

By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Fasano

301-2070-03

1 A bill to be entitled
 2 An act relating to public records and meetings;
 3 creating s. 331.421, F.S., relating to
 4 exemptions from public-records requirements and
 5 public-meetings requirements for the Florida
 6 Commercial Space Finance Corporation;
 7 clarifying that the corporation is subject to
 8 the provisions of ss. 288.075 and 331.326,
 9 F.S., which provide for the confidentiality of
 10 certain information; providing that certain
 11 closed meetings of the corporation's board of
 12 directors are confidential and exempt from
 13 public-meetings requirements; providing that
 14 records generated during closed meetings are
 15 confidential and exempt from disclosure;
 16 providing an effective date.

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

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 20 Section 1. Section 331.421, Florida Statutes, is
 21 created to read:

22 331.421 Confidential information.--
 23 (1) The Legislature has determined that, as this
 24 corporation is an investment and financing organization,
 25 protecting the confidential information of the corporation,
 26 its applicants, and clients is a public necessity critical to
 27 expanding and supporting the aerospace industry in Florida.
 28 Therefore, in addition to the protections afforded the records
 29 of the corporation under s. 288.075, and in accordance with s.
 30 331.326, which section is hereby deemed to also apply to the
 31 corporation, any meeting or portion of a meeting of the

1 corporation's board of directors is exempt from the provisions
2 of s. 286.011 and s. 24(b), Art. I of the State Constitution
3 when the board is discussing methods of manufacture or
4 production, potential trade secrets, potentially patentable
5 material, actual trade secrets, actual patented material,
6 proprietary information, business transactions, financial and
7 proprietary information, and agreements or proposals to
8 receive funding, which discussions relate to applications or
9 clients of the corporation, or which relate to the
10 corporation, its affiliates, subsidiaries, or partnership
11 participants, such as private enterprises, educational
12 institutions, or other organizations.

13 (2) Any public record generated during the closed
14 portions of such meetings, such as minutes, tape recordings,
15 videotapes, transcriptions, or notes, is confidential and
16 exempt from the provisions of s. 119.07 and s. 24(a), Art. I
17 of the State Constitution to the extent provided in ss.
18 288.075 and 331.326.

19 Section 2. This act shall take effect upon becoming a
20 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1088

The bill provided the Legislature intended to support space-related economic growth. The committee substitute amended the bill to:

Provide that certain records of the Florida Commercial Space Financing Corporation are subject to the public records exemptions afforded under s. 288.075, F.S. (limited public record exemption granted to economic development agencies) and s. 331.326, F.S. (Florida Space Authority's exemption for trade secrets).

Provide that meetings of the corporation's board of directors are exempt from public meetings requirements when the board is meeting in closed executive session where specified confidential information is being discussed.