

By the Committee on Agriculture

575-02383-21

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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. 570.48, F.S., which
4 provides an exemption from public records requirements
5 for information related to trade secrets held by the
6 Division of Fruit and Vegetables of the Department of
7 Agriculture and Consumer Services; removing the
8 scheduled repeal of the exemption; providing an
9 effective date.

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

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13 Section 1. Subsection (3) of section 570.48, Florida
14 Statutes, is amended to read:

15 570.48 Division of Fruit and Vegetables; powers and duties;
16 records.—The duties of the Division of Fruit and Vegetables
17 include, but are not limited to:

18 (3) Maintaining the records of the division. The records of
19 the division are public records; however, trade secrets as
20 defined in s. 812.081 are confidential and exempt from s.
21 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~
22 ~~subsection is subject to the Open Government Sunset Review Act~~
23 ~~in accordance with s. 119.15 and shall stand repealed on October~~
24 ~~2, 2021, unless reviewed and saved from repeal through~~
25 ~~reenactment by the Legislature.~~ This section may not be
26 construed to prohibit:

27 (a) A disclosure necessary to enforcement procedures.

28 (b) The department from releasing information to other
29 governmental agencies. Other governmental agencies that receive

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30 confidential information from the department under this
31 subsection shall maintain the confidentiality of that
32 information.

33 (c) The department or other agencies from compiling and
34 publishing appropriate data regarding procedures, yield,
35 recovery, quality, and related matters, provided such released
36 data do not reveal by whom the activity to which the data relate
37 was conducted.

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