

By the Committee on Regulated Industries

580-02167-21

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., relating
4 to an exemption from public records requirements for
5 certain data processing software obtained by an agency
6 under a licensing agreement that prohibits its
7 disclosure and which software is a trade secret and
8 agency-produced data processing software that is
9 sensitive; removing the scheduled repeal of the
10 exemption; providing an effective date.

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

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14 Section 1. Paragraph (f) of subsection (1) of section
15 119.071, Florida Statutes, is amended to read:

16 119.071 General exemptions from inspection or copying of
17 public records.—

18 (1) AGENCY ADMINISTRATION.—

19 (f) Data processing software obtained by an agency under a
20 licensing agreement that prohibits its disclosure and which
21 software is a trade secret, as defined in s. 812.081, and
22 agency-produced data processing software that is sensitive are
23 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
24 Constitution. The designation of agency-produced software as
25 sensitive does not prohibit an agency head from sharing or
26 exchanging such software with another public agency. ~~This~~
27 ~~paragraph is subject to the Open Government Sunset Review Act in~~
28 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
29 ~~2021, unless reviewed and saved from repeal through reenactment~~

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30 ~~by the Legislature.~~

31 Section 2. This act shall take effect October 1, 2021.