

By the Committee on Regulated Industries; and Senator Galvano

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 548.062, F.S.; providing an exemption from public
4 records requirements for the information in the
5 reports required to be submitted to the Florida State
6 Boxing Commission by a promoter or obtained by the
7 commission through audit of a promoter's records;
8 providing for future legislative review and repeal of
9 the exemption; providing a statement of public
10 necessity; providing a contingent effective date.

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

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14 Section 1. Section 548.062, Florida Statutes, is created to
15 read:

16 548.062 Public records exemption.—

17 (1) As used in this section, the term "proprietary
18 confidential business information" means information that is
19 held by the commission which is intended to be and is treated by
20 the promoter providing such information as private in that the
21 disclosure of the information would cause harm to the promoter
22 or its business operations, and that has not been disclosed
23 unless disclosed pursuant to a statutory provision, an order of
24 a court or administrative body, or a private agreement that
25 provides that the information will not be released to the
26 public. The term includes:

27 (a) The number of ticket sales for a match.

28 (b) The amount of gross receipts after a match.

29 (c) Trade secrets.

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30 (d) Business plans.

31 (e) Internal auditing controls and reports of internal
32 auditors.

33 (f) Security measures, systems, or procedures.

34 (g) Information relating to competitive interests, the
35 disclosure of which would impair the competitive business of the
36 promoter providing the information.

37 (2) Proprietary confidential business information provided
38 in the written report required to be filed with the commission
39 after a match or obtained by the commission through an audit of
40 the promoter's books and records pursuant to s. 548.06 is
41 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
42 of the State Constitution. Information made confidential and
43 exempt by this subsection may be disclosed to another
44 governmental entity in the performance of its duties and
45 responsibilities.

46 (3) This section is subject to the Open Government Sunset
47 Review Act in accordance with s. 119.15 and shall stand repealed
48 on October 2, 2019, unless reviewed and saved from repeal
49 through reenactment by the Legislature.

50 Section 2. The Legislature finds that it is a public
51 necessity that proprietary confidential business information be
52 protected from disclosure. The disclosure of proprietary
53 confidential business information could injure a promoter in the
54 marketplace by giving the promoter's competitors insights into
55 its financial status and business plan, thereby putting the
56 promoter at a competitive disadvantage. The Legislature also
57 finds that the harm to a promoter in disclosing proprietary
58 confidential business information significantly outweighs any

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59 public benefit derived from disclosure of the information. For
60 these reasons, the Legislature declares that any proprietary
61 confidential business information provided in the written report
62 that is required to be filed with the commission after a match
63 or obtained by the commission through an audit of the promoter's
64 books and records pursuant to s. 548.06, Florida Statutes, is
65 confidential and exempt from s. 119.07(1), Florida Statutes, and
66 s. 24(a), Article I of the State Constitution.

67 Section 3. This act shall take effect on the same date that
68 SB 810 or similar legislation takes effect, if such legislation
69 is adopted in the same legislative session or an extension
70 thereof and becomes law.