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LEGISLATIVE ACTION

Senate

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House

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The Committee on Commerce and Tourism (Gruters) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 119.07135, Florida Statutes, is created  
to read:

119.07135 Agency contracts; public records.-

(1) Any contract or agreement, or an addendum thereto, to  
which an agency or an entity subject to this chapter is a party,  
is a public record, except that confidential or exempt



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11 information contained therein may be redacted before release of  
12 the contract or agreement, or an addendum thereto, if the  
13 specific statutory exemption is identified.

14 (2) Notwithstanding any other provision of law, the  
15 following information related to any contract or agreement, or  
16 an addendum thereto, with an agency or an entity subject to this  
17 chapter is not confidential or exempt from s. 119.07(1) and s.  
18 24(a), Art. I of the State Constitution:

19 (a) The parties to the contract or agreement, or an  
20 addendum thereto, if the contract or agreement, or the addendum  
21 thereto, includes a provision requiring the agency or an entity  
22 subject to this chapter to expend funds.

23 (b) The amount of money paid, any payment structure or  
24 plan, expenditures, incentives, bonuses, fees, or penalties.

25 (c) The nature or type of the commodities or services  
26 purchased.

27 (d) Applicable contract unit prices and deliverables.

28 (3) This section does not apply to research institutes  
29 created or established in law, divisions of sponsored research  
30 at state universities, or technology transfer centers at Florida  
31 College System institutions.

32 Section 2. Subsection (12) of section 24.105, Florida  
33 Statutes, is amended to read:

34 24.105 Powers and duties of department.—The department  
35 shall:

36 ~~(12) (a) Determine by rule information relating to the~~  
37 ~~operation of the lottery which is confidential and exempt from~~  
38 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~  
39 ~~Constitution. Such information includes trade secrets; security~~



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40 ~~measures, systems, or procedures; security reports; information~~  
41 ~~concerning bids or other contractual data, the disclosure of~~  
42 ~~which would impair the efforts of the department to contract for~~  
43 ~~goods or services on favorable terms; employee personnel~~  
44 ~~information unrelated to compensation, duties, qualifications,~~  
45 ~~or responsibilities; and information obtained by the Division of~~  
46 ~~Security pursuant to its investigations which is otherwise~~  
47 ~~confidential. To be deemed confidential, the information must be~~  
48 ~~necessary to the security and integrity of the lottery.~~  
49 ~~Confidential information may be released to other governmental~~  
50 ~~entities as needed in connection with the performance of their~~  
51 ~~duties. The receiving governmental entity shall retain the~~  
52 ~~confidentiality of such information as provided for in this~~  
53 ~~subsection.~~

54       (a) ~~(b)~~ Maintain the confidentiality of the street address  
55 and the telephone number of a winner, in that such information  
56 is confidential and exempt from the provisions of s. 119.07(1)  
57 and s. 24(a), Art. I of the State Constitution, unless the  
58 winner consents to the release of such information or as  
59 provided for in s. 24.115(4) or s. 409.2577.

60       (b) ~~(c)~~ Any information made confidential and exempt from  
61 the provisions of s. 119.07(1) under this subsection shall be  
62 disclosed to the Auditor General, to the Office of Program  
63 Policy Analysis and Government Accountability, or to the  
64 independent auditor selected under s. 24.123 upon such person's  
65 request therefor. If the President of the Senate or the Speaker  
66 of the House of Representatives certifies that information made  
67 confidential under this subsection is necessary for effecting  
68 legislative changes, the requested information shall be



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69 disclosed to him or her, and he or she may disclose such  
70 information to members of the Legislature and legislative staff  
71 as necessary to effect such purpose.

72 Section 3. Paragraph (e) of subsection (1) of section  
73 73.0155, Florida Statutes, is amended to read:

74 73.0155 Confidentiality; business information provided to a  
75 governmental condemning authority.—

76 (1) The following business information provided by the  
77 owner of a business to a governmental condemning authority as  
78 part of an offer of business damages under s. 73.015 is  
79 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
80 of the State Constitution if the owner requests in writing that  
81 the business information be held confidential and exempt:

82 (e) Materials that relate to methods of manufacture or  
83 production ~~or, potential trade secrets, patentable material, or~~  
84 ~~actual trade secrets as defined in s. 688.002.~~

85 Section 4. Paragraph (f) of subsection (1) of section  
86 119.071, Florida Statutes, is amended to read:

87 119.071 General exemptions from inspection or copying of  
88 public records.—

89 (1) AGENCY ADMINISTRATION.—

90 (f) ~~Data processing software obtained by an agency under a~~  
91 ~~licensing agreement that prohibits its disclosure and which~~  
92 ~~software is a trade secret, as defined in s. 812.081, and~~  
93 Agency-produced data processing software that is sensitive is  
94 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
95 Constitution. The designation of agency-produced software as  
96 sensitive does not prohibit an agency head from sharing or  
97 exchanging such software with another public agency. ~~This~~



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98 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
99 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
100 ~~2021, unless reviewed and saved from repeal through reenactment~~  
101 ~~by the Legislature.~~

102 Section 5. Paragraph (a) of subsection (4) of section  
103 119.0713, Florida Statutes, is amended to read:

104 119.0713 Local government agency exemptions from inspection  
105 or copying of public records.—

106 (4) (a) Proprietary confidential business information means  
107 information, regardless of form or characteristics, which is  
108 held by an electric utility that is subject to this chapter, is  
109 intended to be and is treated by the entity that provided the  
110 information to the electric utility as private in that the  
111 disclosure of the information would cause harm to the entity  
112 providing the information or its business operations, and has  
113 not been disclosed unless disclosed pursuant to a statutory  
114 provision, an order of a court or administrative body, or a  
115 private agreement that provides that the information will not be  
116 released to the public. Proprietary confidential business  
117 information includes:

118 1. ~~Trade secrets, as defined in s. 688.002.~~

119 2. Internal auditing controls and reports of internal  
120 auditors.

121 2.3. Security measures, systems, or procedures.

122 3.4. Information concerning bids or other contractual data,  
123 the disclosure of which would impair the efforts of the electric  
124 utility to contract for goods or services on favorable terms.

125 4.5. Information relating to competitive interests, the  
126 disclosure of which would impair the competitive business of the



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127 provider of the information.

128 Section 6. Paragraph (d) of subsection (9) of section  
129 125.0104, Florida Statutes, is amended to read:

130 125.0104 Tourist development tax; procedure for levying;  
131 authorized uses; referendum; enforcement.—

132 (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any  
133 other powers and duties provided for agencies created for the  
134 purpose of tourism promotion by a county levying the tourist  
135 development tax, such agencies are authorized and empowered to:

136 (d) Undertake marketing research and advertising research  
137 studies and provide reservations services and convention and  
138 meetings booking services consistent with the authorized uses of  
139 revenue as set forth in subsection (5).

140 1. Information given to a county tourism promotion agency  
141 which, if released, would reveal the identity of persons or  
142 entities who provide data or other information as a response to  
143 a sales promotion effort, an advertisement, or a research  
144 project or whose names, addresses, meeting or convention plan  
145 information or accommodations or other visitation needs become  
146 booking or reservation list data, is exempt from s. 119.07(1)  
147 and s. 24(a), Art. I of the State Constitution.

148 2. ~~The following information,~~ When held by a county tourism  
149 promotion agency, booking business records, as defined in s.  
150 255.047, are is exempt from s. 119.07(1) and s. 24(a), Art. I of  
151 the State Constitution.÷

152 a. ~~Booking business records, as defined in s. 255.047.~~

153 b. ~~Trade secrets and commercial or financial information~~  
154 ~~gathered from a person and privileged or confidential, as~~  
155 ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~



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156 ~~amendments thereto.~~

157 ~~3. A trade secret, as defined in s. 812.081, held by a~~  
158 ~~county tourism promotion agency is exempt from s. 119.07(1) and~~  
159 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
160 ~~subject to the Open Government Sunset Review Act in accordance~~  
161 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
162 ~~unless reviewed and saved from repeal through reenactment by the~~  
163 ~~Legislature.~~

164 Section 7. Paragraph (m) of subsection (15) of section  
165 163.01, Florida Statutes, is amended to read:

166 163.01 Florida Interlocal Cooperation Act of 1969.—

167 (15) Notwithstanding any other provision of this section or  
168 of any other law except s. 361.14, any public agency of this  
169 state which is an electric utility, or any separate legal entity  
170 created pursuant to the provisions of this section, the  
171 membership of which consists only of electric utilities, and  
172 which exercises or proposes to exercise the powers granted by  
173 part II of chapter 361, the Joint Power Act, may exercise any or  
174 all of the following powers:

175 (m) In the event that any public agency or any such legal  
176 entity, or both, should receive, in connection with its joint  
177 ownership or right to the services, output, capacity, or energy  
178 of an electric project, as defined in paragraph (3)(d), any  
179 material which is designated by the person supplying such  
180 material as proprietary confidential business information or  
181 which a court of competent jurisdiction has designated as  
182 confidential or secret shall be kept confidential and shall be  
183 exempt from the provisions of s. 119.07(1). As used in this  
184 paragraph, "proprietary confidential business information"



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185 ~~includes, but is not limited to, trade secrets;~~ internal  
186 auditing controls and reports of internal auditors; security  
187 measures, systems, or procedures; ~~information concerning bids or~~  
188 ~~other contractual data, the disclosure of which would impair the~~  
189 ~~efforts of the utility to contract for services on favorable~~  
190 ~~terms;~~ employee personnel information unrelated to compensation,  
191 duties, qualifications, or responsibilities; and formulas,  
192 patterns, devices, combinations of devices, ~~contract costs,~~ or  
193 other information the disclosure of which would injure the  
194 affected entity in the marketplace.

195 Section 8. Subsection (2) of section 202.195, Florida  
196 Statutes, is amended to read:

197 202.195 Proprietary confidential business information;  
198 public records exemption.—

199 (2) For the purposes of this exemption, "proprietary  
200 confidential business information" includes maps, plans, billing  
201 and payment records, ~~trade secrets,~~ or other information  
202 relating to the provision of or facilities for communications  
203 service:

204 (a) That is intended to be and is treated by the company as  
205 confidential;

206 (b) The disclosure of which would be reasonably likely to  
207 be used by a competitor to harm the business interests of the  
208 company; and

209 (c) That is not otherwise readily ascertainable or publicly  
210 available by proper means by other persons from another source  
211 in the same configuration as requested by the local governmental  
212 entity.

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214 Proprietary confidential business information does not include  
215 schematics indicating the location of facilities for a specific  
216 site that are provided in the normal course of the local  
217 governmental entity's permitting process.

218 Section 9. Paragraphs (a), (c), and (d) of subsection (3)  
219 of section 215.4401, Florida Statutes, are amended to read:

220 215.4401 Board of Administration; public record  
221 exemptions.—

222 (3) (a) As used in this subsection, the term:

223 1. "Alternative investment" means an investment by the  
224 State Board of Administration in a private equity fund, venture  
225 fund, hedge fund, or distress fund or a direct investment in a  
226 portfolio company through an investment manager.

227 2. "Alternative investment vehicle" means the limited  
228 partnership, limited liability company, or similar legal  
229 structure or investment manager through which the State Board of  
230 Administration invests in a portfolio company.

231 3. "Portfolio company" means a corporation or other issuer,  
232 any of whose securities are owned by an alternative investment  
233 vehicle or the State Board of Administration and any subsidiary  
234 of such corporation or other issuer.

235 4. "Portfolio positions" means individual investments in  
236 portfolio companies which are made by the alternative investment  
237 vehicles, including information or specific investment terms  
238 associated with any portfolio company investment.

239 5. "Proprietor" means an alternative investment vehicle, a  
240 portfolio company in which the alternative investment vehicle is  
241 invested, or an outside consultant, including the respective  
242 authorized officers, employees, agents, or successors in



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243 interest, which controls or owns information provided to the  
244 State Board of Administration.

245 6. "Proprietary confidential business information" means  
246 information that has been designated by the proprietor when  
247 provided to the State Board of Administration as information  
248 that is owned or controlled by a proprietor; that is intended to  
249 be and is treated by the proprietor as private, the disclosure  
250 of which would harm the business operations of the proprietor  
251 and has not been intentionally disclosed by the proprietor  
252 unless pursuant to a private agreement that provides that the  
253 information will not be released to the public except as  
254 required by law or legal process, or pursuant to law or an order  
255 of a court or administrative body; and that concerns:

256 ~~a. Trade secrets as defined in s. 688.002.~~

257 ~~b.~~ Information provided to the State Board of  
258 Administration regarding a prospective investment in a private  
259 equity fund, venture fund, hedge fund, distress fund, or  
260 portfolio company which is proprietary to the provider of the  
261 information.

262 ~~b.e.~~ Financial statements and auditor reports of an  
263 alternative investment vehicle.

264 ~~c.d.~~ Meeting materials of an alternative investment vehicle  
265 relating to financial, operating, or marketing information of  
266 the alternative investment vehicle.

267 ~~d.e.~~ Information regarding the portfolio positions in which  
268 the alternative investment vehicles invest.

269 ~~e.f.~~ Capital call and distribution notices to investors of  
270 an alternative investment vehicle.

271 ~~f.g.~~ Alternative investment agreements and related records.



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272 ~~g.h.~~ Information concerning investors, other than the State  
273 Board of Administration, in an alternative investment vehicle.

274 7. "Proprietary confidential business information" does not  
275 include:

276 a. The name, address, and vintage year of an alternative  
277 investment vehicle and the identity of the principals involved  
278 in the management of the alternative investment vehicle.

279 b. The dollar amount of the commitment made by the State  
280 Board of Administration to each alternative investment vehicle  
281 since inception.

282 c. The dollar amount and date of cash contributions made by  
283 the State Board of Administration to each alternative investment  
284 vehicle since inception.

285 d. The dollar amount, on a fiscal-year-end basis, of cash  
286 distributions received by the State Board of Administration from  
287 each alternative investment vehicle.

288 e. The dollar amount, on a fiscal-year-end basis, of cash  
289 distributions received by the State Board of Administration plus  
290 the remaining value of alternative-vehicle assets that are  
291 attributable to the State Board of Administration's investment  
292 in each alternative investment vehicle.

293 f. The net internal rate of return of each alternative  
294 investment vehicle since inception.

295 g. The investment multiple of each alternative investment  
296 vehicle since inception.

297 h. The dollar amount of the total management fees and costs  
298 paid on an annual fiscal-year-end basis by the State Board of  
299 Administration to each alternative investment vehicle.

300 i. The dollar amount of cash profit received by the State



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301 Board of Administration from each alternative investment vehicle  
302 on a fiscal-year-end basis.

303 j. A description of any compensation, fees, or expenses,  
304 including the amount or value, paid or agreed to be paid by a  
305 proprietor to any person to solicit the board to make an  
306 alternative investment or investment through an alternative  
307 investment vehicle. This does not apply to an executive officer,  
308 general partner, managing member, or other employee of the  
309 proprietor, who is paid by the proprietor to solicit the board  
310 to make such investments.

311 (c)1. Notwithstanding the provisions of paragraph (b), a  
312 request to inspect or copy a record under s. 119.07(1) that  
313 contains proprietary confidential business information shall be  
314 granted if the proprietor of the information fails, within a  
315 reasonable period of time after the request is received by the  
316 State Board of Administration, to verify the following to the  
317 State Board of Administration through a written declaration in  
318 the manner provided by s. 92.525:

319 a. That the requested record contains proprietary  
320 confidential business information and the specific location of  
321 such information within the record;

322 ~~b. If the proprietary confidential business information is~~  
323 ~~a trade secret, a verification that it is a trade secret as~~  
324 ~~defined in s. 688.002;~~

325 ~~e.~~ That the proprietary confidential business information  
326 is intended to be and is treated by the proprietor as private,  
327 is the subject of efforts of the proprietor to maintain its  
328 privacy, and is not readily ascertainable or publicly available  
329 from any other source; and



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330        ~~c.d.~~ That the disclosure of the proprietary confidential  
331 business information to the public would harm the business  
332 operations of the proprietor.

333            2. The State Board of Administration shall maintain a list  
334 and a description of the records covered by any verified,  
335 written declaration made under this paragraph.

336            (d) Any person may petition a court of competent  
337 jurisdiction for an order for the public release of those  
338 portions of any record made confidential and exempt by paragraph  
339 (b). Any action under this paragraph must be brought in Leon  
340 County, Florida, and the petition or other initial pleading  
341 shall be served on the State Board of Administration and, if  
342 determinable upon diligent inquiry, on the proprietor of the  
343 information sought to be released. In any order for the public  
344 release of a record under this paragraph, the court shall make a  
345 finding ~~that the record or portion thereof is not a trade secret~~  
346 ~~as defined in s. 688.002,~~ that a compelling public interest is  
347 served by the release of the record or portions thereof which  
348 exceed the public necessity for maintaining the confidentiality  
349 of such record, and that the release of the record will not  
350 cause damage to or adversely affect the interests of the  
351 proprietor of the released information, other private persons or  
352 business entities, the State Board of Administration, or any  
353 trust fund, the assets of which are invested by the State Board  
354 of Administration.

355            Section 10. Subsection (1) of section 252.88, Florida  
356 Statutes, is amended to read:

357            252.88 Public records.—

358            (1) Whenever EPCRA authorizes an employer to exclude trade



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359 secret information from its submittals, the employer shall  
360 furnish the information so excluded to the commission upon  
361 request. ~~Such information shall be confidential and exempt from~~  
362 ~~the provisions of s. 119.07(1). The commission shall not~~  
363 ~~disclose such information except pursuant to a final~~  
364 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
365 ~~Environmental Protection Agency that such information is not~~  
366 ~~entitled to trade secret protection, or pursuant to an order of~~  
367 ~~court.~~

368 Section 11. Section 252.943, Florida Statutes, is repealed.

369 Section 12. Paragraph (h) of subsection (2) of section  
370 287.0943, Florida Statutes, is amended to read:

371 287.0943 Certification of minority business enterprises.-

372 (2)

373 (h) The certification procedures should allow an applicant  
374 seeking certification to designate on the application form the  
375 information the applicant considers to be proprietary,  
376 confidential business information. As used in this paragraph,  
377 "proprietary, confidential business information" includes, ~~but~~  
378 ~~is not limited to,~~ any information that would be exempt from  
379 public inspection pursuant to the provisions of chapter 119;  
380 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~  
381 ~~costs;~~ or other information the disclosure of which would injure  
382 the affected party in the marketplace or otherwise violate s.  
383 286.041. The executor in receipt of the application shall issue  
384 written and final notice of any information for which  
385 noninspection is requested but not provided for by law.

386 Section 13. Subsection (7) of section 288.047, Florida  
387 Statutes, is amended to read:



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388 288.047 Quick-response training for economic development.-

389 (7) In providing instruction pursuant to this section,  
390 materials that relate to methods of manufacture or production,  
391 ~~potential trade secrets~~, business transactions, or proprietary  
392 information received, produced, ascertained, or discovered by  
393 employees of the respective departments, district school boards,  
394 community college district boards of trustees, or other  
395 personnel employed for the purposes of this section is  
396 confidential and exempt from the provisions of s. 119.07(1). The  
397 state may seek copyright protection for instructional materials  
398 and ancillary written documents developed wholly or partially  
399 with state funds as a result of instruction provided pursuant to  
400 this section, except for materials that are confidential and  
401 exempt from the provisions of s. 119.07(1).

402 Section 14. Paragraph (c) of subsection (1) and subsection  
403 (3) of section 288.075, Florida Statutes, are amended, and  
404 present subsections (4) through (7) of that section are  
405 renumbered as subsections (3) through (6), respectively, to  
406 read:

407 288.075 Confidentiality of records.-

408 (1) DEFINITIONS.-As used in this section, the term:

409 ~~(c) "Trade secret" has the same meaning as in s. 688.002.~~

410 ~~(3) TRADE SECRETS.-Trade secrets held by an economic~~  
411 ~~development agency are confidential and exempt from s. 119.07(1)~~  
412 ~~and s. 24(a), Art. I of the State Constitution.~~

413 Section 15. Subsection (9) of section 288.1226, Florida  
414 Statutes, is amended to read:

415 288.1226 Florida Tourism Industry Marketing Corporation;  
416 use of property; board of directors; duties; audit.-



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417           (9) PUBLIC RECORDS EXEMPTION.—The identity of any person  
418 who responds to a marketing project or advertising research  
419 project conducted by the corporation in the performance of its  
420 duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
421 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
422 ~~activities, are exempt from s. 119.07(1) and s. 24(a), Art. I of~~  
423 ~~the State Constitution. This subsection is subject to the Open~~  
424 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
425 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
426 ~~saved from repeal through reenactment by the Legislature.~~

427           Section 16. Paragraph (d) of subsection (3) of section  
428 288.776, Florida Statutes, is amended to read:

429           288.776 Board of directors; powers and duties.—

430           (3) The board shall:

431           (d) Adopt policies, including criteria, establishing which  
432 exporters and export transactions shall be eligible for  
433 insurance, coinsurance, loan guarantees, and direct, guaranteed,  
434 or collateralized loans which may be extended by the  
435 corporation. Pursuant to this subsection, the board shall  
436 include the following criteria:

437           1. Any individual signing any corporation loan application  
438 and loan or guarantee agreement shall have an equity in the  
439 business applying for financial assistance.

440           2. Each program shall exclusively support the export of  
441 goods and services by small and medium-sized businesses which  
442 are domiciled in this state. Priority shall be given to goods  
443 which have value added in this state.

444           3. Financial assistance shall only be extended when at  
445 least one of the following circumstances exists:





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446           a. The assistance is required to secure the participation  
447 of small and medium-sized export businesses in federal, state,  
448 or private financing programs.

449           b. No conventional source of lender support is available  
450 for the business from public or private financing sources.

451  
452 Personal financial records, ~~trade secrets~~, or proprietary  
453 information of applicants shall be confidential and exempt from  
454 the provisions of s. 119.07(1).

455           Section 17. Section 288.9520, Florida Statutes, is amended  
456 to read:

457           288.9520 Public records exemption.—Materials that relate to  
458 methods of manufacture or production, ~~potential trade secrets~~,  
459 potentially patentable material, ~~actual trade secrets~~, business  
460 transactions, financial and proprietary information, and  
461 agreements or proposals to receive funding that are received,  
462 generated, ascertained, or discovered by Enterprise Florida,  
463 Inc., including its affiliates or subsidiaries and partnership  
464 participants, such as private enterprises, educational  
465 institutions, and other organizations, are confidential and  
466 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
467 of the State Constitution, except that a recipient of Enterprise  
468 Florida, Inc., research funds shall make available, upon  
469 request, the title and description of the research project, the  
470 name of the researcher, and the amount and source of funding  
471 provided for the project.

472           Section 18. Subsection (5) of section 288.9607, Florida  
473 Statutes, is amended to read:

474           288.9607 Guaranty of bond issues.—



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475 (5) Personal financial records, ~~trade secrets~~, or  
476 proprietary information of applicants delivered to or obtained  
477 by the corporation shall be confidential and exempt from the  
478 provisions of s. 119.07(1).

479 Section 19. Paragraph (f) of subsection (1), paragraph (a)  
480 of subsection (2), paragraph (a) of subsection (3), and  
481 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
482 Florida Statutes, are amended to read:

483 288.9626 Exemptions from public records and public meetings  
484 requirements for the Florida Opportunity Fund.—

485 (1) DEFINITIONS.—As used in this section, the term:

486 (f)1. "Proprietary confidential business information" means  
487 information that has been designated by the proprietor when  
488 provided to the Florida Opportunity Fund as information that is  
489 owned or controlled by a proprietor; that is intended to be and  
490 is treated by the proprietor as private, the disclosure of which  
491 would harm the business operations of the proprietor and has not  
492 been intentionally disclosed by the proprietor unless pursuant  
493 to a private agreement that provides that the information will  
494 not be released to the public except as required by law or legal  
495 process, or pursuant to law or an order of a court or  
496 administrative body; and that concerns:

497 a. ~~Trade secrets as defined in s. 688.002.~~

498 ~~b.~~ Information provided to the Florida Opportunity Fund  
499 regarding an existing or prospective alternative investment in a  
500 private equity fund, venture capital fund, angel fund, or  
501 portfolio company that is proprietary to the provider of the  
502 information.

503 ~~b.e.~~ Financial statements and auditor reports of an



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504 alternative investment vehicle or portfolio company, unless  
505 publicly released by the alternative investment vehicle or  
506 portfolio company.

507 ~~c.d.~~ Meeting materials of an alternative investment vehicle  
508 or portfolio company relating to financial, operating, or  
509 marketing information of the alternative investment vehicle or  
510 portfolio company.

511 ~~d.e.~~ Information regarding the portfolio positions in which  
512 the alternative investment vehicles or Florida Opportunity Fund  
513 invest.

514 ~~e.f.~~ Capital call and distribution notices to investors or  
515 the Florida Opportunity Fund of an alternative investment  
516 vehicle.

517 ~~f.g.~~ Alternative investment agreements and related records.

518 ~~g.h.~~ Information concerning investors, other than the  
519 Florida Opportunity Fund, in an alternative investment vehicle  
520 or portfolio company.

521 2. "Proprietary confidential business information" does not  
522 include:

523 a. The name, address, and vintage year of an alternative  
524 investment vehicle or Florida Opportunity Fund and the identity  
525 of the principals involved in the management of the alternative  
526 investment vehicle or Florida Opportunity Fund.

527 b. The dollar amount of the commitment made by the Florida  
528 Opportunity Fund to each alternative investment vehicle since  
529 inception, if any.

530 c. The dollar amount and date of cash contributions made by  
531 the Florida Opportunity Fund to each alternative investment  
532 vehicle since inception, if any.



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533           d. The dollar amount, on a fiscal-year-end basis, of cash  
534 or other fungible distributions received by the Florida  
535 Opportunity Fund from each alternative investment vehicle.

536           e. The dollar amount, on a fiscal-year-end basis, of cash  
537 or other fungible distributions received by the Florida  
538 Opportunity Fund plus the remaining value of alternative-vehicle  
539 assets that are attributable to the Florida Opportunity Fund's  
540 investment in each alternative investment vehicle.

541           f. The net internal rate of return of each alternative  
542 investment vehicle since inception.

543           g. The investment multiple of each alternative investment  
544 vehicle since inception.

545           h. The dollar amount of the total management fees and costs  
546 paid on an annual fiscal-year-end basis by the Florida  
547 Opportunity Fund to each alternative investment vehicle.

548           i. The dollar amount of cash profit received by the Florida  
549 Opportunity Fund from each alternative investment vehicle on a  
550 fiscal-year-end basis.

551           (2) PUBLIC RECORDS EXEMPTION.—

552           (a) The following records held by the Florida Opportunity  
553 Fund are confidential and exempt from s. 119.07(1) and s. 24(a),  
554 Art. I of the State Constitution:

555           1. Materials that relate to methods of manufacture or  
556 production, ~~potential trade secrets,~~ or patentable material  
557 received, generated, ascertained, or discovered during the  
558 course of research or through research projects and that are  
559 provided by a proprietor.

560           2. Information that would identify an investor or potential  
561 investor who desires to remain anonymous in projects reviewed by



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562 the Florida Opportunity Fund.

563 3. Proprietary confidential business information regarding  
564 alternative investments for 7 years after the termination of the  
565 alternative investment.

566 (3) PUBLIC MEETINGS EXEMPTION.—

567 (a) That portion of a meeting of the board of directors of  
568 the Florida Opportunity Fund at which information is discussed  
569 which is confidential and exempt under subsection (2) or s.  
570 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of the  
571 State Constitution.

572 (4) REQUEST TO INSPECT OR COPY A RECORD.—

573 (b) Notwithstanding the provisions of paragraph (2)(a), a  
574 request to inspect or copy a public record that contains  
575 proprietary confidential business information shall be granted  
576 if the proprietor of the information fails, within a reasonable  
577 period of time after the request is received by the Florida  
578 Opportunity Fund, to verify the following to the Florida  
579 Opportunity Fund through a written declaration in the manner  
580 provided by s. 92.525:

581 1. That the requested record contains proprietary  
582 confidential business information and the specific location of  
583 such information within the record;

584 ~~2. If the proprietary confidential business information is~~  
585 ~~a trade secret, a verification that it is a trade secret as~~  
586 ~~defined in s. 688.002;~~

587 ~~3.~~ That the proprietary confidential business information  
588 is intended to be and is treated by the proprietor as private,  
589 is the subject of efforts of the proprietor to maintain its  
590 privacy, and is not readily ascertainable or publicly available



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591 from any other source; and

592 ~~3.4.~~ That the disclosure of the proprietary confidential  
593 business information to the public would harm the business  
594 operations of the proprietor.

595 (c)1. Any person may petition a court of competent  
596 jurisdiction for an order for the public release of those  
597 portions of any record made confidential and exempt by  
598 subsection (2).

599 2. Any action under this subsection must be brought in  
600 Orange County, and the petition or other initial pleading shall  
601 be served on the Florida Opportunity Fund and, if determinable  
602 upon diligent inquiry, on the proprietor of the information  
603 sought to be released.

604 3. In any order for the public release of a record under  
605 this subsection, the court shall make a finding that:

606 a. ~~The record or portion thereof is not a trade secret as~~  
607 ~~defined in s. 688.002;~~

608 ~~b.~~ A compelling public interest is served by the release of  
609 the record or portions thereof which exceed the public necessity  
610 for maintaining the confidentiality of such record; and

611 ~~b.e.~~ The release of the record will not cause damage to or  
612 adversely affect the interests of the proprietor of the released  
613 information, other private persons or business entities, or the  
614 Florida Opportunity Fund.

615 Section 20. Paragraph (b) of subsection (1), paragraph (a)  
616 of subsection (2), paragraph (a) of subsection (3), and  
617 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
618 Florida Statutes, are amended to read:

619 288.9627 Exemptions from public records and public meetings



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620 requirements for the Institute for Commercialization of Florida  
621 Technology.—

622 (1) DEFINITIONS.—As used in this section, the term:

623 (b)1. “Proprietary confidential business information” means  
624 information that has been designated by the proprietor when  
625 provided to the institute as information that is owned or  
626 controlled by a proprietor; that is intended to be and is  
627 treated by the proprietor as private, the disclosure of which  
628 would harm the business operations of the proprietor and has not  
629 been intentionally disclosed by the proprietor unless pursuant  
630 to a private agreement that provides that the information will  
631 not be released to the public except as required by law or legal  
632 process, or pursuant to law or an order of a court or  
633 administrative body; and that concerns:

634 ~~a. Trade secrets as defined in s. 688.002.~~

635 ~~b.~~ Financial statements and internal or external auditor  
636 reports of a proprietor corporation, partnership, or person  
637 requesting confidentiality under this statute, unless publicly  
638 released by the proprietor.

639 ~~b.e.~~ Meeting materials related to financial, operating,  
640 investment, or marketing information of the proprietor  
641 corporation, partnership, or person.

642 ~~c.d.~~ Information concerning private investors in the  
643 proprietor corporation, partnership, or person.

644 2. “Proprietary confidential business information” does not  
645 include:

646 a. The identity and primary address of the proprietor’s  
647 principals.

648 b. The dollar amount and date of the financial commitment



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649 or contribution made by the institute.

650 c. The dollar amount, on a fiscal-year-end basis, of cash  
651 repayments or other fungible distributions received by the  
652 institute from each proprietor.

653 d. The dollar amount, if any, of the total management fees  
654 and costs paid on an annual fiscal-year-end basis by the  
655 institute.

656 (2) PUBLIC RECORDS EXEMPTION.—

657 (a) The following records held by the institute are  
658 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
659 of the State Constitution:

660 1. Materials that relate to methods of manufacture or  
661 production, ~~potential trade secrets~~, or patentable material  
662 received, generated, ascertained, or discovered during the  
663 course of research or through research projects conducted by  
664 universities and other publicly supported organizations in this  
665 state and that are provided to the institute by a proprietor.

666 2. Information that would identify an investor or potential  
667 investor who desires to remain anonymous in projects reviewed by  
668 the institute for assistance.

669 3. Any information received from a person from another  
670 state or nation or the Federal Government which is otherwise  
671 confidential or exempt pursuant to the laws of that state or  
672 nation or pursuant to federal law.

673 4. Proprietary confidential business information for 7  
674 years after the termination of the institute's financial  
675 commitment to the company.

676 (3) PUBLIC MEETINGS EXEMPTION.—

677 (a) That portion of a meeting of the institute's board of





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678 directors at which information is discussed which is  
679 confidential and exempt under subsection (2) or s. 688.01 is  
680 exempt from s. 286.011 and s. 24(b), Art. I of the State  
681 Constitution.

682 (4) REQUEST TO INSPECT OR COPY A RECORD.—

683 (b) Notwithstanding the provisions of paragraph (2)(a), a  
684 request to inspect or copy a public record that contains  
685 proprietary confidential business information shall be granted  
686 if the proprietor of the information fails, within a reasonable  
687 period of time after the request is received by the institute,  
688 to verify the following to the institute through a written  
689 declaration in the manner provided by s. 92.525:

690 1. That the requested record contains proprietary  
691 confidential business information and the specific location of  
692 such information within the record;

693 ~~2. If the proprietary confidential business information is~~  
694 ~~a trade secret, a verification that it is a trade secret as~~  
695 ~~defined in s. 688.002;~~

696 ~~3.~~ That the proprietary confidential business information  
697 is intended to be and is treated by the proprietor as private,  
698 is the subject of efforts of the proprietor to maintain its  
699 privacy, and is not readily ascertainable or publicly available  
700 from any other source; and

701 ~~3.4.~~ That the disclosure of the proprietary confidential  
702 business information to the public would harm the business  
703 operations of the proprietor.

704 (c)1. Any person may petition a court of competent  
705 jurisdiction for an order for the public release of those  
706 portions of any record made confidential and exempt by



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707 subsection (2).

708         2. Any action under this subsection must be brought in Palm  
709 Beach County or Alachua County, and the petition or other  
710 initial pleading shall be served on the institute and, if  
711 determinable upon diligent inquiry, on the proprietor of the  
712 information sought to be released.

713         3. In any order for the public release of a record under  
714 this subsection, the court shall make a finding that:

715         a. ~~The record or portion thereof is not a trade secret as~~  
716 ~~defined in s. 688.002;~~

717         ~~b.~~ A compelling public interest is served by the release of  
718 the record or portions thereof which exceed the public necessity  
719 for maintaining the confidentiality of such record; and

720         ~~b.e.~~ The release of the record will not cause damage to or  
721 adversely affect the interests of the proprietor of the released  
722 information, other private persons or business entities, or the  
723 institute.

724         Section 21. Section 331.326, Florida Statutes, is amended  
725 to read:

726         331.326 Information relating to trade secrets  
727 confidential.—The records of Space Florida regarding matters  
728 encompassed by this act are public records subject to chapter  
729 119. ~~Any information held by Space Florida which is a trade~~  
730 ~~secret, as defined in s. 812.081, including trade secrets of~~  
731 ~~Space Florida, any spaceport user, or the space industry~~  
732 ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
733 ~~24(a), Art. I of the State Constitution and may not be~~  
734 ~~disclosed. If Space Florida determines that any information~~  
735 ~~requested by the public will reveal a trade secret, it shall, in~~



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736 ~~writing, inform the person making the request of that~~  
737 ~~determination. The determination is a final order as defined in~~  
738 ~~s. 120.52. Any meeting or portion of a meeting of Space~~  
739 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~  
740 ~~of the State Constitution when the board is discussing trade~~  
741 ~~secrets as defined in s. 688.01. Any public record generated~~  
742 ~~during the closed portions of the meetings, such as minutes,~~  
743 ~~tape recordings, and notes, is confidential and exempt from s.~~  
744 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
745 ~~section is subject to the Open Government Sunset Review Act in~~  
746 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
747 ~~2021, unless reviewed and saved from repeal through reenactment~~  
748 ~~by the Legislature.~~

749 Section 22. Present subsection (4) of section 334.049,  
750 Florida Statutes, is amended, and present subsection (5) of that  
751 section is renumbered as subsection (4), to read:

752 334.049 Patents, copyrights, trademarks; notice to  
753 Department of State; ~~confidentiality of trade secrets.~~

754 ~~(4) Any information obtained by the department as a result~~  
755 ~~of research and development projects and revealing a method of~~  
756 ~~process, production, or manufacture which is a trade secret as~~  
757 ~~defined in s. 688.002, is confidential and exempt from the~~  
758 ~~provisions of s. 119.07(1).~~

759 Section 23. Section 350.121, Florida Statutes, is amended  
760 to read:

761 350.121 Commission inquiries; confidentiality of business  
762 material.—If the commission undertakes an inquiry, any records,  
763 documents, papers, maps, books, tapes, photographs, files, sound  
764 recordings, or other business material, regardless of form or



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765 characteristics, obtained by the commission incident to the  
766 inquiry are considered confidential and exempt from s. 119.07(1)  
767 while the inquiry is pending. If at the conclusion of an inquiry  
768 the commission undertakes a formal proceeding, any matter  
769 determined by the commission or by a judicial or administrative  
770 body, federal or state, to be ~~trade secrets or~~ proprietary  
771 confidential business information coming into its possession  
772 pursuant to such inquiry shall be considered confidential and  
773 exempt from s. 119.07(1). Such material may be used in any  
774 administrative or judicial proceeding so long as the  
775 confidential or proprietary nature of the material is  
776 maintained.

777 Section 24. Subsection (3) of section 364.183, Florida  
778 Statutes, is amended to read:

779 364.183 Access to company records.—

780 (3) The term "proprietary confidential business  
781 information" means information, regardless of form or  
782 characteristics, which is owned or controlled by the person or  
783 company, is intended to be and is treated by the person or  
784 company as private in that the disclosure of the information  
785 would cause harm to the ratepayers or the person's or company's  
786 business operations, and has not been disclosed unless disclosed  
787 pursuant to a statutory provision, an order of a court or  
788 administrative body, or private agreement that provides that the  
789 information will not be released to the public. The term  
790 includes, ~~but is not limited to:~~

791 (a) ~~Trade secrets.~~

792 ~~(b)~~ Internal auditing controls and reports of internal  
793 auditors.



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794            (b)~~(e)~~ Security measures, systems, or procedures.

795            (c)~~(d)~~ Information concerning bids or other contractual  
796 data, the disclosure of which would impair the efforts of the  
797 company or its affiliates to contract for goods or services on  
798 favorable terms.

799            (d)~~(e)~~ Information relating to competitive interests, the  
800 disclosure of which would impair the competitive business of the  
801 provider of information.

802            (e)~~(f)~~ Employee personnel information unrelated to  
803 compensation, duties, qualifications, or responsibilities.

804            Section 25. Subsection (3) of section 365.174, Florida  
805 Statutes, is amended to read:

806            365.174 Proprietary confidential business information.—

807            (3) As used in this section, the term “proprietary  
808 confidential business information” means customer lists,  
809 customer numbers, individual or aggregate customer data by  
810 location, usage and capacity data, network facilities used to  
811 serve subscribers, technology descriptions, or technical  
812 information, ~~or trade secrets, including trade secrets as~~  
813 ~~defined in s. 812.081,~~ and the actual or developmental costs of  
814 E911 systems that are developed, produced, or received  
815 internally by a provider or by a provider’s employees,  
816 directors, officers, or agents.

817            Section 26. Subsection (3) of section 366.093, Florida  
818 Statutes, is amended to read:

819            366.093 Public utility records; confidentiality.—

820            (3) Proprietary confidential business information means  
821 information, regardless of form or characteristics, which is  
822 owned or controlled by the person or company, is intended to be



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823 and is treated by the person or company as private in that the  
824 disclosure of the information would cause harm to the ratepayers  
825 or the person's or company's business operations, and has not  
826 been disclosed unless disclosed pursuant to a statutory  
827 provision, an order of a court or administrative body, or  
828 private agreement that provides that the information will not be  
829 released to the public. Proprietary confidential business  
830 information includes, ~~but is not limited to:~~

831 (a) ~~Trade secrets.~~

832 ~~(b)~~ Internal auditing controls and reports of internal  
833 auditors.

834 ~~(b)(e)~~ Security measures, systems, or procedures.

835 ~~(c)(d)~~ Information concerning bids or other contractual  
836 data, the disclosure of which would impair the efforts of the  
837 public utility or its affiliates to contract for goods or  
838 services on favorable terms.

839 ~~(d)(e)~~ Information relating to competitive interests, the  
840 disclosure of which would impair the competitive business of the  
841 provider of the information.

842 ~~(e)(f)~~ Employee personnel information unrelated to  
843 compensation, duties, qualifications, or responsibilities.

844 Section 27. Subsection (3) of section 367.156, Florida  
845 Statutes, is amended to read:

846 367.156 Public utility records; confidentiality.—

847 (3) Proprietary confidential business information means  
848 information, regardless of form or characteristics, which is  
849 owned or controlled by the person or company, is intended to be  
850 and is treated by the person or company as private in that the  
851 disclosure of the information would cause harm to the ratepayers



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852 or the person's or company's business operations, and has not  
853 been disclosed unless disclosed pursuant to a statutory  
854 provision, an order of a court or administrative body, or a  
855 private agreement that provides that the information will not be  
856 released to the public. Proprietary business information  
857 includes, ~~but is not limited to:~~

858 (a) ~~Trade secrets.~~

859 ~~(b)~~ Internal auditing controls and reports of internal  
860 auditors.

861 ~~(b)~~(e) Security measures, systems, or procedures.

862 ~~(c)~~(d) Information concerning bids or other contractual  
863 data, the disclosure of which would impair the efforts of the  
864 utility or its affiliates to contract for goods or services on  
865 favorable terms.

866 ~~(d)~~(e) Information relating to competitive interests, the  
867 disclosure of which would impair the competitive businesses of  
868 the provider of the information.

869 ~~(e)~~(f) Employee personnel information unrelated to  
870 compensation, duties, qualifications, or responsibilities.

871 Section 28. Subsection (3) of section 368.108, Florida  
872 Statutes, is amended to read:

873 368.108 Confidentiality; discovery.—

874 (3) "Proprietary confidential business information" means  
875 information, regardless of form or characteristics, which is  
876 owned or controlled by the person or company, is intended to be  
877 and is treated by the person or company as private in that the  
878 disclosure of the information would cause harm to the ratepayers  
879 or the person's or company's business operations, and has not  
880 been disclosed unless disclosed pursuant to a statutory



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881 provision, an order of a court or administrative body, or a  
882 private agreement that provides that the information will not be  
883 released to the public. "Proprietary confidential business  
884 information" includes, ~~but is not limited to:~~

885 (a) ~~Trade secrets.~~

886 ~~(b)~~ Internal auditing controls and reports of internal  
887 auditors.

888 ~~(b)(e)~~ Security measures, systems, or procedures.

889 ~~(c)(d)~~ Information concerning bids or other contractual  
890 data, the disclosure of which would impair the efforts of the  
891 natural gas transmission company or its affiliates to contract  
892 for goods or services on favorable terms.

893 ~~(d)(e)~~ Information relating to competitive interests, the  
894 disclosure of which would impair the competitive business of the  
895 provider of the information.

896 ~~(e)(f)~~ Employee personnel information unrelated to  
897 compensation, duties, qualifications, or responsibilities.

898 Section 29. Section 381.83, Florida Statutes, is repealed.

899 Section 30. Subsection (2) and paragraph (b) of subsection  
900 (3) of section 403.7046, Florida Statutes, are amended to read:

901 403.7046 Regulation of recovered materials.—

902 (2) Notwithstanding s. 688.01, information reported  
903 pursuant to this section or any rule adopted pursuant to this  
904 section which, if disclosed, would reveal a trade secret, as  
905 defined in s. 688.01, may be provided by the department ~~s.~~  
906 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
907 ~~24(a), Art. I of the State Constitution. For reporting or~~  
908 ~~information purposes, however, the department may provide this~~  
909 ~~information~~ in such form that the names of the persons reporting





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910 such information and the specific information reported are not  
911 revealed. ~~This subsection is subject to the Open Government~~  
912 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
913 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
914 ~~repeal through reenactment by the Legislature.~~

915 (3) Except as otherwise provided in this section or  
916 pursuant to a special act in effect on or before January 1,  
917 1993, a local government may not require a commercial  
918 establishment that generates source-separated recovered  
919 materials to sell or otherwise convey its recovered materials to  
920 the local government or to a facility designated by the local  
921 government, nor may the local government restrict such a  
922 generator's right to sell or otherwise convey such recovered  
923 materials to any properly certified recovered materials dealer  
924 who has satisfied the requirements of this section. A local  
925 government may not enact any ordinance that prevents such a  
926 dealer from entering into a contract with a commercial  
927 establishment to purchase, collect, transport, process, or  
928 receive source-separated recovered materials.

929 (b)~~1~~. Before engaging in business within the jurisdiction  
930 of the local government, a recovered materials dealer or  
931 pyrolysis facility must provide the local government with a copy  
932 of the certification provided for in this section. In addition,  
933 the local government may establish a registration process  
934 whereby a recovered materials dealer or pyrolysis facility must  
935 register with the local government before engaging in business  
936 within the jurisdiction of the local government. Such  
937 registration process is limited to requiring the dealer or  
938 pyrolysis facility to register its name, including the owner or



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939 operator of the dealer or pyrolysis facility, and, if the dealer  
940 or pyrolysis facility is a business entity, its general or  
941 limited partners, its corporate officers and directors, its  
942 permanent place of business, evidence of its certification under  
943 this section, and a certification that the recovered materials  
944 or post-use polymers will be processed at a recovered materials  
945 processing facility or pyrolysis facility satisfying the  
946 requirements of this section. The local government may not use  
947 the information provided in the registration application to  
948 compete unfairly with the recovered materials dealer until 90  
949 days after receipt of the application. All counties, and  
950 municipalities whose population exceeds 35,000 according to the  
951 population estimates determined pursuant to s. 186.901, may  
952 establish a reporting process that must be limited to the  
953 regulations, reporting format, and reporting frequency  
954 established by the department pursuant to this section, which  
955 must, at a minimum, include requiring the dealer or pyrolysis  
956 facility to identify the types and approximate amount of  
957 recovered materials or post-use polymers collected, recycled, or  
958 reused during the reporting period; the approximate percentage  
959 of recovered materials or post-use polymers reused, stored, or  
960 delivered to a recovered materials processing facility or  
961 pyrolysis facility or disposed of in a solid waste disposal  
962 facility; and the locations where any recovered materials or  
963 post-use polymers were disposed of as solid waste. The local  
964 government may charge the dealer or pyrolysis facility a  
965 registration fee commensurate with and no greater than the cost  
966 incurred by the local government in operating its registration  
967 program. Registration program costs are limited to those costs



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968 associated with the activities described in this paragraph  
969 ~~subparagraph~~. Any reporting or registration process established  
970 by a local government with regard to recovered materials or  
971 post-use polymers is governed by this section and department  
972 rules adopted pursuant thereto.

973 ~~2. Information reported under this subsection which, if~~  
974 ~~disclosed, would reveal a trade secret, as defined in s.~~  
975 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
976 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
977 ~~subject to the Open Government Sunset Review Act in accordance~~  
978 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
979 ~~unless reviewed and saved from repeal through reenactment by the~~  
980 ~~Legislature.~~

981 Section 31. Section 403.73, Florida Statutes, is repealed.

982 Section 32. Paragraph (c) of subsection (1) of section  
983 408.061, Florida Statutes, is amended to read:

984 408.061 Data collection; uniform systems of financial  
985 reporting; information relating to physician charges;  
986 confidential information; immunity.-

987 (1) The agency shall require the submission by health care  
988 facilities, health care providers, and health insurers of data  
989 necessary to carry out the agency's duties and to facilitate  
990 transparency in health care pricing data and quality measures.  
991 Specifications for data to be collected under this section shall  
992 be developed by the agency and applicable contract vendors, with  
993 the assistance of technical advisory panels including  
994 representatives of affected entities, consumers, purchasers, and  
995 such other interested parties as may be determined by the  
996 agency.



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997 (c) Data to be submitted by health insurers may include,  
998 but are not limited to: claims, payments to health care  
999 facilities and health care providers as specified by rule,  
1000 premium, administration, and financial information. Data  
1001 submitted shall be certified by the chief financial officer, an  
1002 appropriate and duly authorized representative, or an employee  
1003 of the insurer that the information submitted is true and  
1004 accurate. ~~Information that is considered a trade secret under s.~~  
1005 ~~812.081 shall be clearly designated.~~

1006 Section 33. Present subsection (1) of section 408.185,  
1007 Florida Statutes, is amended, and present subsections (2)  
1008 through (5) of that section are renumbered as subsections (1)  
1009 through (4), respectively, to read:

1010 408.185 Information submitted for review of antitrust  
1011 issues; confidentiality.—The following information held by the  
1012 Office of the Attorney General, which is submitted by a member  
1013 of the health care community pursuant to a request for an  
1014 antitrust no-action letter shall be confidential and exempt from  
1015 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1016 Constitution for 1 year after the date of submission.

1017 ~~(1) Documents that reveal trade secrets as defined in s.~~  
1018 ~~688.002.~~

1019 Section 34. Paragraph (a) of subsection (14) of section  
1020 408.910, Florida Statutes, is amended to read:

1021 408.910 Florida Health Choices Program.—

1022 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1023 (a) *Definitions.*—For purposes of this subsection, the term:

1024 1. "Buyer's representative" means a participating insurance  
1025 agent as described in paragraph (4)(g).



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1026           2. "Enrollee" means an employer who is eligible to enroll  
1027 in the program pursuant to paragraph (4) (a).

1028           3. "Participant" means an individual who is eligible to  
1029 participate in the program pursuant to paragraph (4) (b).

1030           4. "Proprietary confidential business information" means  
1031 information, regardless of form or characteristics, that is  
1032 owned or controlled by a vendor requesting confidentiality under  
1033 this section; that is intended to be and is treated by the  
1034 vendor as private in that the disclosure of the information  
1035 would cause harm to the business operations of the vendor; that  
1036 has not been disclosed unless disclosed pursuant to a statutory  
1037 provision, an order of a court or administrative body, or a  
1038 private agreement providing that the information may be released  
1039 to the public; and that is information concerning:

1040           a. Business plans.

1041           b. Internal auditing controls and reports of internal  
1042 auditors.

1043           c. Reports of external auditors for privately held  
1044 companies.

1045           d. Client and customer lists.

1046           e. Potentially patentable material.

1047           ~~f. A trade secret as defined in s. 688.002.~~

1048           5. "Vendor" means a participating insurer or other provider  
1049 of services as described in paragraph (4) (d).

1050           Section 35. Section 409.91196, Florida Statutes, is amended  
1051 to read:

1052           409.91196 Supplemental rebate agreements; public records  
1053 and public meetings exemption.—

1054           (1) The rebate amount, percent of rebate, manufacturer's



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1055 pricing, and supplemental rebate, ~~and other trade secrets as~~  
1056 ~~defined in s. 688.002 that the agency has identified for use in~~  
1057 ~~negotiations,~~ held by the Agency for Health Care Administration  
1058 under s. 409.912(5)(a)7. are confidential and exempt from s.  
1059 119.07(1) and s. 24(a), Art. I of the State Constitution.

1060 (2) That portion of a meeting of the Medicaid  
1061 Pharmaceutical and Therapeutics Committee at which the rebate  
1062 amount, percent of rebate, manufacturer's pricing, or  
1063 supplemental rebate, or confidential and exempt ~~other~~ trade  
1064 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
1065 the agency has identified for use in negotiations, are discussed  
1066 is exempt from s. 286.011 and s. 24(b), Art. I of the State  
1067 Constitution. A record shall be made of each exempt portion of a  
1068 meeting. Such record must include the times of commencement and  
1069 termination, all discussions and proceedings, the names of all  
1070 persons present at any time, and the names of all persons  
1071 speaking. No exempt portion of a meeting may be held off the  
1072 record.

1073 Section 36. Subsection (2) of section 440.108, Florida  
1074 Statutes, is amended to read:

1075 440.108 Investigatory records relating to workers'  
1076 compensation employer compliance; confidentiality.—

1077 (2) After an investigation is completed or ceases to be  
1078 active, information in records relating to the investigation  
1079 remains confidential and exempt from the provisions of s.  
1080 119.07(1) and s. 24(a), Art. I of the State Constitution if  
1081 disclosure of that information would:

1082 (a) Jeopardize the integrity of another active  
1083 investigation;



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1084           (b) ~~Reveal a trade secret, as defined in s. 688.002;~~  
1085           ~~(e)~~ Reveal business or personal financial information;  
1086           (c) ~~(d)~~ Reveal personal identifying information regarding  
1087 the identity of a confidential source;  
1088           (d) ~~(e)~~ Defame or cause unwarranted damage to the good name  
1089 or reputation of an individual or jeopardize the safety of an  
1090 individual; or  
1091           (e) ~~(f)~~ Reveal investigative techniques or procedures.  
1092           Section 37. Paragraph (c) of subsection (1) of section  
1093 494.00125, Florida Statutes, is amended to read:  
1094           494.00125 Public records exemptions.—  
1095           (1) INVESTIGATIONS OR EXAMINATIONS.—  
1096           (c) Except as necessary for the office to enforce the  
1097 provisions of this chapter, a consumer complaint and other  
1098 information relative to an investigation or examination shall  
1099 remain confidential and exempt from s. 119.07(1) after the  
1100 investigation or examination is completed or ceases to be active  
1101 to the extent disclosure would:  
1102           1. Jeopardize the integrity of another active investigation  
1103 or examination.  
1104           2. Reveal the name, address, telephone number, social  
1105 security number, or any other identifying number or information  
1106 of any complainant, customer, or account holder.  
1107           3. Disclose the identity of a confidential source.  
1108           4. Disclose investigative techniques or procedures.  
1109           ~~5. Reveal a trade secret as defined in s. 688.002.~~  
1110           Section 38. Subsection (4) of section 497.172, Florida  
1111 Statutes, is amended to read:  
1112           497.172 Public records exemptions; public meetings



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1113 exemptions.-

1114 ~~(4) TRADE SECRETS.—Trade secrets, as defined in s. 688.002,~~  
1115 ~~held by the department or board, are confidential and exempt~~  
1116 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
1117 ~~Constitution.~~

1118 Section 39. Paragraph (c) of subsection (3) of section  
1119 499.012, Florida Statutes, is amended to read:

1120 499.012 Permit application requirements.—

1121 (3)

1122 ~~(c) Information submitted by an applicant on an application~~  
1123 ~~required pursuant to this subsection which is a trade secret, as~~  
1124 ~~defined in s. 812.081, shall be maintained by the department as~~  
1125 ~~trade secret information pursuant to s. 499.051(7).~~

1126 Section 40. Subsection (7) of section 499.0121, Florida  
1127 Statutes, is amended to read:

1128 499.0121 Storage and handling of prescription drugs;  
1129 recordkeeping.—The department shall adopt rules to implement  
1130 this section as necessary to protect the public health, safety,  
1131 and welfare. Such rules shall include, but not be limited to,  
1132 requirements for the storage and handling of prescription drugs  
1133 and for the establishment and maintenance of prescription drug  
1134 distribution records.

1135 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1136 ~~(a)~~ Each wholesale distributor, except for a manufacturer,  
1137 shall annually provide the department with a written list of all  
1138 wholesale distributors and manufacturers from whom the wholesale  
1139 distributor purchases prescription drugs. A wholesale  
1140 distributor, except a manufacturer, shall notify the department  
1141 not later than 10 days after any change to either list.





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1142           ~~(b) Such portions of the information required pursuant to~~  
1143 ~~this subsection which are a trade secret, as defined in s.~~  
1144 ~~812.081, shall be maintained by the department as trade secret~~  
1145 ~~information is required to be maintained under s. 499.051. This~~  
1146 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
1147 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1148 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1149 ~~by the Legislature.~~

1150           Section 41. Paragraph (g) of subsection (1) of section  
1151 499.05, Florida Statutes, is amended to read:

1152           499.05 Rules.—

1153           (1) The department shall adopt rules to implement and  
1154 enforce this chapter with respect to:

1155           (g) Inspections and investigations conducted under s.  
1156 499.051 or s. 499.93, ~~and the identification of information~~  
1157 ~~claimed to be a trade secret and exempt from the public records~~  
1158 ~~law as provided in s. 499.051(7).~~

1159           Section 42. Subsection (7) of section 499.051, Florida  
1160 Statutes, is amended to read:

1161           499.051 Inspections and investigations.—

1162           (7) (a) The complaint and all information obtained pursuant  
1163 to the investigation by the department are confidential and  
1164 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1165 Constitution until the investigation and the enforcement action  
1166 are completed.

1167           ~~(b) Information that constitutes a trade secret, as defined~~  
1168 ~~in s. 812.081, contained in the complaint or obtained by the~~  
1169 ~~department pursuant to the investigation must remain~~  
1170 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~



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1171 ~~of the State Constitution as long as the information is held by~~  
1172 ~~the department. This paragraph is subject to the Open Government~~  
1173 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1174 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1175 ~~repeal through reenactment by the Legislature.~~

1176       ~~(e)~~ This subsection does not prohibit the department from  
1177 using such information for regulatory or enforcement proceedings  
1178 under this chapter or from providing such information to any law  
1179 enforcement agency or any other regulatory agency. However, the  
1180 receiving agency shall keep such records confidential and exempt  
1181 as provided in this subsection.

1182       Section 43. Section 499.931, Florida Statutes, is repealed.

1183       Section 44. Paragraph (d) of subsection (11) of section  
1184 501.171, Florida Statutes, is amended to read:

1185       501.171 Security of confidential personal information.—

1186       (11) PUBLIC RECORDS EXEMPTION.—

1187       (d) For purposes of this subsection, the term "proprietary  
1188 information" means information that:

1189           1. Is owned or controlled by the covered entity.

1190           2. Is intended to be private and is treated by the covered  
1191 entity as private because disclosure would harm the covered  
1192 entity or its business operations.

1193           3. Has not been disclosed except as required by law or a  
1194 private agreement that provides that the information will not be  
1195 released to the public.

1196           4. Is not publicly available or otherwise readily  
1197 ascertainable through proper means from another source in the  
1198 same configuration as received by the department.

1199           5. Includes÷



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1200           ~~a. Trade secrets as defined in s. 688.002.~~  
1201           ~~b.~~ competitive interests, the disclosure of which would  
1202 impair the competitive business of the covered entity who is the  
1203 subject of the information.

1204           Section 45. Section 502.222, Florida Statutes, is repealed.

1205           Section 46. Paragraph (b) of subsection (1) of section  
1206 517.2015, Florida Statutes, is amended to read:

1207           517.2015 Confidentiality of information relating to  
1208 investigations and examinations.—

1209           (1)

1210           (b) Except as necessary for the office to enforce the  
1211 provisions of this chapter, a consumer complaint and other  
1212 information relative to an investigation or examination shall  
1213 remain confidential and exempt from s. 119.07(1) after the  
1214 investigation or examination is completed or ceases to be active  
1215 to the extent disclosure would:

1216           1. Jeopardize the integrity of another active investigation  
1217 or examination.

1218           2. Reveal the name, address, telephone number, social  
1219 security number, or any other identifying number or information  
1220 of any complainant, customer, or account holder.

1221           3. Disclose the identity of a confidential source.

1222           4. Disclose investigative techniques or procedures.

1223           ~~5. Reveal a trade secret as defined in s. 688.002.~~

1224           Section 47. Paragraph (b) of subsection (1) of section  
1225 520.9965, Florida Statutes, is amended to read:

1226           520.9965 Confidentiality of information relating to  
1227 investigations and examinations.—

1228           (1)



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1229 (b) Except as necessary for the office to enforce the  
1230 provisions of this chapter, a consumer complaint and other  
1231 information relative to an investigation or examination shall  
1232 remain confidential and exempt from s. 119.07(1) after the  
1233 investigation or examination is completed or ceases to be active  
1234 to the extent disclosure would:

1235 1. Jeopardize the integrity of another active investigation  
1236 or examination.

1237 2. Reveal the name, address, telephone number, social  
1238 security number, or any other identifying number or information  
1239 of any complainant, customer, or account holder.

1240 3. Disclose the identity of a confidential source.

1241 4. Disclose investigative techniques or procedures.

1242 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1243 Section 48. Subsection (2) of section 526.311, Florida  
1244 Statutes, is amended to read:

1245 526.311 Enforcement; civil penalties; injunctive relief.—

1246 (2) The Department of Agriculture and Consumer Services  
1247 shall investigate any complaints regarding violations of this  
1248 act and may request in writing the production of documents and  
1249 records as part of its investigation of a complaint. If the  
1250 person upon whom such request was made fails to produce the  
1251 documents or records within 30 days after the date of the  
1252 request, the department, through the department's office of  
1253 general counsel, may issue and serve a subpoena to compel the  
1254 production of such documents and records. If any person shall  
1255 refuse to comply with a subpoena issued under this section, the  
1256 department may petition a court of competent jurisdiction to  
1257 enforce the subpoena and assess such sanctions as the court may



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1258 direct. Refiners shall afford the department reasonable access  
1259 to the refiners' posted terminal price. Any records, documents,  
1260 papers, maps, books, tapes, photographs, files, sound  
1261 recordings, or other business material, regardless of form or  
1262 characteristics, obtained by the department are confidential and  
1263 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1264 of the State Constitution while the investigation is pending. At  
1265 the conclusion of an investigation, any matter determined by the  
1266 department or by a judicial or administrative body, federal or  
1267 state, to be ~~a trade secret or~~ proprietary confidential business  
1268 information held by the department pursuant to such  
1269 investigation shall be considered confidential and exempt from  
1270 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1271 Constitution. Such materials may be used in any administrative  
1272 or judicial proceeding so long as the confidential or  
1273 proprietary nature of the material is maintained.

1274 Section 49. Paragraph (e) of subsection (1) of section  
1275 548.062, Florida Statutes, is amended to read:

1276 548.062 Public records exemption.—

1277 (1) As used in this section, the term "proprietary  
1278 confidential business information" means information that:

1279 (e) Concerns any of the following:

- 1280 1. The number of ticket sales for a match;
- 1281 2. The amount of gross receipts after a match;
- 1282 3. ~~A trade secret, as defined in s. 688.002;~~
- 1283 ~~4. Business plans;~~
- 1284 4.5. Internal auditing controls and reports of internal  
1285 auditors; or
- 1286 5.6. Reports of external auditors.



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1287 Section 50. Paragraph (a) of subsection (1) of section  
1288 556.113, Florida Statutes, is amended to read:

1289 556.113 Sunshine State One-Call of Florida, Inc.; public  
1290 records exemption.—

1291 (1) As used in this section, the term "proprietary  
1292 confidential business information" means information provided  
1293 by:

1294 (a) A member operator which is a map, plan, facility  
1295 location diagram, internal damage investigation report or  
1296 analysis, or dispatch methodology, ~~or trade secret as defined in~~  
1297 ~~s. 688.002~~, or which describes the exact location of a utility  
1298 underground facility or the protection, repair, or restoration  
1299 thereof, and:

1300 1. Is intended to be and is treated by the member operator  
1301 as confidential;

1302 2. The disclosure of which would likely be used by a  
1303 competitor to harm the business interests of the member operator  
1304 or could be used for the purpose of inflicting damage on  
1305 underground facilities; and

1306 3. Is not otherwise readily ascertainable or publicly  
1307 available by proper means by other persons from another source  
1308 in the same configuration as provided to Sunshine State One-Call  
1309 of Florida, Inc.

1310 Section 51. Paragraph (b) of subsection (2) of section  
1311 559.5558, Florida Statutes, is amended to read:

1312 559.5558 Public records exemption; investigations and  
1313 examinations.—

1314 (2)

1315 (b) Information made confidential and exempt pursuant to



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1316 this section is no longer confidential and exempt once the  
1317 investigation or examination is completed or ceases to be active  
1318 unless disclosure of the information would:

1319 1. Jeopardize the integrity of another active investigation  
1320 or examination.

1321 2. Reveal the personal identifying information of a  
1322 consumer, unless the consumer is also the complainant. A  
1323 complainant's personal identifying information is subject to  
1324 disclosure after the investigation or examination is completed  
1325 or ceases to be active. However, a complainant's personal  
1326 financial and health information remains confidential and  
1327 exempt.

1328 3. Reveal the identity of a confidential source.

1329 4. Reveal investigative or examination techniques or  
1330 procedures.

1331 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1332 Section 52. Paragraph (c) of subsection (3) of section  
1333 559.9285, Florida Statutes, is amended to read:

1334 559.9285 Certification of business activities.—

1335 (3) The department shall specify by rule the form of each  
1336 certification under this section which shall include the  
1337 following information:

1338 (c) The legal name, any trade names or fictitious names,  
1339 mailing address, physical address, telephone number or numbers,  
1340 facsimile number or numbers, and all Internet and electronic  
1341 contact information of every other commercial entity with which  
1342 the certifying party engages in business or commerce that is  
1343 related in any way to the certifying party's business or  
1344 commerce with any terrorist state. The information disclosed



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1345 pursuant to this paragraph does not constitute customer lists  
1346 or, customer names, ~~or trade secrets~~ protected under s.  
1347 570.544(8) or trade secrets protected under s. 688.01.

1348 Section 53. Subsection (2) of section 560.129, Florida  
1349 Statutes, is amended to read:

1350 560.129 Confidentiality.—

1351 (2) All information obtained by the office in the course of  
1352 its investigation or examination ~~which is a trade secret, as~~  
1353 ~~defined in s. 688.002, or~~ which is personal financial  
1354 information shall remain confidential and exempt from s.  
1355 119.07(1) and s. 24(a), Art. I of the State Constitution. If any  
1356 administrative, civil, or criminal proceeding against a money  
1357 services business, its authorized vendor, or an affiliated party  
1358 is initiated and the office seeks to use matter that a licensee  
1359 believes to be ~~a trade secret or~~ personal financial information,  
1360 such records shall be subject to an in camera review by the  
1361 administrative law judge, if the matter is before the Division  
1362 of Administrative Hearings, or a judge of any court of this  
1363 state, any other state, or the United States, as appropriate,  
1364 for the purpose of determining if the matter is ~~a trade secret~~  
1365 ~~or is~~ personal financial information. ~~If it is determined that~~  
1366 ~~the matter is a trade secret, the matter shall remain~~  
1367 ~~confidential.~~ If it is determined that the matter is personal  
1368 financial information, the matter shall remain confidential  
1369 unless the administrative law judge or judge determines that, in  
1370 the interests of justice, the matter should become public.

1371 Section 54. Subsection (3) of section 570.48, Florida  
1372 Statutes, is amended to read:

1373 570.48 Division of Fruit and Vegetables; powers and duties;





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1374 records.—The duties of the Division of Fruit and Vegetables  
1375 include, but are not limited to:

1376 (3) Maintaining the records of the division. The records of  
1377 the division are public records; ~~however, trade secrets as~~  
1378 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1379 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
1380 ~~subsection is subject to the Open Government Sunset Review Act~~  
1381 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
1382 ~~2, 2021, unless reviewed and saved from repeal through~~  
1383 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
1384 ~~construed to prohibit:~~

1385 ~~(a) A disclosure necessary to enforcement procedures.~~

1386 ~~(b) The department from releasing information to other~~  
1387 ~~governmental agencies. Other governmental agencies that receive~~  
1388 ~~confidential information from the department under this~~  
1389 ~~subsection shall maintain the confidentiality of that~~  
1390 ~~information.~~

1391 ~~(c) the department or other agencies from compiling and~~  
1392 ~~publishing appropriate data regarding procedures, yield,~~  
1393 ~~recovery, quality, and related matters, provided such released~~  
1394 ~~data do not reveal by whom the activity to which the data relate~~  
1395 ~~was conducted.~~

1396 Section 55. Subsection (8) of section 570.544, Florida  
1397 Statutes, is amended to read:

1398 570.544 Division of Consumer Services; director; powers;  
1399 processing of complaints; records.—

1400 (8) The records of the Division of Consumer Services are  
1401 public records. However, customer lists and, ~~customer names, and~~  
1402 ~~trade secrets~~ are confidential and exempt from the provisions of



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1403 s. 119.07(1). Disclosure necessary to enforcement procedures  
1404 does not violate this prohibition.

1405 Section 56. Present subsection (2) of section 573.123,  
1406 Florida Statutes, is amended, and present subsections (3) and  
1407 (4) of that subsection are renumbered as subsections (2) and  
1408 (3), respectively, to read:

1409 573.123 Maintenance and production of records.—

1410 ~~(2) Information that, if disclosed, would reveal a trade~~  
1411 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1412 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1413 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
1414 ~~disclosed except to an attorney who provides legal advice to the~~  
1415 ~~division about enforcing a marketing order or by court order. A~~  
1416 ~~person who receives confidential information under this~~  
1417 ~~subsection shall maintain the confidentiality of that~~  
1418 ~~information. This subsection is subject to the Open Government~~  
1419 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1420 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1421 ~~repeal through reenactment by the Legislature.~~

1422 Section 57. Section 581.199, Florida Statutes, is repealed.

1423 Section 58. Present paragraph (b) of subsection (8) of  
1424 section 601.10, Florida Statutes, is amended, and present  
1425 paragraph (c) of that subsection is redesignated as paragraph  
1426 (b), to read:

1427 601.10 Powers of the Department of Citrus.—The department  
1428 shall have and shall exercise such general and specific powers  
1429 as are delegated to it by this chapter and other statutes of the  
1430 state, which powers shall include, but are not limited to, the  
1431 following:



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(8)

~~(b) Any information provided to the department which constitutes a trade secret as defined in s. 812.081 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 59. Paragraph (d) of subsection (7) of section 601.15, Florida Statutes, is amended to read:

601.15 Advertising campaign; methods of conducting; assessments; emergency reserve fund; citrus research.—

(7) All assessments levied and collected under this chapter shall be paid into the State Treasury on or before the 15th day of each month. Such moneys shall be accounted for in a special fund to be designated as the Florida Citrus Advertising Trust Fund, and all moneys in such fund are appropriated to the department for the following purposes:

(d)1. The pro rata portion of moneys allocated to each type of citrus product in noncommodity programs shall be used by the department to encourage substantial increases in the effectiveness, frequency, and volume of noncommodity advertising, merchandising, publicity, and sales promotion of such citrus products through rebates and incentive payments to handlers and trade customers for these activities. The department shall adopt rules providing for the use of such moneys. The rules shall establish alternate incentive programs, including at least one incentive program for product sold under advertised brands, one incentive program for product sold under



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1461 private label brands, and one incentive program for product sold  
1462 in bulk. For each incentive program, the rules must establish  
1463 eligibility and performance requirements and must provide  
1464 appropriate limitations on amounts payable to a handler or trade  
1465 customer for a particular season. Such limitations may relate to  
1466 the amount of citrus assessments levied and collected on the  
1467 citrus product handled by such handler or trade customer during  
1468 a 12-month representative period.

1469         2. The department may require from participants in  
1470 noncommodity advertising and promotional programs commercial  
1471 information necessary to determine eligibility for and  
1472 performance in such programs. ~~Any information required which~~  
1473 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1474 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1475 ~~of the State Constitution. This subparagraph is subject to the~~  
1476 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1477 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
1478 ~~saved from repeal through reenactment by the Legislature.~~

1479         Section 60. Paragraph (c) of subsection (8) of section  
1480 601.152, Florida Statutes, is amended to read:

1481             601.152 Special marketing orders.—

1482             (8)

1483             (c)~~1~~. Every handler shall, at such times as the department  
1484 may require, file with the department a return, not under oath,  
1485 on forms to be prescribed and furnished by the department,  
1486 certified as true and correct, stating the quantity of the type,  
1487 variety, and form of citrus fruit or citrus product specified in  
1488 the marketing order first handled in the primary channels of  
1489 trade in the state by such handler during the period of time



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1490 specified in the marketing order. Such returns must contain any  
1491 further information deemed by the department to be reasonably  
1492 necessary to properly administer or enforce this section or any  
1493 marketing order implemented under this section.

1494 ~~2. Information that, if disclosed, would reveal a trade~~  
1495 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1496 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1497 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
1498 ~~subject to the Open Government Sunset Review Act in accordance~~  
1499 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1500 ~~unless reviewed and saved from repeal through reenactment by the~~  
1501 ~~Legislature.~~

1502 Section 61. Section 601.76, Florida Statutes, is amended to  
1503 read:

1504 601.76 Manufacturer to furnish formula and other  
1505 information.—Any formula required to be filed with the  
1506 Department of Agriculture ~~shall be deemed a trade secret as~~  
1507 ~~defined in s. 812.081, is confidential and exempt from s.~~  
1508 ~~119.07(1) and s. 24(a), Art. I of the State Constitution, and~~  
1509 ~~may be divulged only to the Department of Agriculture or to its~~  
1510 ~~duly authorized representatives or upon court order when~~  
1511 ~~necessary in the enforcement of this law. A person who receives~~  
1512 ~~such a formula from the Department of Agriculture under this~~  
1513 ~~section shall maintain the confidentiality of the formula. This~~  
1514 ~~section is subject to the Open Government Sunset Review Act in~~  
1515 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1516 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1517 ~~by the Legislature.~~

1518 Section 62. Subsection (6) of section 607.0505, Florida



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1519 Statutes, is amended to read:

1520 607.0505 Registered agent; duties.—

1521 (6) Information provided to, and records and transcriptions  
1522 of testimony obtained by, the Department of Legal Affairs  
1523 pursuant to this section are confidential and exempt from the  
1524 provisions of s. 119.07(1) while the investigation is active.  
1525 For purposes of this section, an investigation shall be  
1526 considered "active" while such investigation is being conducted  
1527 with a reasonable, good faith belief that it may lead to the  
1528 filing of an administrative, civil, or criminal proceeding. An  
1529 investigation does not cease to be active so long as the  
1530 department is proceeding with reasonable dispatch and there is a  
1531 good faith belief that action may be initiated by the department  
1532 or other administrative or law enforcement agency. Except for  
1533 active criminal intelligence or criminal investigative  
1534 information, as defined in s. 119.011, and information which, if  
1535 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1536 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1537 information, records, and transcriptions become public record  
1538 when the investigation is completed or ceases to be active. The  
1539 department shall not disclose confidential information, records,  
1540 or transcriptions of testimony except pursuant to the  
1541 authorization by the Attorney General in any of the following  
1542 circumstances:

1543 (a) To a law enforcement agency participating in or  
1544 conducting a civil investigation under chapter 895, or  
1545 participating in or conducting a criminal investigation.

1546 (b) In the course of filing, participating in, or  
1547 conducting a judicial proceeding instituted pursuant to this



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1548 section or chapter 895.

1549 (c) In the course of filing, participating in, or  
1550 conducting a judicial proceeding to enforce an order or judgment  
1551 entered pursuant to this section or chapter 895.

1552 (d) In the course of a criminal or civil proceeding.  
1553

1554 A person or law enforcement agency which receives any  
1555 information, record, or transcription of testimony that has been  
1556 made confidential by this subsection shall maintain the  
1557 confidentiality of such material and shall not disclose such  
1558 information, record, or transcription of testimony except as  
1559 provided for herein. Any person who willfully discloses any  
1560 information, record, or transcription of testimony that has been  
1561 made confidential by this subsection, except as provided for  
1562 herein, is guilty of a misdemeanor of the first degree,  
1563 punishable as provided in s. 775.082 or s. 775.083. If any  
1564 information, record, or testimony obtained pursuant to  
1565 subsection (2) is offered in evidence in any judicial  
1566 proceeding, the court may, in its discretion, seal that portion  
1567 of the record to further the policies of confidentiality set  
1568 forth herein.

1569 Section 63. Subsection (6) of section 617.0503, Florida  
1570 Statutes, is amended to read:

1571 617.0503 Registered agent; duties; confidentiality of  
1572 investigation records.—

1573 (6) Information provided to, and records and transcriptions  
1574 of testimony obtained by, the Department of Legal Affairs  
1575 pursuant to this section are confidential and exempt from the  
1576 provisions of s. 119.07(1) and s. 24(a), Art. I of the State



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1577 Constitution while the investigation is active. For purposes of  
1578 this section, an investigation shall be considered "active"  
1579 while such investigation is being conducted with a reasonable,  
1580 good faith belief that it may lead to the filing of an  
1581 administrative, civil, or criminal proceeding. An investigation  
1582 does not cease to be active so long as the department is  
1583 proceeding with reasonable dispatch and there is a good faith  
1584 belief that action may be initiated by the department or other  
1585 administrative or law enforcement agency. Except for active  
1586 criminal intelligence or criminal investigative information, as  
1587 defined in s. 119.011, and information which, if disclosed,  
1588 ~~would reveal a trade secret, as defined in s. 688.002, or would~~  
1589 jeopardize the safety of an individual, all information,  
1590 records, and transcriptions become available to the public when  
1591 the investigation is completed or ceases to be active. The  
1592 department shall not disclose confidential information, records,  
1593 or transcriptions of testimony except pursuant to authorization  
1594 by the Attorney General in any of the following circumstances:

1595 (a) To a law enforcement agency participating in or  
1596 conducting a civil investigation under chapter 895, or  
1597 participating in or conducting a criminal investigation.

1598 (b) In the course of filing, participating in, or  
1599 conducting a judicial proceeding instituted pursuant to this  
1600 section or chapter 895.

1601 (c) In the course of filing, participating in, or  
1602 conducting a judicial proceeding to enforce an order or judgment  
1603 entered pursuant to this section or chapter 895.

1604 (d) In the course of a criminal proceeding.

1605





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1606 A person or law enforcement agency that receives any  
1607 information, record, or transcription of testimony that has been  
1608 made confidential by this subsection shall maintain the  
1609 confidentiality of such material and shall not disclose such  
1610 information, record, or transcription of testimony except as  
1611 provided for herein. Any person who willfully discloses any  
1612 information, record, or transcription of testimony that has been  
1613 made confidential by this subsection, except as provided for in  
1614 this subsection, commits a misdemeanor of the first degree,  
1615 punishable as provided in s. 775.082 or s. 775.083. If any  
1616 information, record, or testimony obtained pursuant to  
1617 subsection (2) is offered in evidence in any judicial  
1618 proceeding, the court may, in its discretion, seal that portion  
1619 of the record to further the policies of confidentiality set  
1620 forth in this subsection.

1621 Section 64. Paragraph (c) of subsection (1) and subsection  
1622 (5) of section 624.4212, Florida Statutes, are amended to read:  
1623 624.4212 Confidentiality of proprietary business and other  
1624 information.-

1625 (1) As used in this section, the term "proprietary business  
1626 information" means information, regardless of form or  
1627 characteristics, which is owned or controlled by an insurer, or  
1628 a person or an affiliated person who seeks acquisition of  
1629 controlling stock in a domestic stock insurer or controlling  
1630 company, and which:

1631 (c) Includes:

1632 1. ~~Trade secrets as defined in s. 688.002 which comply with~~  
1633 ~~s. 624.4213.~~

1634 2. Information relating to competitive interests, the



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1635 disclosure of which would impair the competitive business of the  
1636 provider of the information.

1637 ~~2.3.~~ The source, nature, and amount of the consideration  
1638 used or to be used in carrying out a merger or other acquisition  
1639 of control in the ordinary course of business, including the  
1640 identity of the lender, if the person filing a statement  
1641 regarding consideration so requests.

1642 ~~3.4.~~ Information relating to bids or other contractual  
1643 data, the disclosure of which would impair the efforts of the  
1644 insurer or its affiliates to contract for goods or services on  
1645 favorable terms.

1646 ~~4.5.~~ Internal auditing controls and reports of internal  
1647 auditors.

1648 (5) The office may disclose information made confidential  
1649 and exempt under this section or s. 688.01:

1650 (a) If the insurer to which it pertains gives prior written  
1651 consent;

1652 (b) Pursuant to a court order;

1653 (c) To the Actuarial Board for Counseling and Discipline  
1654 upon a request stating that the information is for the purpose  
1655 of professional disciplinary proceedings and specifying  
1656 procedures satisfactory to the office for preserving the  
1657 confidentiality of the information;

1658 (d) To other states, federal and international agencies,  
1659 the National Association of Insurance Commissioners and its  
1660 affiliates and subsidiaries, and state, federal, and  
1661 international law enforcement authorities, including members of  
1662 a supervisory college described in s. 628.805 if the recipient  
1663 agrees in writing to maintain the confidential and exempt status



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1664 of the document, material, or other information and has  
1665 certified in writing its legal authority to maintain such  
1666 confidentiality; or

1667 (e) For the purpose of aggregating information on an  
1668 industrywide basis and disclosing the information to the public  
1669 only if the specific identities of the insurers, or persons or  
1670 affiliated persons, are not revealed.

1671 Section 65. Section 624.4213, Florida Statutes, is  
1672 repealed.

1673 Section 66. Paragraph (d) of subsection (1) of section  
1674 626.84195, Florida Statutes, is amended to read:

1675 626.84195 Confidentiality of information supplied by title  
1676 insurance agencies and insurers.—

1677 (1) As used in this section, the term “proprietary business  
1678 information” means information that:

1679 (d) Concerns:

1680 1. Business plans;

1681 2. Internal auditing controls and reports of internal  
1682 auditors;

1683 3. Reports of external auditors for privately held  
1684 companies;

1685 4. ~~Trade secrets, as defined in s. 688.002;~~ or

1686 ~~5.~~ Financial information, including revenue data, loss  
1687 expense data, gross receipts, taxes paid, capital investment,  
1688 and employee wages.

1689 Section 67. Subsection (2) of section 626.884, Florida  
1690 Statutes, is amended to read:

1691 626.884 Maintenance of records by administrator; access;  
1692 confidentiality.—



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1693           (2) The office shall have access to books and records  
1694 maintained by the administrator for the purpose of examination,  
1695 audit, and inspection. ~~Information contained in such books and~~  
1696 ~~records is confidential and exempt from the provisions of s.~~  
1697 ~~119.07(1) if the disclosure of such information would reveal a~~  
1698 ~~trade secret as defined in s. 688.002. However,~~ The office may  
1699 use such information in any proceeding instituted against the  
1700 administrator.

1701           Section 68. Subsection (1) of section 626.9936, Florida  
1702 Statutes, is amended to read:

1703           626.9936 Access to records.—

1704           (1) Notwithstanding subsections (1) and (2) of Article  
1705 VIII, subsection (2) of Article X, and subsection (6) of Article  
1706 XII of the Interstate Insurance Product Regulation Compact, a  
1707 request by a resident of this state for public inspection and  
1708 copying of information, data, or official records that includes:

1709           (a) An insurer's trade secrets shall be referred to the  
1710 commissioner who shall respond to the request, with the  
1711 cooperation and assistance of the commission, in accordance with  
1712 s. 688.01 ~~s. 624.4213~~; or

1713           (b) Matters of privacy of individuals shall be referred to  
1714 the commissioner who shall respond to the request, with the  
1715 cooperation and assistance of the commission, in accordance with  
1716 s. 119.07(1).

1717           Section 69. Paragraph (g) of subsection (3) of section  
1718 627.0628, Florida Statutes, is amended to read:

1719           627.0628 Florida Commission on Hurricane Loss Projection  
1720 Methodology; public records exemption; public meetings  
1721 exemption.—



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1722 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.-  
1723 (g)1. ~~A trade secret, as defined in s. 688.002, which is~~  
1724 ~~used in designing and constructing a hurricane or flood loss~~  
1725 ~~model and which is provided pursuant to this section, by a~~  
1726 ~~private company, to the commission, office, or consumer advocate~~  
1727 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~  
1728 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
1729 ~~Constitution.~~

1730 ~~2.a.~~ That portion of a meeting of the commission or of a  
1731 rate proceeding on an insurer's rate filing at which a trade  
1732 secret made confidential and exempt pursuant to s. 688.01 ~~by~~  
1733 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.  
1734 24(b), Art. I of the State Constitution. The closed meeting must  
1735 be recorded, and no portion of the closed meeting may be off the  
1736 record.

1737 ~~2.b.~~ The recording of a closed portion of a meeting is  
1738 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1739 Constitution.

1740 ~~e. This paragraph is subject to the Open Government Sunset~~  
1741 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
1742 ~~on October 2, 2019, unless reviewed and saved from repeal~~  
1743 ~~through reenactment by the Legislature.~~

1744 Section 70. Paragraphs (a) and (c) of subsection (11) of  
1745 section 627.3518, Florida Statutes, are amended to read:

1746 627.3518 Citizens Property Insurance Corporation  
1747 policyholder eligibility clearinghouse program.—The purpose of  
1748 this section is to provide a framework for the corporation to  
1749 implement a clearinghouse program by January 1, 2014.

1750 (11) Proprietary business information provided to the



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1751 corporation's clearinghouse by insurers with respect to  
1752 identifying and selecting risks for an offer of coverage is  
1753 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
1754 of the State Constitution.

1755 (a) As used in this subsection, the term "proprietary  
1756 business information" means information, regardless of form or  
1757 characteristics, which is owned or controlled by an insurer and:

1758 1. Is identified by the insurer as proprietary business  
1759 information and is intended to be and is treated by the insurer  
1760 as private in that the disclosure of the information would cause  
1761 harm to the insurer, an individual, or the company's business  
1762 operations and has not been disclosed unless disclosed pursuant  
1763 to a statutory requirement, an order of a court or  
1764 administrative body, or a private agreement that provides that  
1765 the information will not be released to the public;

1766 2. Is not otherwise readily ascertainable or publicly  
1767 available by proper means by other persons from another source  
1768 in the same configuration as provided to the clearinghouse; and

1769 3. Includes:

1770 ~~a. Trade secrets, as defined in s. 688.002.~~

1771 ~~b.~~ information relating to competitive interests, the  
1772 disclosure of which would impair the competitive business of the  
1773 provider of the information.

1774  
1775 Proprietary business information may be found in underwriting  
1776 criteria or instructions which are used to identify and select  
1777 risks through the program for an offer of coverage and are  
1778 shared with the clearinghouse to facilitate the shopping of  
1779 risks with the insurer.



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1780           Section 71. Present subsections (4), (5), (14), and (15) of  
1781 section 655.057, Florida Statutes, are amended, present  
1782 subsections (6) through (13) of that section are renumbered as  
1783 subsections (5) through (12), respectively, and a new subsection  
1784 (13) is added to that section, to read:

1785           655.057 Records; limited restrictions upon public access.—

1786           (4) ~~Except as otherwise provided in this section and except~~  
1787 ~~for those portions that are otherwise public record, trade~~  
1788 ~~secrets as defined in s. 688.002 which comply with s. 655.0591~~  
1789 ~~and which are held by the office in accordance with its~~  
1790 ~~statutory duties with respect to the financial institutions~~  
1791 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
1792 ~~24(a), Art. I of the State Constitution.~~

1793           ~~(5) Neither this section nor s. 688.01 prevents does not~~  
1794 ~~prevent or restricts restrict:~~

1795           (a) Publishing reports that are required to be submitted to  
1796 the office pursuant to s. 655.045(2) or required by applicable  
1797 federal statutes or regulations to be published.

1798           (b) Furnishing records or information to any other state,  
1799 federal, or foreign agency responsible for the regulation or  
1800 supervision of financial institutions.

1801           (c) Disclosing or publishing summaries of the condition of  
1802 financial institutions and general economic and similar  
1803 statistics and data, provided that the identity of a particular  
1804 financial institution is not disclosed.

1805           (d) Reporting any suspected criminal activity, with  
1806 supporting documents and information, to appropriate law  
1807 enforcement and prosecutorial agencies.

1808           (e) Furnishing information upon request to the Chief



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1809 Financial Officer or the Division of Treasury of the Department  
1810 of Financial Services regarding the financial condition of any  
1811 financial institution that is, or has applied to be, designated  
1812 as a qualified public depository pursuant to chapter 280.

1813 (f) Furnishing information to Federal Home Loan Banks  
1814 regarding its member institutions pursuant to an information  
1815 sharing agreement between the Federal Home Loan Banks and the  
1816 office.

1817  
1818 Any confidential information or records obtained from the office  
1819 pursuant to this subsection shall be maintained as confidential  
1820 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1821 Constitution.

1822 (13) This section is ~~(14) Subsections (3) and (4) are~~  
1823 ~~subject to the Open Government Sunset Review Act in accordance~~  
1824 ~~with s. 119.15 and are repealed on October 2, 2019, unless~~  
1825 ~~reviewed and saved from repeal through reenactment by the~~  
1826 ~~Legislature.~~

1827 ~~(15) Subsections (1), (2), (5), and (9) are~~ subject to the  
1828 Open Government Sunset Review Act in accordance with s. 119.15  
1829 and is ~~are~~ repealed on October 2, 2022, unless reviewed and  
1830 saved from repeal through reenactment by the Legislature.

1831 Section 72. Section 655.0591, Florida Statutes, is  
1832 repealed.

1833 Section 73. Subsection (11) of section 663.533, Florida  
1834 Statutes, is amended to read:

1835 663.533 Applicability of the financial institutions codes.—  
1836 A qualified limited service affiliate is subject to the  
1837 financial institutions codes. Without limiting the foregoing,





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1838 the following provisions are applicable to a qualified limited  
1839 service affiliate:

1840 (11) Section 688.01 ~~655.0591~~, relating to trade secret  
1841 documents.

1842

1843 This section does not prohibit the office from investigating or  
1844 examining an entity to ensure that it is not in violation of  
1845 this chapter or applicable provisions of the financial  
1846 institutions codes.

1847 Section 74. Section 721.071, Florida Statutes, is repealed.

1848 Section 75. Subsection (3) and present subsection (4) of  
1849 section 815.04, Florida Statutes, are amended, and present  
1850 subsection (5) of that section is renumbered as subsection (4),  
1851 to read:

1852 815.04 Offenses against intellectual property; ~~public~~  
1853 ~~records exemption.~~-

1854 (3) ~~Data, programs, or supporting documentation that is a~~  
1855 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
1856 ~~as defined in chapter 119, and that resides or exists internal~~  
1857 ~~or external to a computer, computer system, computer network, or~~  
1858 ~~electronic device is confidential and exempt from the provisions~~  
1859 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
1860 ~~This subsection is subject to the Open Government Sunset Review~~  
1861 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
1862 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
1863 ~~reenactment by the Legislature.~~

1864 (4) A person who willfully, knowingly, and without  
1865 authorization discloses or takes data, programs, or supporting  
1866 documentation that is a trade secret as defined in s. 812.081 ~~or~~



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1867 ~~is confidential as provided by law~~ residing or existing internal  
1868 or external to a computer, computer system, computer network, or  
1869 electronic device commits an offense against intellectual  
1870 property.

1871 Section 76. Section 815.045, Florida Statutes, is repealed.

1872 Section 77. Paragraph (b) of subsection (8) of section  
1873 1004.43, Florida Statutes, is amended to read:

1874 1004.43 H. Lee Moffitt Cancer Center and Research  
1875 Institute.—There is established the H. Lee Moffitt Cancer Center  
1876 and Research Institute, a statewide resource for basic and  
1877 clinical research and multidisciplinary approaches to patient  
1878 care.

1879 (8)

1880 (b) Proprietary confidential business information is  
1881 confidential and exempt from the provisions of s. 119.07(1) and  
1882 s. 24(a), Art. I of the State Constitution. However, the Auditor  
1883 General, the Office of Program Policy Analysis and Government  
1884 Accountability, and the Board of Governors, pursuant to their  
1885 oversight and auditing functions, must be given access to all  
1886 proprietary confidential business information upon request and  
1887 without subpoena and must maintain the confidentiality of  
1888 information so received. As used in this paragraph, the term  
1889 "proprietary confidential business information" means  
1890 information, regardless of its form or characteristics, which is  
1891 owned or controlled by the not-for-profit corporation or its  
1892 subsidiaries; is intended to be and is treated by the not-for-  
1893 profit corporation or its subsidiaries as private and the  
1894 disclosure of which would harm the business operations of the  
1895 not-for-profit corporation or its subsidiaries; has not been



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1896 intentionally disclosed by the corporation or its subsidiaries  
1897 unless pursuant to law, an order of a court or administrative  
1898 body, a legislative proceeding pursuant to s. 5, Art. III of the  
1899 State Constitution, or a private agreement that provides that  
1900 the information may be released to the public; and which is  
1901 information concerning:

1902         1. Internal auditing controls and reports of internal  
1903 auditors;

1904         2. Matters reasonably encompassed in privileged attorney-  
1905 client communications;

1906         3. Contracts for managed-care arrangements, including  
1907 preferred provider organization contracts, health maintenance  
1908 organization contracts, and exclusive provider organization  
1909 contracts, and any documents directly relating to the  
1910 negotiation, performance, and implementation of any such  
1911 contracts for managed-care arrangements;

1912         4. Bids or other contractual data, banking records, and  
1913 credit agreements the disclosure of which would impair the  
1914 efforts of the not-for-profit corporation or its subsidiaries to  
1915 contract for goods or services on favorable terms;

1916         5. Information relating to private contractual data, the  
1917 disclosure of which would impair the competitive interest of the  
1918 provider of the information;

1919         6. Corporate officer and employee personnel information;

1920         7. Information relating to the proceedings and records of  
1921 credentialing panels and committees and of the governing board  
1922 of the not-for-profit corporation or its subsidiaries relating  
1923 to credentialing;

1924         8. Minutes of meetings of the governing board of the not-



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1925 for-profit corporation and its subsidiaries, except minutes of  
1926 meetings open to the public pursuant to subsection (9);

1927 9. Information that reveals plans for marketing services  
1928 that the corporation or its subsidiaries reasonably expect to be  
1929 provided by competitors;

1930 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,  
1931 including:

1932 a. Information relating to methods of manufacture or  
1933 production, ~~potential trade secrets~~, potentially patentable  
1934 materials, or proprietary information received, generated,  
1935 ascertained, or discovered during the course of research  
1936 conducted by the not-for-profit corporation or its subsidiaries;  
1937 and

1938 b. Reimbursement methodologies or rates;

1939 11. The identity of donors or prospective donors of  
1940 property who wish to remain anonymous or any information  
1941 identifying such donors or prospective donors. The anonymity of  
1942 these donors or prospective donors must be maintained in the  
1943 auditor's report; or

1944 12. Any information received by the not-for-profit  
1945 corporation or its subsidiaries from an agency in this or  
1946 another state or nation or the Federal Government which is  
1947 otherwise exempt or confidential pursuant to the laws of this or  
1948 another state or nation or pursuant to federal law.

1949  
1950 As used in this paragraph, the term "managed care" means systems  
1951 or techniques generally used by third-party payors or their  
1952 agents to affect access to and control payment for health care  
1953 services. Managed-care techniques most often include one or more



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1954 of the following: prior, concurrent, and retrospective review of  
1955 the medical necessity and appropriateness of services or site of  
1956 services; contracts with selected health care providers;  
1957 financial incentives or disincentives related to the use of  
1958 specific providers, services, or service sites; controlled  
1959 access to and coordination of services by a case manager; and  
1960 payor efforts to identify treatment alternatives and modify  
1961 benefit restrictions for high-cost patient care.

1962 Section 78. Subsection (2) of section 1004.78, Florida  
1963 Statutes, is amended to read:

1964 1004.78 Technology transfer centers at Florida College  
1965 System institutions.—

1966 (2) The Florida College System institution board of  
1967 trustees shall set such policies to regulate the activities of  
1968 the technology transfer center as it may consider necessary to  
1969 effectuate the purposes of this section and to administer the  
1970 programs of the center in a manner which assures efficiency and  
1971 effectiveness, producing the maximum benefit for the educational  
1972 programs and maximum service to the state. To this end,  
1973 materials that relate to methods of manufacture or production,  
1974 ~~potential trade secrets~~, potentially patentable material, ~~actual~~  
1975 trade secrets as defined in s. 688.01, business transactions, or  
1976 proprietary information received, generated, ascertained, or  
1977 discovered during the course of activities conducted within the  
1978 Florida College System institutions shall be confidential and  
1979 exempt from the provisions of s. 119.07(1), except that a  
1980 Florida College System institution shall make available upon  
1981 request the title and description of a project, the name of the  
1982 investigator, and the amount and source of funding provided for



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1983 such project.

1984 Section 79. Section 601.80, Florida Statutes, is amended to  
1985 read:

1986 601.80 Unlawful to use uncertified coloring matter.—It is  
1987 unlawful for any person to use on oranges or citrus hybrids any  
1988 coloring matter which has not first received the approval of the  
1989 Department of Agriculture ~~as provided under s. 601.76.~~

1990 Section 80. Present subsection (11) of section 663.533,  
1991 Florida Statutes, is amended, and present subsections (12) and  
1992 (13) of that section are renumbered as subsections (11) and  
1993 (12), respectively, to read:

1994 663.533 Applicability of the financial institutions codes.—  
1995 A qualified limited service affiliate is subject to the  
1996 financial institutions codes. Without limiting the foregoing,  
1997 the following provisions are applicable to a qualified limited  
1998 service affiliate:

1999 ~~(11) Section 655.0591, relating to trade secret documents.~~

2000  
2001 This section does not prohibit the office from investigating or  
2002 examining an entity to ensure that it is not in violation of  
2003 this chapter or applicable provisions of the financial  
2004 institutions codes.

2005 Section 81. Paragraph (c) of subsection (12) of section  
2006 721.13, Florida Statutes, is amended to read:

2007 721.13 Management.—

2008 (12)

2009 (c) The managing entity shall maintain copies of all  
2010 records, data, and information supporting the processes,  
2011 analyses, procedures, and methods utilized by the managing



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2012 entity in its determination to reserve accommodations of the  
2013 timeshare plan pursuant to this subsection for a period of 5  
2014 years from the date of such determination. In the event of an  
2015 investigation by the division for failure of a managing entity  
2016 to comply with this subsection, the managing entity shall make  
2017 all such records, data, and information available to the  
2018 division for inspection, ~~provided that if the managing entity~~  
2019 ~~complies with the provisions of s. 721.071, any such records,~~  
2020 ~~data, and information provided to the division shall constitute~~  
2021 ~~a trade secret pursuant to that section.~~

2022 Section 82. Paragraphs (a) and (c) of subsection (3) of  
2023 section 921.0022, Florida Statutes, are amended to read:

2024 921.0022 Criminal Punishment Code; offense severity ranking  
2025 chart.-

2026 (3) OFFENSE SEVERITY RANKING CHART

2027 (a) LEVEL 1

2028

Florida Statute	Felony Degree	Description
2029 24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
2030 212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2031 212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than



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2032			\$300 but less than \$20,000.
	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2033			
	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2034			
	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2035			
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2036			
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2037			
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2038			
	322.212 (5) (a)	3rd	False application for driver





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2039			license or identification card.
2040	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2041	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
2042	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
2043	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2044	562.27 (1)	3rd	Possess still or still apparatus.
2045	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
	812.014 (3) (c)	3rd	Petit theft (3rd



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2046			conviction); theft of any property not specified in subsection (2).
	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2047	<u>815.04 (4) (a)</u> <del>815.04 (5) (a)</del>	3rd	Offense against intellectual property (i.e., computer programs, data).
2048	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
2049	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2050	826.01	3rd	Bigamy.
2051	828.122 (3)	3rd	Fighting or baiting animals.
2052	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other



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2053			document listed in s. 92.28.
	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
2054			
	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
2055			
	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
2056			
	838.15 (2)	3rd	Commercial bribe receiving.
2057			
	838.16	3rd	Commercial bribery.
2058			
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2059			
	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2060			
	849.01	3rd	Keeping gambling house.
2061			



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2062	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
2063	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2064	849.25 (2)	3rd	Engaging in bookmaking.
2065	860.08	3rd	Interfere with a railroad signal.
2066	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2067	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2068	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2069	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.



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2070			
2071	(c) LEVEL 3		
2072			
	Florida	Felony	
	Statute	Degree	Description
2073			
	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2074			
	316.066	3rd	Unlawfully obtaining or using confidential crash reports.
	(3) (b) - (d)		
2075			
	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2076			
	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2077			
	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2078			
	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a



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2079			motor vehicle or mobile home.
	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2080			
	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2081			
	327.35 (2) (b)	3rd	Felony BUI.
2082			
	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2083			
	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2084			
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.



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2085

379.2431 3rd Taking, disturbing,  
mutilating, destroying,  
(1) (e) 5. causing to be destroyed,  
transferring, selling,  
offering to sell,  
molesting, or harassing  
marine turtles, marine  
turtle eggs, or marine  
turtle nests in violation  
of the Marine Turtle  
Protection Act.

2086

379.2431 3rd Possessing any marine  
turtle species or  
(1) (e) 6. hatchling, or parts  
thereof, or the nest of any  
marine turtle species  
described in the Marine  
Turtle Protection Act.

2087

379.2431 3rd Soliciting to commit or  
conspiring to commit a  
(1) (e) 7. violation of the Marine  
Turtle Protection Act.

2088

400.9935 (4) (a) 3rd Operating a clinic, or  
offering services requiring  
or (b) licensure, without a



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2089			license.
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2090			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2091			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2092			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2093			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2094			





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2095	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2096	697.08	3rd	Equity skimming.
2097	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2098	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2099	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2100	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2101	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
	812.0145 (2) (c)	3rd	Theft from person 65 years



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2102			of age or older; \$300 or more but less than \$10,000.
	<u>815.04 (4) (b)</u>	2nd	Computer offense devised to defraud or obtain property.
	<del>815.04 (5) (b)</del>		
2103			
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2104			
	817.233	3rd	Burning to defraud insurer.
2105			
	817.234	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
	(8) (b) & (c)		
2106			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2107			
	817.236	3rd	Filing a false motor vehicle insurance application.
2108			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.



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2109	817.413 (2)	3rd	Sale of used goods as new.
2110	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2111	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2112	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2113	843.19	3rd	Injure, disable, or kill police dog or horse.
2114	860.15 (3)	3rd	Overcharging for repairs and parts.
2115	870.01 (2)	3rd	Riot; inciting or encouraging.
2116	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1.,



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2117	893.13(1)(d)2.	2nd	(2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs).
2118	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.
2119	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2120			



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2121	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
2122	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2123	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2124	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
2125	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
	893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance



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2126	893.13(8)(a)2.	3rd	through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
2127	893.13(8)(a)3.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
2128	893.13(8)(a)4.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2129	918.13(1)(a)	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
		3rd	Alter, destroy, or conceal investigation evidence.



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2130

944.47 3rd Introduce contraband to  
correctional facility.

(1) (a) 1. & 2.

2131

944.47 (1) (c) 2nd Possess contraband while  
upon the grounds of a  
correctional institution.

2132

985.721 3rd Escapes from a juvenile  
facility (secure detention  
or residential commitment  
facility).

2133

2134

2135 Section 83. This act shall take effect upon becoming a law  
2136 if SB 1414 or similar legislation is adopted in the same  
2137 legislative session or an extension thereof and becomes a law.

2138

2139 ===== T I T L E A M E N D M E N T =====

2140 And the title is amended as follows:

2141 Delete everything before the enacting clause

2142 and insert:

2143 A bill to be entitled

2144 An act relating to public records; creating s.

2145 119.07135, F.S.; providing that certain information

2146 related to agency contracts is not confidential or

2147 exempt from public records requirements; providing an

2148 exception with respect to research activities at



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2149 certain educational institutions; amending s. 24.105,  
2150 F.S.; deleting provisions relating to exemptions from  
2151 public records requirements for certain information  
2152 held by the Department of the Lottery; amending s.  
2153 73.0155, F.S.; deleting provisions relating to public  
2154 records exemptions for trade secrets held by  
2155 governmental condemning authorities; amending s.  
2156 119.071, F.S.; deleting a provision declaring that  
2157 certain data processing software exempt from public  
2158 records requirements is considered a trade secret;  
2159 removing the scheduled repeal of the public record  
2160 exemption; amending s. 119.0713, F.S.; deleting a  
2161 provision exempting trade secrets held by local  
2162 government agencies from public records requirements;  
2163 amending s. 125.0104, F.S.; deleting a provision  
2164 exempting trade secrets held by county tourism  
2165 development agencies from public records requirements;  
2166 amending s. 163.01, F.S.; deleting a provision  
2167 exempting trade secrets held by public agencies that  
2168 are electric utilities from public records  
2169 requirements; amending s. 202.195, F.S.; deleting a  
2170 provision exempting trade secrets obtained from a  
2171 telecommunications company or franchised cable company  
2172 for certain purposes from public records requirements;  
2173 amending s. 215.4401, F.S.; deleting provisions  
2174 relating to confidentiality of trade secrets held by  
2175 the State Board of Administration; amending s. 252.88,  
2176 F.S.; deleting provisions exempting certain  
2177 information from public records requirements under the





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2178 Florida Emergency Planning and Community Right-to-Know  
2179 Act; repealing s. 252.943, F.S., relating to a public  
2180 records exemption under the Florida Accidental Release  
2181 Prevention and Risk Management Planning Act; amending  
2182 s. 287.0943, F.S.; deleting provisions relating to  
2183 confidentiality of certain information relating to  
2184 applications for certification of minority business  
2185 enterprises; amending s. 288.047, F.S.; deleting  
2186 provisions exempting potential trade secrets from  
2187 public records requirements; amending s. 288.075,  
2188 F.S.; deleting provisions relating to a public records  
2189 exemption for trade secrets held by economic  
2190 development agencies; amending s. 288.1226, F.S.;  
2191 deleting provisions relating to a public records  
2192 exemption for trade secrets held by the Florida  
2193 Tourism Industry Marketing Corporation; amending s.  
2194 288.776, F.S.; deleting provisions relating to a  
2195 public records exemption for trade secrets held by the  
2196 Florida Export Finance Corporation; amending s.  
2197 288.9520, F.S.; deleting provisions relating to a  
2198 public records exemption for trade secrets and  
2199 potential trade secrets held by Enterprise Florida,  
2200 Inc., and related entities; amending s. 288.9607,  
2201 F.S.; deleting provisions relating to a public records  
2202 exemption for trade secrets held by the Florida  
2203 Development Finance Corporation; amending s. 288.9626,  
2204 F.S.; deleting provisions relating to a public records  
2205 exemption for trade secrets and potential trade  
2206 secrets held by the Florida Opportunity Fund;



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2207 conforming provisions to changes made by the act;  
2208 amending s. 288.9627, F.S.; deleting provisions  
2209 relating to a public records exemption for trade  
2210 secrets and potential trade secrets held by the  
2211 Institute for Commercialization of Florida Technology;  
2212 conforming provisions to changes made by the act;  
2213 amending s. 331.326, F.S.; deleting provisions  
2214 relating to a public records exemption for trade  
2215 secrets held by Space Florida; amending s. 334.049,  
2216 F.S.; deleting provisions relating to a public records  
2217 exemption for trade secrets held by the Department of  
2218 State; amending ss. 350.121 and 364.183, F.S.;  
2219 deleting provisions relating to public records  
2220 exemptions for trade secrets held by the Florida  
2221 Public Service Commission; amending s. 365.174, F.S.;  
2222 deleting provisions relating to public records  
2223 exemptions for trade secrets held by the E911 Board  
2224 and the Technology Program within the Department of  
2225 Management Services; amending ss. 366.093, 367.156,  
2226 and 368.108, F.S.; deleting provisions relating to  
2227 public records exemptions for trade secrets held by  
2228 the Florida Public Service Commission; repealing s.  
2229 381.83, F.S., relating to confidentiality of certain  
2230 information containing trade secrets obtained by the  
2231 Department of Health; amending s. 403.7046, F.S.;  
2232 revising provisions relating to an exemption for trade  
2233 secrets contained in certain reports to the Department  
2234 of Environmental Protection; repealing s. 403.73,  
2235 F.S., relating to confidentiality of certain



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2236 information containing trade secrets obtained by the  
2237 Department of Environmental Protection; amending s.  
2238 408.061, F.S.; deleting a requirement that certain  
2239 trade secret information submitted to the Agency for  
2240 Healthcare Administration be clearly designated as  
2241 such; amending s. 408.185, F.S.; deleting provisions  
2242 relating to public records exemptions for certain  
2243 trade secrets held by the Office of the Attorney  
2244 General; amending s. 408.910, F.S.; deleting  
2245 provisions relating to public records exemptions for  
2246 trade secrets held by the Florida Health Choices  
2247 Program; amending s. 409.91196, F.S.; deleting  
2248 provisions relating to public records exemptions for  
2249 trade secrets held by the Agency for Health Care  
2250 Administration; amending s. 440.108, F.S.; deleting  
2251 provisions relating to public records exemptions for  
2252 trade secrets held by the Department of Financial  
2253 Services; amending s. 494.00125, F.S.; deleting  
2254 provisions relating to public records exemptions for  
2255 trade secrets held by the Office of Financial  
2256 Regulation; amending s. 497.172, F.S.; deleting  
2257 provisions relating to public records exemptions for  
2258 trade secrets held by the Department of Financial  
2259 Services or the Board of Funeral, Cemetery, and  
2260 Consumer Services; amending ss. 499.012, 499.0121,  
2261 499.05, and 499.051, F.S.; deleting provisions  
2262 relating to public records exemptions for trade  
2263 secrets held by the Department of Business and  
2264 Professional Regulation; repealing s. 499.931, F.S.,



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2265 relating to maintenance of information held by the  
2266 Department of Business and Professional Regulation  
2267 which is deemed to be a trade secret; amending s.  
2268 501.171, F.S.; deleting provisions relating to public  
2269 records exemptions for trade secrets held by the  
2270 Department of Legal Affairs; repealing s. 502.222,  
2271 F.S., relating to trade secrets of a dairy business  
2272 held by the Department of Agriculture and Consumer  
2273 Services; amending ss. 517.2015 and 520.9965, F.S.;;  
2274 deleting provisions relating to public records  
2275 exemptions for trade secrets held by the Office of  
2276 Financial Regulation; amending s. 526.311, F.S.;;  
2277 deleting provisions relating to public records  
2278 exemptions for trade secrets held by the Department of  
2279 Agriculture and Consumer Services; amending s.  
2280 548.062, F.S.; deleting provisions relating to public  
2281 records exemptions for trade secrets held by the  
2282 Florida State Boxing Commission; amending s. 556.113,  
2283 F.S.; deleting provisions relating to public records  
2284 exemptions for trade secrets held by Sunshine State  
2285 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;;  
2286 deleting provisions relating to public records  
2287 exemptions for trade secrets held by the Office of  
2288 Financial Regulation; amending s. 559.9285, F.S.;;  
2289 revising provisions specifying that certain  
2290 information provided to the Department of Agriculture  
2291 and Consumer Services does not constitute a trade  
2292 secret; amending s. 560.129, F.S.; deleting provisions  
2293 relating to public records exemptions for trade



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2294 secrets held by the Office of Financial Regulation;  
2295 amending s. 570.48, F.S.; deleting provisions relating  
2296 to public records exemptions for trade secrets held by  
2297 the Division of Fruit and Vegetables; amending ss.  
2298 570.544 and 573.123, F.S.; deleting provisions  
2299 relating to public records exemptions for trade  
2300 secrets held by the Division of Consumer Services;  
2301 repealing s. 581.199, F.S., relating to a prohibition  
2302 on the use of trade secret information obtained under  
2303 specified provisions for personal use or gain;  
2304 amending ss. 601.10, 601.15, and 601.152, F.S.;;  
2305 deleting provisions relating to public records  
2306 exemptions for trade secrets held by the Department of  
2307 Citrus; amending s. 601.76, F.S.; deleting provisions  
2308 relating to a public records exemption for certain  
2309 formulas filed with the Department of Agriculture;  
2310 amending ss. 607.0505 and 617.0503, F.S.; deleting  
2311 provisions relating to public records exemptions for  
2312 certain information that might reveal trade secrets  
2313 held by the Department of Legal Affairs; amending s.  
2314 624.4212, F.S.; deleting provisions relating to public  
2315 records exemptions for trade secrets held by the  
2316 Office of Insurance Regulation; revising a cross-  
2317 reference; repealing s. 624.4213, F.S., relating to  
2318 trade secret documents submitted to the Department of  
2319 Financial Services or the Office of Insurance  
2320 Regulation; amending ss. 626.84195 and 626.884, F.S.;;  
2321 deleting provisions relating to public records  
2322 exemptions for trade secrets held by the Office of



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2323 Insurance Regulation; amending s. 626.9936, F.S.;

2324 revising provisions relating to a public records

2325 exemption for trade secrets held by the Office of

2326 Insurance Regulation; amending ss. 627.0628 and

2327 627.3518, F.S.; deleting provisions relating to public

2328 records exemptions for trade secrets held by the

2329 Department of Financial Services or the Office of

2330 Insurance Regulation; amending s. 655.057, F.S.;

2331 revising provisions relating to a public records

2332 exemption for trade secrets held by the Office of

2333 Financial Regulation; repealing s. 655.0591, F.S.,

2334 relating to trade secret documents held by the Office

2335 of Financial Regulation; amending s. 663.533, F.S.;

2336 revising a cross-reference; repealing s. 721.071,

2337 F.S., relating to trade secret material filed with the

2338 Division of Florida Condominiums, Timeshares, and

2339 Mobile Homes of the Department of Business and

2340 Professional Regulation; amending s. 815.04, F.S.;

2341 deleting a public records exemption for certain trade

2342 secret information relating to offenses against

2343 intellectual property; repealing s. 815.045, F.S.,

2344 relating to trade secret information; amending s.

2345 1004.43, F.S.; revising provisions relating to public

2346 records exemptions for trade secrets and potential

2347 trade secrets held by the H. Lee Moffitt Cancer Center

2348 and Research Institute; amending s. 1004.78, F.S.;

2349 revising provisions relating to public records

2350 exemptions for trade secrets and potential trade

2351 secrets held by the technology transfers centers at



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2352 Florida College System institutions; amending s.  
2353 601.80, F.S.; correcting a cross-reference; amending  
2354 ss. 663.533, 721.13, and 921.0022, F.S.; conforming  
2355 provisions to changes made by the act; providing a  
2356 contingent effective date.