

FOR CONSIDERATION By the Committee on Regulated Industries

580-00911-26

20267008pb

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 16.716, F.S., which provides an exemption from public records and public meeting requirements for exempt or confidential and exempt information obtained by the Florida Gaming Control Commission; deleting the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Section 16.716, Florida Statutes, is amended to read:

16.716 Florida Gaming Control Commission public records and public meetings exemptions.—

(1)~~(a)~~ Any information obtained by the Florida Gaming Control Commission which is exempt or confidential and exempt from s. 119.07(1) or s. 24(a), Art. I of the State Constitution shall retain its exempt or confidential and exempt status. The information may be released by the commission, upon written request, to an agency, as defined in s. 119.011, or a governmental entity in the performance of the commission's official duties and responsibilities. An agency or a governmental entity receiving such information from the commission shall maintain the exempt or confidential and exempt status of the information.

(2)~~(b)~~1. Any portion of a meeting of the commission during which information that is exempt or confidential and exempt is discussed is exempt from s. 286.011 and s. 24(b), Art. I of the

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30 State Constitution.

31 (a)~~a.~~ The chair of the commission shall advise the  
32 commission at a public meeting that, in connection with the  
33 performance of a commission duty, it is necessary that the  
34 commission hear or discuss information that is exempt or  
35 confidential and exempt.

36 (b)~~b.~~ The chair's declaration of necessity for closure and  
37 the specific reasons for such necessity shall be stated in  
38 writing in a record that shall be a public record and shall be  
39 filed with the official records of the commission.

40 (c)~~c.~~ The entire closed session shall be recorded. The  
41 recording shall include the times of commencement and  
42 termination of the closed session, all discussion and  
43 proceedings, and the names of all persons present. No portion of  
44 the session may be off the record. Such recording shall be  
45 maintained by the commission.

46 (d)~~2.~~ Only members of the commission, Department of Legal  
47 Affairs staff, or commission staff supporting the commission's  
48 function and other persons whose presence is necessary for the  
49 presentation of exempt or confidential and exempt information  
50 shall be allowed to attend the exempted portions of the  
51 commission meetings. The commission shall ensure that any  
52 closure of its meetings as authorized by this subsection  
53 ~~paragraph~~ is limited so that the general policy of this state in  
54 favor of public meetings is maintained.

55 (e)~~3.~~ A recording of, and any minutes and records generated  
56 during, that portion of a commission meeting which is closed to  
57 the public pursuant to this subsection ~~paragraph~~ are  
58 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I

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59 of the State Constitution until such time as the information is  
60 no longer exempt or confidential and exempt.

61 ~~(2) This section is subject to the Open Government Sunset~~  
62 ~~Review Act in accordance with s. 119.15 and is repealed on~~  
63 ~~October 2, 2026, unless reviewed and saved from repeal through~~  
64 ~~reenactment by the Legislature.~~

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