

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/HB 913 — Public Records/Records Held by Public Airports

by Government Operations Subcommittee; and Rep. Horner and others (CS/SB 994 by Commerce and Tourism Committee; and Senator Latvala)

This bill creates public records exemptions for:

- Proprietary confidential business information held by a public airport. The exemption expires when the confidential and exempt information is otherwise publicly available or is no longer treated by the proprietor as proprietary confidential business information.
- Trade secrets held by a public airport.
- A proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities. The public records exemption expires upon approval by the governing body of a public airport. If a proposal or counterproposal is not submitted to the governing body for approval, then the public records exemption for the proposal or counterproposal expires 90 days after the cessation of negotiations between the public airport and the nongovernmental entity.

The bill creates definitions for terms used in the exemptions.

The bill provides for repeal of the exemptions pursuant to the Open Government Sunset Review Act unless reviewed and saved from repeal by the Legislature. The bill also provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 38-1; House 92-24