

FOR CONSIDERATION By the Committee on Transportation

596-00456A-26

20267012pb

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 319.1414, F.S., which provides an exemption from public records requirements for information received by the Department of Highway Safety and Motor Vehicles as a result of an investigation or examination of a department-authorized private rebuilt inspection provider; removing the scheduled repeal of the exemption; amending ss. 319.25, 320.861, and 322.71, F.S., which provide exemptions from public records requirements for information received by the department as a result of an investigation or examination of a person suspected of having violated certain laws, rules, or orders; removing the scheduled repeal of such exemptions; providing an effective date.

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

Section 1. Subsection (5) of section 319.1414, Florida Statutes, is amended to read:

319.1414 Department-authorized private rebuilt inspection providers; investigations; examinations; proceedings; subpoenas and other process; witnesses; oaths; rules.—

(5) Information received by the department as a result of an investigation or examination conducted pursuant to this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation or examination ceases to be active or administrative action

596-00456A-26

20267012pb

taken by the department has concluded or been made part of a hearing or court proceeding. The department may release information that is made confidential and exempt under this subsection in furtherance of its official duties and responsibilities or, if released to another governmental agency, in the furtherance of that agency's official duties and responsibilities. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. Subsection (7) of section 319.25, Florida Statutes, is amended to read:

319.25 Cancellation of certificates; investigations; examinations; proceedings; subpoenas and other process; witnesses; oaths; rules.—

(7) Information received by the department as a result of an investigation or examination conducted pursuant to this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation or examination ceases to be active or administrative action taken by the department has concluded or been made part of a hearing or court proceeding. The department may release information that is made confidential and exempt under this subsection in furtherance of its official duties and responsibilities or, if released to another governmental agency, in the furtherance of that agency's official duties and responsibilities. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and~~

596-00456A-26

20267012pb

~~saved from repeal through reenactment by the Legislature.~~

Section 3. Subsection (5) of section 320.861, Florida Statutes, is amended to read:

320.861 Investigations; subpoenas and other process; oaths; rules.—

(5) Information received by the department as a result of an investigation or examination conducted pursuant to this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation or examination ceases to be active or administrative action taken by the department has concluded or been made part of a hearing or court proceeding. The department may release information that is made confidential and exempt under this subsection in furtherance of its official duties and responsibilities or, if released to another governmental agency, in the furtherance of that agency's official duties and responsibilities. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 4. Subsection (5) of section 322.71, Florida Statutes, is amended to read:

322.71 Investigations; examinations; proceedings; subpoenas and other process; witnesses; oaths; rules.—

(5) Information received by the department as a result of an investigation or examination conducted pursuant to this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation or examination ceases to be active or administrative action

596-00456A-26

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88 taken by the department has concluded or been made part of a
89 hearing or court proceeding. The department may release
90 information that is made confidential and exempt under this
91 subsection in furtherance of its official duties and
92 responsibilities or, if released to another governmental agency,
93 in the furtherance of that agency's official duties and
94 responsibilities. ~~This subsection is subject to the Open~~
95 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
96 ~~shall stand repealed on October 2, 2026, unless reviewed and~~
97 ~~saved from repeal through reenactment by the Legislature.~~

98 Section 5. This act shall take effect October 1, 2026.