an appropriate amount of time to prepare a staff report and provide additional data to the governing body that will assist in making a decision.

2. The individual making the request and the staff of the governing body shall be granted ~~all the time necessary~~ no less than 15 minutes to make the presentation. Any other individual who wishes to address the governing body in either support of or opposition to the agenda item shall be allotted no less than 3 minutes to make his or her presentation. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. ~~The presiding officer may rule an individual out of order if he or she begins repeating information that has already been presented by either the individual who made the request or another individual who has already spoken either in favor of or in opposition to the agenda item.~~

(c) Submission of petitions.--With respect to the order of business devoted to petitions to the governing body that are not part of another agenda item or that are part of the citizen participation portion of the non-agenda order of business, the allotment of time for the presentation must be no less than 3 minutes. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. If the extension is not granted, the citizen may request that the item be scheduled as an agenda item pursuant to subparagraph (a)1.

(d) Public hearings.--

1.a. For purposes of this section, "public hearings" are formal hearings conducted by the governing body of a local government authority pursuant to state or federal law which may:

- (I) Be legally noticed.
- (II) Be advertised hearings for specific items scheduled on the agenda of the governing body.
- (III) Be quasi-judicial or legislative in nature.
- (IV) Have specific formats that must be followed and that are established by law.

b. All ordinance considerations are conducted as formal public hearings and are normally considered as a normal agenda

item. In cases of ordinance consideration, the presiding officer shall announce that the hearing is a public hearing.

2. During a public hearing, a citizen other than an applicant who wishes to address the governing body may do so by either completing a citizen-participation form prior to the commencement of the meeting or by raising his or her hand at the time the presiding officer inquires as to the presence of citizens wishing to address the issue and waiting to be recognized by the presiding officer. Persons who have completed a citizen-participation form prior to the beginning of the meeting shall be allowed to speak first. All individuals addressing the governing body must clearly state their name and address for the record. Citizens shall be allotted no less than 3 minutes per person to address the governing body. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. ~~The presiding officer may rule an individual out of order if he or she begins to repeat information or present material that has already been presented by the other speakers.~~

(e) Regular agenda.--

1. The governing body must provide an opportunity for citizens to address all other agenda items, allowing citizens to speak in favor of or in opposition to a normal agenda item or to ask questions about such item. If the item is on the governing body's consent agenda and a citizen expresses a desire to speak to or ask questions regarding the item, the governing body must withdraw the item from the consent agenda. Citizens must be allowed no less than 3 minutes to comment or ask questions regarding the item. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. If the citizen's questions cannot be answered in a reasonably brief amount of time, the governing body may table the item and schedule it at a regular meeting of the governing body or take final action on the item. The presiding officer must recognize all who wish to speak. ~~The presiding officer may rule an individual out of order if he or she begins to repeat information or present materials presented by other speakers.~~

2. If the item is on the non-consent agenda, citizens must be given no less than 3 minutes to comment or ask questions about the agenda item, with an extension of time to be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. The presiding officer must recognize all who wish to speak. ~~The presiding officer may rule an individual out of order if he or she begins to repeat information or present materials presented by other speakers.~~

(f) Governing body reports and comments.--At the conclusion of each meeting of the governing body, the governing body must schedule

an order of business during which the governing body reports with respect to various boards, committees, and groups on which the local government authority is represented. The governing body must allocate time to make general comments during which citizens who desire additional information concerning such boards, committees, and groups and the actions thereof may ~~seek~~ ~~try to obtain~~ information and during which citizens can address or seek clarification on general comments made by the governing body. The presiding officer must allow citizens to comment on or ask questions regarding reports or comments made by the governing body members. Citizens must be given no less than 3 minutes to comment or ask questions. An extension of time may be granted by the presiding officer at the discretion of the presiding officer or upon a majority vote of the governing body. The questions or comments must address the item that is being presented to the governing body by the other governing body members. The presiding officer must recognize an individual who indicates a desire to speak on the item. The presiding officer may rule an individual out of order if he or she is not addressing the issue that is being discussed ~~or is repeating information or presenting materials that have been presented by others.~~

(6) ADOPTION OF WRITTEN POLICY.--Each local government authority must adopt a written policy that implements the requirements of this section by October 1, 2008. The policy must be prominently displayed at the site of all meetings of the local government authority that are subject to the provisions of this act. If the local government authority maintains a website, the policy or a link thereto must be prominently displayed on the home page of the website within 30 days after the adoption of the policy.

(7) CONSTRUCTION.-- Nothing in this act shall preclude a local government authority from adopting a policy that provides for greater rights or opportunities for citizens to comment on or participate in public meetings of the governing body of a local government authority.

Section 2. This act shall take effect July 1, 2008.