



# GOVERNMENT IN THE SUNSHINE

Sunshine in the Work Place, Social Events and Other Board or Council Meetings

## Overview

Section 286.011, Fla. Stat., and Art. 1, Section 24, Fla. Constitution requires meetings of boards or councils (councils) that act in an advisory capacity to be open to the public at all times. Council members may only discuss council issues in a meeting that has been publicly noticed.

Reasonable notice (at least 7 days unless it is an emergency meeting) to the public must be provided through publication in the Florida Administrative Register and on the agency's website. Department staff will submit public notices on behalf of the council.

Sunshine laws are triggered when two or more members of the council gather together to discuss issues before the council, or issues that could foreseeably come before the council.

## Helpful Clarification

- Telephone calls are included in the notice requirement. If two or more council members intend to discuss council issues the telephone call must be properly noticed and public access to the call must be provided.
- Written communication between two or more council members regarding issues that will or may come before the council is not allowed. Written reports may be circulated by Department staff prior to a council meeting, but comments, discussions or decisions regarding the report may not be made except during the publicly noticed meeting.
- Council members cannot use a non-council member as a liaison to communicate with other council members.
- Council members who are colleagues in the same work environment must avoid any discussion of council issues in the course of their employment.
- Council members who serve on other boards together must refrain from discussing issues that will or may come before the council during the other board meeting. However, if there are potential council issues on the agenda of another board meeting in which two or more council members intend to participate, then council members may request staff to publish notice of the other board meeting so that they may openly participate in that discussion. This additional notice would need to be published at least 7 days prior to the other board meeting.
- Council members can discuss council issues with Department staff without violating sunshine laws but a council member cannot use staff to circulate information or ideas from one council member to another.
- Two or more council members can attend social events such as lunch or conventions but must refrain from discussing issues that will or could come before the council during these events.

## Additional Questions

Please direct any additional Government in the Sunshine questions to the Department's Office of General Counsel at 850-245-4005.

[Public Records and Government in the Sunshine PowerPoint](#)