

1 A bill to be entitled
2 An act relating to public records; creating s.
3 119.07135, F.S.; providing that certain information
4 related to agency contracts is not confidential or
5 exempt from public records requirements; amending s.
6 24.105, F.S.; deleting provisions relating to
7 exemptions from public records requirements for
8 certain information held by the Department of the
9 Lottery; amending s. 73.0155, F.S.; deleting
10 provisions relating to public records exemptions for
11 trade secrets held by governmental condemning
12 authorities; amending s. 119.071, F.S.; deleting a
13 provision declaring that certain data processing
14 software exempt from public records requirements is
15 considered a trade secret; removing the scheduled
16 repeal of the public record exemption; amending s.
17 119.0713, F.S.; deleting a provision exempting trade
18 secrets held by local government agencies from public
19 records requirements; amending s. 125.0104, F.S.;
20 deleting a provision exempting trade secrets held by
21 county tourism development agencies from public
22 records requirements; amending s. 163.01, F.S.;
23 deleting a provision exempting trade secrets held by
24 public agencies that are electric utilities from
25 public records requirements; amending s. 202.195,

26 F.S.; deleting a provision exempting trade secrets
27 obtained from a telecommunications company or
28 franchised cable company for certain purposes from
29 public records requirements; amending s. 215.4401,
30 F.S.; deleting provisions relating to confidentiality
31 of trade secrets held by the State Board of
32 Administration; amending s. 252.88, F.S.; deleting
33 provisions exempting certain information from public
34 records requirements under the Florida Emergency
35 Planning and Community Right-to-Know Act; repealing s.
36 252.943, F.S., relating to a public records exemption
37 under the Florida Accidental Release Prevention and
38 Risk Management Planning Act; amending s. 287.0943,
39 F.S.; deleting provisions relating to confidentiality
40 of certain information relating to applications for
41 certification of minority business enterprises;
42 amending s. 288.047, F.S.; deleting provisions
43 exempting potential trade secrets from public records
44 requirements; amending s. 288.075, F.S.; deleting
45 provisions relating to a public records exemption for
46 trade secrets held by economic development agencies;
47 amending s. 288.1226, F.S.; deleting provisions
48 relating to a public records exemption for trade
49 secrets held by the Florida Tourism Industry Marketing
50 Corporation; amending s. 288.776, F.S.; deleting

51 provisions relating to a public records exemption for
52 trade secrets held by the Florida Export Finance
53 Corporation; amending s. 288.9520, F.S.; deleting
54 provisions relating to a public records exemption for
55 trade secrets and potential trade secrets held by
56 Enterprise Florida, Inc., and related entities;
57 amending s. 288.9607, F.S.; deleting provisions
58 relating to a public records exemption for trade
59 secrets held by the Florida Development Finance
60 Corporation; amending s. 288.9626, F.S.; deleting
61 provisions relating to a public records exemption for
62 trade secrets and potential trade secrets held by the
63 Florida Opportunity Fund; conforming provisions to
64 changes made by the act; amending s. 288.9627, F.S.;
65 deleting provisions relating to a public records
66 exemption for trade secrets and potential trade
67 secrets held by the Institute for Commercialization of
68 Public Research; conforming provisions to changes made
69 by the act; amending s. 331.326, F.S.; deleting
70 provisions relating to a public records exemption for
71 trade secrets held by Space Florida; amending s.
72 334.049, F.S.; deleting provisions relating to a
73 public records exemption for trade secrets held by the
74 Department of State; amending ss. 350.121 and 364.183,
75 F.S.; deleting provisions relating to public records

76 exemptions for trade secrets held by the Florida
77 Public Service Commission; amending 365.174, F.S.;
78 deleting provisions relating to public records
79 exemptions for trade secrets held by the E911 Board
80 and the Technology Program within the Department of
81 Management Services; amending ss. 366.093, 367.156,
82 and 368.108, F.S.; deleting provisions relating to
83 public records exemptions for trade secrets held by
84 the Florida Public Service Commission; amending s.
85 377.24075, F.S.; deleting provisions relating to a
86 public records exemption for trade secrets held by the
87 Department of Environmental Protection; repealing s.
88 381.83, F.S., relating to confidentiality of certain
89 information containing trade secrets obtained by the
90 Department of Health; amending s. 395.3035, F.S.;
91 deleting provisions relating to a public records
92 exemption for trade secrets of hospitals; amending s.
93 403.7046, F.S.; revising provisions relating to an
94 exemption for trade secrets contained in certain
95 reports to the Department of Environmental Protection;
96 repealing s. 403.73, F.S., relating to confidentiality
97 of certain information containing trade secrets
98 obtained by the Department of Environmental
99 Protection; amending s. 408.061, F.S.; deleting a
100 requirement that certain trade secret information

101 submitted to the Agency for Healthcare Administration
102 be clearly designated as such; amending s. 408.185,
103 F.S.; deleting provisions relating to public records
104 exemptions for certain trade secrets held by the
105 Office of the Attorney General; amending s. 408.910,
106 F.S.; deleting provisions relating to public records
107 exemptions for trade secrets held by the Florida
108 Health Choices Program; amending s. 409.91196, F.S.;
109 deleting provisions relating to public records
110 exemptions for trade secrets held by the Agency for
111 Healthcare Administration; amending s. 440.108, F.S.;
112 deleting provisions relating to public records
113 exemptions for trade secrets held by the Department of
114 Financial Services; amending s. 494.00125, F.S.;
115 deleting provisions relating to public records
116 exemptions for trade secrets held by the Office of
117 Financial Regulation; amending s. 497.172, F.S.;
118 deleting provisions relating to public records
119 exemptions for trade secrets held by the Department of
120 Financial Services or the Board of Funeral, Cemetery,
121 and Consumer Services; amending ss. 499.012, 499.0121,
122 499.05, and 499.051, F.S.; deleting provisions
123 relating to public records exemptions for trade
124 secrets held by the Department of Business and
125 Professional Regulation; repealing s. 499.931, F.S.,

126 relating to maintenance of information held by the
127 Department of Business and Professional Regulation
128 that is deemed to be a trade secret; amending s.
129 501.171, F.S.; deleting provisions relating to public
130 records exemptions for trade secrets held by the
131 Department of Legal Affairs; repealing s. 502.222,
132 F.S., relating to trade secrets of a dairy business
133 held by the Department of Agriculture and Consumer
134 Services; amending ss. 517.2015 and 520.9965, F.S.;
135 deleting provisions relating to public records
136 exemptions for trade secrets held by the Office of
137 Financial Regulation; amending s. 526.311, F.S.;
138 deleting provisions relating to public records
139 exemptions for trade secrets held by the Department of
140 Agriculture and Consumer Services; amending s.
141 548.062, F.S.; deleting provisions relating to public
142 records exemptions for trade secrets held by the
143 Florida State Boxing Commission; amending s. 556.113,
144 F.S.; deleting provisions relating to public records
145 exemptions for trade secrets held by Sunshine State
146 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;
147 deleting provisions relating to public records
148 exemptions for trade secrets held by the Office of
149 Financial Regulation; amending s. 559.9285, F.S.;
150 revising provisions specifying that certain

151 information provided to the Department of Agriculture
152 and Consumer Services does not constitute a trade
153 secret; amending s. 560.129, F.S.; deleting provisions
154 relating to public records exemptions for trade
155 secrets held by the Office of Financial Regulation;
156 amending s. 570.48, F.S.; deleting provisions relating
157 to public records exemptions for trade secrets held by
158 the Division of Fruit and Vegetables; amending ss.
159 570.544 and 573.123, F.S.; deleting provisions
160 relating to public records exemptions for trade
161 secrets held by the Division of Consumer Services;
162 repealing s. 581.199, F.S., relating to a prohibition
163 on the use of trade secret information obtained under
164 specified provisions for personal use or gain;
165 amending ss. 601.10, 601.15, and 601.152, F.S.;
166 deleting provisions relating to public records
167 exemptions for trade secrets held by the Department of
168 Citrus; repealing s. 601.76, F.S., relating to a
169 public records for certain formulas filed with the
170 Department of Agriculture; amending ss. 607.0505 and
171 617.0503, F.S.; deleting provisions relating to public
172 records exemptions for certain information that might
173 reveal trade secrets held by the Department of Legal
174 Affairs; amending s. 624.4212, F.S.; deleting
175 provisions relating to public records exemptions for

176 trade secrets held by the Office of Insurance
177 Regulation; repealing s. 624.4213, F.S., relating to
178 trade secret documents submitted to the Department of
179 Financial Services or the Office of Insurance
180 Regulation; amending ss. 626.84195, 626.884, 626.9936,
181 627.0628, and 627.3518, F.S.; deleting provisions
182 relating to public records exemptions for trade
183 secrets held by the Department of Financial Services
184 or the Office of Insurance Regulation; amending s.
185 655.057, F.S.; revising provisions relating to a
186 public records exemption for trade secrets held by the
187 Office of Financial Regulation; repealing s. 655.0591,
188 F.S., relating to trade secret documents held by the
189 Office of Financial Regulation; amending s. 663.533,
190 F.S.; revising a cross-reference; repealing s.
191 721.071, F.S., relating to trade secret material filed
192 with the Division of Florida Condominiums, Timeshares,
193 and Mobile Homes of the Department of Business and
194 Professional Regulation; amending s. 815.04, F.S.;
195 deleting a public records exemption for certain trade
196 secret information relating to offenses against
197 intellectual property; repealing s. 815.045, F.S.,
198 relating to trade secret information; amending s.
199 1004.22, F.S.; deleting provisions relating to public
200 records exemptions for trade secrets and potential

201 trade secrets received, generated, ascertained, or
202 discovered during the course of research conducted
203 within the state universities; amending s. 1004.30,
204 F.S.; revising provisions relating to public records
205 exemptions for trade secrets held by state university
206 health support organizations; amending s. 1004.43,
207 F.S.; deleting provisions relating to public records
208 exemptions for trade secrets and potential trade
209 secrets held by the H. Lee Moffitt Cancer Center and
210 Research Institute; amending s. 1004.4472, F.S.;
211 deleting provisions relating to public records
212 exemptions for trade secrets and potential trade
213 secrets held by the Florida Institute for Human and
214 Machine Cognition, Inc.; amending s. 1004.78, F.S.;
215 deleting provisions relating to public records
216 exemptions for trade secrets and potential trade
217 secrets held by the technology transfers centers at
218 Florida College System institutions; amending ss.
219 601.80, 663.533, 721.13, and 921.0022, F.S.;
220 conforming provisions to changes made by the act;
221 providing a contingent effective date.

222

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

224

225 Section 1. Section 119.07135, Florida Statutes, is created

226 to read:

227 119.07135 Agency contracts; public records.—

228 (1) Any contract or agreement, or an addendum thereto, to
 229 which an agency or an entity subject to this chapter is a party,
 230 is a public record, except that confidential or exempt
 231 information contained therein may be redacted prior to release
 232 of the contract or agreement, or an addendum thereto, if the
 233 specific statutory exemption is identified.

234 (2) Notwithstanding any other provision of law, financial
 235 information related to any contract or agreement, or an addendum
 236 thereto, with an agency or an entity subject to this chapter is
 237 not confidential or exempt from s. 119.07(1) and s. 24(a), Art.
 238 I of the State Constitution. Such financial information includes
 239 the amount of money paid, any payment structure or plan,
 240 expenditures, incentives, bonuses, fees, and penalties.

241 Section 2. Paragraph (a) of subsection (12) of section
 242 24.105, Florida Statutes, is amended to read:

243 24.105 Powers and duties of department.—The department
 244 shall:

245 ~~(12)(a) Determine by rule information relating to the~~
 246 ~~operation of the lottery which is confidential and exempt from~~
 247 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~
 248 ~~Constitution. Such information includes trade secrets; security~~
 249 ~~measures, systems, or procedures; security reports; information~~
 250 ~~concerning bids or other contractual data, the disclosure of~~

251 ~~which would impair the efforts of the department to contract for~~
252 ~~goods or services on favorable terms; employee personnel~~
253 ~~information unrelated to compensation, duties, qualifications,~~
254 ~~or responsibilities; and information obtained by the Division of~~
255 ~~Security pursuant to its investigations which is otherwise~~
256 ~~confidential. To be deemed confidential, the information must be~~
257 ~~necessary to the security and integrity of the lottery.~~
258 ~~Confidential information may be released to other governmental~~
259 ~~entities as needed in connection with the performance of their~~
260 ~~duties. The receiving governmental entity shall retain the~~
261 ~~confidentiality of such information as provided for in this~~
262 ~~subsection.~~

263 Section 3. Paragraph (e) of subsection (1) of section
264 73.0155, Florida Statutes, is amended to read:

265 73.0155 Confidentiality; business information provided to
266 a governmental condemning authority.—

267 (1) The following business information provided by the
268 owner of a business to a governmental condemning authority as
269 part of an offer of business damages under s. 73.015 is
270 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
271 of the State Constitution if the owner requests in writing that
272 the business information be held confidential and exempt:

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

276 Section 4. Paragraph (f) of subsection (1) of section
277 119.071, Florida Statutes, is amended to read:

278 119.071 General exemptions from inspection or copying of
279 public records.—

280 (1) AGENCY ADMINISTRATION.—

281 (f) ~~Data processing software obtained by an agency under a~~
282 ~~licensing agreement that prohibits its disclosure and which~~
283 ~~software is a trade secret, as defined in s. 812.081, and~~
284 Agency-produced data processing software that is sensitive is
285 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State
286 Constitution. The designation of agency-produced software as
287 sensitive does not prohibit an agency head from sharing or
288 exchanging such software with another public agency. ~~This~~
289 ~~paragraph is subject to the Open Government Sunset Review Act in~~
290 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
291 ~~2021, unless reviewed and saved from repeal through reenactment~~
292 ~~by the Legislature.~~

293 Section 5. Paragraph (a) of subsection (4) of section
294 119.0713, Florida Statutes, is amended to read:

295 119.0713 Local government agency exemptions from
296 inspection or copying of public records.—

297 (4) (a) Proprietary confidential business information means
298 information, regardless of form or characteristics, which is
299 held by an electric utility that is subject to chapter 119, is
300 intended to be and is treated by the entity that provided the

301 information to the electric utility as private in that the
 302 disclosure of the information would cause harm to the entity
 303 providing the information or its business operations, and has
 304 not been disclosed unless disclosed pursuant to a statutory
 305 provision, an order of a court or administrative body, or a
 306 private agreement that provides that the information will not be
 307 released to the public. Proprietary confidential business
 308 information includes, ~~but is not limited to:~~

309 ~~1. Trade secrets.~~

310 ~~1.2.~~ Internal auditing controls and reports of internal
 311 auditors.

312 ~~2.3.~~ Security measures, systems, or procedures.

313 ~~3.4.~~ Information concerning bids or other contractual
 314 data, the disclosure of which would impair the efforts of the
 315 electric utility to contract for goods or services on favorable
 316 terms.

317 ~~4.5.~~ Information relating to competitive interests, the
 318 disclosure of which would impair the competitive business of the
 319 provider of the information.

320 Section 6. Paragraph (d) of subsection (9) of section
 321 125.0104, Florida Statutes, is amended to read:

322 125.0104 Tourist development tax; procedure for levying;
 323 authorized uses; referendum; enforcement.—

324 (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any
 325 other powers and duties provided for agencies created for the

326 | purpose of tourism promotion by a county levying the tourist
327 | development tax, such agencies are authorized and empowered to:
328 | (d) Undertake marketing research and advertising research
329 | studies and provide reservations services and convention and
330 | meetings booking services consistent with the authorized uses of
331 | revenue as set forth in subsection (5).

332 | 1. Information given to a county tourism promotion agency
333 | which, if released, would reveal the identity of persons or
334 | entities who provide data or other information as a response to
335 | a sales promotion effort, an advertisement, or a research
336 | project or whose names, addresses, meeting or convention plan
337 | information or accommodations or other visitation needs become
338 | booking or reservation list data, is exempt from s. 119.07(1)
339 | and s. 24(a), Art. I of the State Constitution.

340 | 2. ~~The following information,~~ When held by a county
341 | tourism promotion agency, booking business records, as defined
342 | in s. 255.047, are ~~is~~ exempt from s. 119.07(1) and s. 24(a),
343 | Art. I of the State Constitution. ~~±~~

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

345 | b. ~~Trade secrets and commercial or financial information~~
346 | ~~gathered from a person and privileged or confidential, as~~
347 | ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~
348 | ~~amendments thereto.~~

349 | 3. ~~A trade secret, as defined in s. 812.081, held by a~~
350 | ~~county tourism promotion agency is exempt from s. 119.07(1) and~~

351 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
352 ~~subject to the Open Government Sunset Review Act in accordance~~
353 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
354 ~~unless reviewed and saved from repeal through reenactment by the~~
355 ~~Legislature.~~

356 Section 7. Paragraph (m) of subsection (15) of section
357 163.01, Florida Statutes, is amended to read:

358 163.01 Florida Interlocal Cooperation Act of 1969.—

359 (15) Notwithstanding any other provision of this section
360 or of any other law except s. 361.14, any public agency of this
361 state which is an electric utility, or any separate legal entity
362 created pursuant to the provisions of this section, the
363 membership of which consists only of electric utilities, and
364 which exercises or proposes to exercise the powers granted by
365 part II of chapter 361, the Joint Power Act, may exercise any or
366 all of the following powers:

367 (m) In the event that any public agency or any such legal
368 entity, or both, should receive, in connection with its joint
369 ownership or right to the services, output, capacity, or energy
370 of an electric project, as defined in paragraph (3)(d), any
371 material which is designated by the person supplying such
372 material as proprietary confidential business information or
373 which a court of competent jurisdiction has designated as
374 confidential or secret shall be kept confidential and shall be
375 exempt from the provisions of s. 119.07(1). As used in this

376 paragraph, "proprietary confidential business information"
377 includes, ~~but is not limited to, trade secrets;~~ internal
378 auditing controls and reports of internal auditors; security
379 measures, systems, or procedures; ~~information concerning bids or~~
380 ~~other contractual data, the disclosure of which would impair the~~
381 ~~efforts of the utility to contract for services on favorable~~
382 ~~terms;~~ employee personnel information unrelated to compensation,
383 duties, qualifications, or responsibilities; and formulas,
384 patterns, devices, combinations of devices, ~~contract costs,~~ or
385 other information the disclosure of which would injure the
386 affected entity in the marketplace.

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

389 202.195 Proprietary confidential business information;
390 public records exemption.—

391 (2) For the purposes of this exemption, "proprietary
392 confidential business information" includes maps, plans, billing
393 and payment records, ~~trade secrets,~~ or other information
394 relating to the provision of or facilities for communications
395 service:

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

398 (b) The disclosure of which would be reasonably likely to
399 be used by a competitor to harm the business interests of the
400 company; and

401 (c) That is not otherwise readily ascertainable or
402 publicly available by proper means by other persons from another
403 source in the same configuration as requested by the local
404 governmental entity.

405
406 Proprietary confidential business information does not include
407 schematics indicating the location of facilities for a specific
408 site that are provided in the normal course of the local
409 governmental entity's permitting process.

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

412 215.4401 Board of Administration; public record
413 exemptions.—

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

415 1. "Alternative investment" means an investment by the
416 State Board of Administration in a private equity fund, venture
417 fund, hedge fund, or distress fund or a direct investment in a
418 portfolio company through an investment manager.

419 2. "Alternative investment vehicle" means the limited
420 partnership, limited liability company, or similar legal
421 structure or investment manager through which the State Board of
422 Administration invests in a portfolio company.

423 3. "Portfolio company" means a corporation or other
424 issuer, any of whose securities are owned by an alternative
425 investment vehicle or the State Board of Administration and any

426 subsidiary of such corporation or other issuer.

427 4. "Portfolio positions" means individual investments in
 428 portfolio companies which are made by the alternative investment
 429 vehicles, including information or specific investment terms
 430 associated with any portfolio company investment.

431 5. "Proprietor" means an alternative investment vehicle, a
 432 portfolio company in which the alternative investment vehicle is
 433 invested, or an outside consultant, including the respective
 434 authorized officers, employees, agents, or successors in
 435 interest, which controls or owns information provided to the
 436 State Board of Administration.

437 6. "Proprietary confidential business information" means
 438 information that has been designated by the proprietor when
 439 provided to the State Board of Administration as information
 440 that is owned or controlled by a proprietor; that is intended to
 441 be and is treated by the proprietor as private, the disclosure
 442 of which would harm the business operations of the proprietor
 443 and has not been intentionally disclosed by the proprietor
 444 unless pursuant to a private agreement that provides that the
 445 information will not be released to the public except as
 446 required by law or legal process, or pursuant to law or an order
 447 of a court or administrative body; and that concerns:

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

449 a.b. Information provided to the State Board of
 450 Administration regarding a prospective investment in a private

451 equity fund, venture fund, hedge fund, distress fund, or
 452 portfolio company which is proprietary to the provider of the
 453 information.

454 ~~b.e.~~ Financial statements and auditor reports of an
 455 alternative investment vehicle.

456 ~~c.d.~~ Meeting materials of an alternative investment
 457 vehicle relating to financial, operating, or marketing
 458 information of the alternative investment vehicle.

459 ~~d.e.~~ Information regarding the portfolio positions in
 460 which the alternative investment vehicles invest.

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

463 ~~f.g.~~ Alternative investment agreements and related
 464 records.

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

468 7. "Proprietary confidential business information" does
 469 not include:

470 a. The name, address, and vintage year of an alternative
 471 investment vehicle and the identity of the principals involved
 472 in the management of the alternative investment vehicle.

473 b. The dollar amount of the commitment made by the State
 474 Board of Administration to each alternative investment vehicle
 475 since inception.

476 c. The dollar amount and date of cash contributions made
477 by the State Board of Administration to each alternative
478 investment vehicle since inception.

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

482 e. The dollar amount, on a fiscal-year-end basis, of cash
483 distributions received by the State Board of Administration plus
484 the remaining value of alternative-vehicle assets that are
485 attributable to the State Board of Administration's investment
486 in each alternative investment vehicle.

487 f. The net internal rate of return of each alternative
488 investment vehicle since inception.

489 g. The investment multiple of each alternative investment
490 vehicle since inception.

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

494 i. The dollar amount of cash profit received by the State
495 Board of Administration from each alternative investment vehicle
496 on a fiscal-year-end basis.

497 j. A description of any compensation, fees, or expenses,
498 including the amount or value, paid or agreed to be paid by a
499 proprietor to any person to solicit the board to make an
500 alternative investment or investment through an alternative

501 investment vehicle. This does not apply to an executive officer,
502 general partner, managing member, or other employee of the
503 proprietor, who is paid by the proprietor to solicit the board
504 to make such investments.

505 (c)1. Notwithstanding the provisions of paragraph (b), a
506 request to inspect or copy a record under s. 119.07(1) that
507 contains proprietary confidential business information shall be
508 granted if the proprietor of the information fails, within a
509 reasonable period of time after the request is received by the
510 State Board of Administration, to verify the following to the
511 State Board of Administration through a written declaration in
512 the manner provided by s. 92.525:

513 a. That the requested record contains proprietary
514 confidential business information and the specific location of
515 such information within the record;

516 ~~b. If the proprietary confidential business information is~~
517 ~~a trade secret, a verification that it is a trade secret as~~
518 ~~defined in s. 688.002;~~

519 b.e. That the proprietary confidential business
520 information is intended to be and is treated by the proprietor
521 as private, is the subject of efforts of the proprietor to
522 maintain its privacy, and is not readily ascertainable or
523 publicly available from any other source; and

524 c.d. That the disclosure of the proprietary confidential
525 business information to the public would harm the business

526 | operations of the proprietor.

527 | 2. The State Board of Administration shall maintain a list
528 | and a description of the records covered by any verified,
529 | written declaration made under this paragraph.

530 | (d) Any person may petition a court of competent
531 | jurisdiction for an order for the public release of those
532 | portions of any record made confidential and exempt by paragraph
533 | (b). Any action under this paragraph must be brought in Leon
534 | County, Florida, and the petition or other initial pleading
535 | shall be served on the State Board of Administration and, if
536 | determinable upon diligent inquiry, on the proprietor of the
537 | information sought to be released. In any order for the public
538 | release of a record under this paragraph, the court shall make a
539 | finding ~~that the record or portion thereof is not a trade secret~~
540 | ~~as defined in s. 688.002,~~ that a compelling public interest is
541 | served by the release of the record or portions thereof which
542 | exceed the public necessity for maintaining the confidentiality
543 | of such record, and that the release of the record will not
544 | cause damage to or adversely affect the interests of the
545 | proprietor of the released information, other private persons or
546 | business entities, the State Board of Administration, or any
547 | trust fund, the assets of which are invested by the State Board
548 | of Administration.

549 | Section 10. Subsection (1) of section 252.88, Florida
550 | Statutes, is amended to read:

551 252.88 Public records.—

552 (1) Whenever EPCRA authorizes an employer to exclude trade
553 secret information from its submittals, the employer shall
554 furnish the information so excluded to the commission upon
555 request. ~~Such information shall be confidential and exempt from~~
556 ~~the provisions of s. 119.07(1). The commission shall not~~
557 ~~disclose such information except pursuant to a final~~
558 ~~determination under s. 322 of EPCRA by the Administrator of the~~
559 ~~Environmental Protection Agency that such information is not~~
560 ~~entitled to trade secret protection, or pursuant to an order of~~
561 ~~court.~~

562 Section 11. Section 252.943, Florida Statutes, is
563 repealed.

564 Section 12. Paragraph (h) of subsection (2) of section
565 287.0943, Florida Statutes, is amended to read:

566 287.0943 Certification of minority business enterprises.—

567 (2)

568 (h) The certification procedures should allow an applicant
569 seeking certification to designate on the application form the
570 information the applicant considers to be proprietary,
571 confidential business information. As used in this paragraph,
572 "proprietary, confidential business information" includes, ~~but~~
573 ~~is not limited to,~~ any information that would be exempt from
574 public inspection pursuant to the provisions of chapter 119;
575 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~

576 ~~costs;~~ or other information the disclosure of which would injure
577 the affected party in the marketplace or otherwise violate s.
578 286.041. The executor in receipt of the application shall issue
579 written and final notice of any information for which
580 noninspection is requested but not provided for by law.

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

583 288.047 Quick-response training for economic development.—

584 (7) In providing instruction pursuant to this section,
585 materials that relate to methods of manufacture or production,
586 ~~potential trade secrets,~~ business transactions, or proprietary
587 information received, produced, ascertained, or discovered by
588 employees of the respective departments, district school boards,
589 community college district boards of trustees, or other
590 personnel employed for the purposes of this section is
591 confidential and exempt from the provisions of s. 119.07(1). The
592 state may seek copyright protection for instructional materials
593 and ancillary written documents developed wholly or partially
594 with state funds as a result of instruction provided pursuant to
595 this section, except for materials that are confidential and
596 exempt from the provisions of s. 119.07(1).

597 Section 14. Paragraph (c) of subsection (1) and subsection
598 (3) of section 288.075, Florida Statutes, are amended to read:

599 288.075 Confidentiality of records.—

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

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

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

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

607 288.1226 Florida Tourism Industry Marketing Corporation;
608 use of property; board of directors; duties; audit.—

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

619 Section 16. Paragraph (d) of subsection (3) of section
620 288.776, Florida Statutes, is amended to read:

621 288.776 Board of directors; powers and duties.—

622 (3) The board shall:

623 (d) Adopt policies, including criteria, establishing which
624 exporters and export transactions shall be eligible for
625 insurance, coinsurance, loan guarantees, and direct, guaranteed,

626 or collateralized loans which may be extended by the
 627 corporation. Pursuant to this subsection, the board shall
 628 include the following criteria:

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

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

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

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

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

643

644 Personal financial records, ~~trade secrets~~, or proprietary
 645 information of applicants shall be confidential and exempt from
 646 the provisions of s. 119.07(1).

647 Section 17. Section 288.9520, Florida Statutes, is amended
 648 to read:

649 288.9520 Public records exemption.—Materials that relate
 650 to methods of manufacture or production, ~~potential trade~~

651 ~~secrets,~~ potentially patentable material, ~~actual trade secrets,~~
652 business transactions, financial and proprietary information,
653 and agreements or proposals to receive funding that are
654 received, generated, ascertained, or discovered by Enterprise
655 Florida, Inc., including its affiliates or subsidiaries and
656 partnership participants, such as private enterprises,
657 educational institutions, and other organizations, are
658 confidential and exempt from the provisions of s. 119.07(1) and
659 s. 24(a), Art. I of the State Constitution, except that a
660 recipient of Enterprise Florida, Inc., research funds shall make
661 available, upon request, the title and description of the
662 research project, the name of the researcher, and the amount and
663 source of funding provided for the project.

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

666 288.9607 Guaranty of bond issues.—

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

671 Section 19. Paragraph (f) of subsection (1), paragraph (a)
672 of subsection (2), paragraph (a) of subsection (3), and
673 paragraphs (b) and (c) of subsection (4) of section 288.9626,
674 Florida Statutes, are amended to read:

675 288.9626 Exemptions from public records and public

676 meetings requirements for the Florida Opportunity Fund.—
677 (1) DEFINITIONS.—As used in this section, the term:
678 (f)1. "Proprietary confidential business information"
679 means information that has been designated by the proprietor
680 when provided to the Florida Opportunity Fund as information
681 that is owned or controlled by a proprietor; that is intended to
682 be and is treated by the proprietor as private, the disclosure
683 of which would harm the business operations of the proprietor
684 and has not been intentionally disclosed by the proprietor
685 unless pursuant to a private agreement that provides that the
686 information will not be released to the public except as
687 required by law or legal process, or pursuant to law or an order
688 of a court or administrative body; and that concerns:
689 ~~a. Trade secrets as defined in s. 688.002.~~
690 a.b. Information provided to the Florida Opportunity Fund
691 regarding an existing or prospective alternative investment in a
692 private equity fund, venture capital fund, angel fund, or
693 portfolio company that is proprietary to the provider of the
694 information.
695 ~~b.e.~~ Financial statements and auditor reports of an
696 alternative investment vehicle or portfolio company, unless
697 publicly released by the alternative investment vehicle or
698 portfolio company.
699 ~~c.d.~~ Meeting materials of an alternative investment
700 vehicle or portfolio company relating to financial, operating,

701 or marketing information of the alternative investment vehicle
702 or portfolio company.

703 ~~d.e.~~ Information regarding the portfolio positions in
704 which the alternative investment vehicles or Florida Opportunity
705 Fund invest.

706 ~~e.f.~~ Capital call and distribution notices to investors or
707 the Florida Opportunity Fund of an alternative investment
708 vehicle.

709 ~~f.g.~~ Alternative investment agreements and related
710 records.

711 ~~g.h.~~ Information concerning investors, other than the
712 Florida Opportunity Fund, in an alternative investment vehicle
713 or portfolio company.

714 2. "Proprietary confidential business information" does
715 not include:

716 a. The name, address, and vintage year of an alternative
717 investment vehicle or Florida Opportunity Fund and the identity
718 of the principals involved in the management of the alternative
719 investment vehicle or Florida Opportunity Fund.

720 b. The dollar amount of the commitment made by the Florida
721 Opportunity Fund to each alternative investment vehicle since
722 inception, if any.

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

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

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

734 f. The net internal rate of return of each alternative
 735 investment vehicle since inception.

736 g. The investment multiple of each alternative investment
 737 vehicle since inception.

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

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

744 (2) PUBLIC RECORDS EXEMPTION.—

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

748 1. Materials that relate to methods of manufacture or
 749 production, ~~potential trade secrets~~, or patentable material
 750 received, generated, ascertained, or discovered during the

751 course of research or through research projects and that are
 752 provided by a proprietor.

753 2. Information that would identify an investor or
 754 potential investor who desires to remain anonymous in projects
 755 reviewed by the Florida Opportunity Fund.

756 3. Proprietary confidential business information regarding
 757 alternative investments for 7 years after the termination of the
 758 alternative investment.

759 (3) PUBLIC MEETINGS EXEMPTION.—

760 (a) That portion of a meeting of the board of directors
 761 of the Florida Opportunity Fund at which information is
 762 discussed which is confidential and exempt under subsection (2)
 763 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of
 764 the State Constitution.

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

766 (b) Notwithstanding the provisions of paragraph (2)(a), a
 767 request to inspect or copy a public record that contains
 768 proprietary confidential business information shall be granted
 769 if the proprietor of the information fails, within a reasonable
 770 period of time after the request is received by the Florida
 771 Opportunity Fund, to verify the following to the Florida
 772 Opportunity Fund through a written declaration in the manner
 773 provided by s. 92.525:

774 1. That the requested record contains proprietary
 775 confidential business information and the specific location of

776 such information within the record;

777 ~~2. If the proprietary confidential business information is~~
778 ~~a trade secret, a verification that it is a trade secret as~~
779 ~~defined in s. 688.002;~~

780 2.3. That the proprietary confidential business
781 information is intended to be and is treated by the proprietor
782 as private, is the subject of efforts of the proprietor to
783 maintain its privacy, and is not readily ascertainable or
784 publicly available from any other source; and

785 3.4. That the disclosure of the proprietary confidential
786 business information to the public would harm the business
787 operations of the proprietor.

788 (c)1. Any person may petition a court of competent
789 jurisdiction for an order for the public release of those
790 portions of any record made confidential and exempt by
791 subsection (2).

792 2. Any action under this subsection must be brought in
793 Orange County, and the petition or other initial pleading shall
794 be served on the Florida Opportunity Fund and, if determinable
795 upon diligent inquiry, on the proprietor of the information
796 sought to be released.

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

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

801 a. ~~b.~~ A compelling public interest is served by the
802 release of the record or portions thereof which exceed the
803 public necessity for maintaining the confidentiality of such
804 record; and

805 b. ~~e.~~ The release of the record will not cause damage to
806 or adversely affect the interests of the proprietor of the
807 released information, other private persons or business
808 entities, or the Florida Opportunity Fund.

809 Section 20. Paragraph (b) of subsection (1), paragraph (a)
810 of subsection (2), paragraph (a) of subsection (3), and
811 paragraphs (b) and (c) of subsection (4) of section 288.9627,
812 Florida Statutes, are amended to read:

813 288.9627 Exemptions from public records and public
814 meetings requirements for the Institute for the
815 Commercialization of Public Research.—

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

817 (b)1. "Proprietary confidential business information"
818 means information that has been designated by the proprietor
819 when provided to the institute as information that is owned or
820 controlled by a proprietor; that is intended to be and is
821 treated by the proprietor as private, the disclosure of which
822 would harm the business operations of the proprietor and has not
823 been intentionally disclosed by the proprietor unless pursuant
824 to a private agreement that provides that the information will
825 not be released to the public except as required by law or legal

826 | process, or pursuant to law or an order of a court or
 827 | administrative body; and that concerns:

828 | ~~a. Trade secrets as defined in s. 688.002.~~

829 | a.b. Financial statements and internal or external auditor
 830 | reports of a proprietor corporation, partnership, or person
 831 | requesting confidentiality under this statute, unless publicly
 832 | released by the proprietor.

833 | ~~b.e.~~ Meeting materials related to financial, operating,
 834 | investment, or marketing information of the proprietor
 835 | corporation, partnership, or person.

836 | ~~c.d.~~ Information concerning private investors in the
 837 | proprietor corporation, partnership, or person.

838 | 2. "Proprietary confidential business information" does
 839 | not include:

840 | a. The identity and primary address of the proprietor's
 841 | principals.

842 | b. The dollar amount and date of the financial commitment
 843 | or contribution made by the institute.

844 | c. The dollar amount, on a fiscal-year-end basis, of cash
 845 | repayments or other fungible distributions received by the
 846 | institute from each proprietor.

847 | d. The dollar amount, if any, of the total management fees
 848 | and costs paid on an annual fiscal-year-end basis by the
 849 | institute.

850 | (2) PUBLIC RECORDS EXEMPTION.—

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

854 1. Materials that relate to methods of manufacture or
855 production, ~~potential trade secrets,~~ or patentable material
856 received, generated, ascertained, or discovered during the
857 course of research or through research projects conducted by
858 universities and other publicly supported organizations in this
859 state and that are provided to the institute by a proprietor.

860 2. Information that would identify an investor or
861 potential investor who desires to remain anonymous in projects
862 reviewed by the institute for assistance.

863 3. Any information received from a person from another
864 state or nation or the Federal Government which is otherwise
865 confidential or exempt pursuant to the laws of that state or
866 nation or pursuant to federal law.

867 4. Proprietary confidential business information for 7
868 years after the termination of the institute's financial
869 commitment to the company.

870 (3) PUBLIC MEETINGS EXEMPTION.—

871 (a) That portion of a meeting of the institute's board of
872 directors at which information is discussed which is
873 confidential and exempt under subsection (2) or s. 688.01 is
874 exempt from s. 286.011 and s. 24(b), Art. I of the State
875 Constitution.

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

877 (b) Notwithstanding the provisions of paragraph (2)(a), a
878 request to inspect or copy a public record that contains
879 proprietary confidential business information shall be granted
880 if the proprietor of the information fails, within a reasonable
881 period of time after the request is received by the institute,
882 to verify the following to the institute through a written
883 declaration in the manner provided by s. 92.525:

884 1. That the requested record contains proprietary
885 confidential business information and the specific location of
886 such information within the record;

887 ~~2. If the proprietary confidential business information is~~
888 ~~a trade secret, a verification that it is a trade secret as~~
889 ~~defined in s. 688.002;~~

890 2.3. That the proprietary confidential business
891 information is intended to be and is treated by the proprietor
892 as private, is the subject of efforts of the proprietor to
893 maintain its privacy, and is not readily ascertainable or
894 publicly available from any other source; and

895 3.4. That the disclosure of the proprietary confidential
896 business information to the public would harm the business
897 operations of the proprietor.

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

901 subsection (2).

902 2. Any action under this subsection must be brought in
 903 Palm Beach County or Alachua County, and the petition or other
 904 initial pleading shall be served on the institute and, if
 905 determinable upon diligent inquiry, on the proprietor of the
 906 information sought to be released.

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

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

911 a.b. A compelling public interest is served by the release
 912 of the record or portions thereof which exceed the public
 913 necessity for maintaining the confidentiality of such record;
 914 and

915 b.e. The release of the record will not cause damage to or
 916 adversely affect the interests of the proprietor of the released
 917 information, other private persons or business entities, or the
 918 institute.

919 Section 21. Section 331.326, Florida Statutes, is amended
 920 to read:

921 331.326 Information relating to trade secrets
 922 confidential.—The records of Space Florida regarding matters
 923 encompassed by this act are public records subject to chapter
 924 119. ~~Any information held by Space Florida which is a trade~~
 925 ~~secret, as defined in s. 812.081, including trade secrets of~~

926 ~~Space Florida, any spaceport user, or the space industry~~
927 ~~business, is confidential and exempt from s. 119.07(1) and s.~~
928 ~~24(a), Art. I of the State Constitution and may not be~~
929 ~~disclosed. If Space Florida determines that any information~~
930 ~~requested by the public will reveal a trade secret, it shall, in~~
931 ~~writing, inform the person making the request of that~~
932 ~~determination. The determination is a final order as defined in~~
933 ~~s. 120.52. Any meeting or portion of a meeting of Space~~
934 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~
935 ~~of the State Constitution when the board is discussing trade~~
936 ~~secrets as defined in s. 688.01. Any public record generated~~
937 ~~during the closed portions of the meetings, such as minutes,~~
938 ~~tape recordings, and notes, is confidential and exempt from s.~~
939 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
940 ~~section is subject to the Open Government Sunset Review Act in~~
941 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
942 ~~2021, unless reviewed and saved from repeal through reenactment~~
943 ~~by the Legislature.~~

944 Section 22. Subsection (4) of section 334.049, Florida
945 Statutes, is amended to read:

946 334.049 Patents, copyrights, trademarks; notice to
947 Department of State; ~~confidentiality of trade secrets.~~

948 ~~(4) Any information obtained by the department as a result~~
949 ~~of research and development projects and revealing a method of~~
950 ~~process, production, or manufacture which is a trade secret as~~

951 ~~defined in s. 688.002, is confidential and exempt from the~~
952 ~~provisions of s. 119.07(1).~~

953 Section 23. Section 350.121, Florida Statutes, is amended
954 to read:

955 350.121 Commission inquiries; confidentiality of business
956 material.—If the commission undertakes an inquiry, any records,
957 documents, papers, maps, books, tapes, photographs, files, sound
958 recordings, or other business material, regardless of form or
959 characteristics, obtained by the commission incident to the
960 inquiry are considered confidential and exempt from s. 119.07(1)
961 while the inquiry is pending. If at the conclusion of an inquiry
962 the commission undertakes a formal proceeding, any matter
963 determined by the commission or by a judicial or administrative
964 body, federal or state, to be ~~trade secrets or~~ proprietary
965 confidential business information coming into its possession
966 pursuant to such inquiry shall be considered confidential and
967 exempt from s. 119.07(1). Such material may be used in any
968 administrative or judicial proceeding so long as the
969 confidential or proprietary nature of the material is
970 maintained.

971 Section 24. Paragraph (a) of subsection (3) of section
972 364.183, Florida Statutes, is amended to read:

973 364.183 Access to company records.—

974 (3) The term "proprietary confidential business
975 information" means information, regardless of form or

976 characteristics, which is owned or controlled by the person or
 977 company, is intended to be and is treated by the person or
 978 company as private in that the disclosure of the information
 979 would cause harm to the ratepayers or the person's or company's
 980 business operations, and has not been disclosed unless disclosed
 981 pursuant to a statutory provision, an order of a court or
 982 administrative body, or private agreement that provides that the
 983 information will not be released to the public. The term
 984 includes, ~~but is not limited to:~~

985 ~~(a) Trade secrets.~~

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

988 365.174 Proprietary confidential business information.—

989 (3) As used in this section, the term "proprietary
 990 confidential business information" means customer lists,
 991 customer numbers, individual or aggregate customer data by
 992 location, usage and capacity data, network facilities used to
 993 serve subscribers, technology descriptions, or technical
 994 information, ~~or trade secrets, including trade secrets as~~
 995 ~~defined in s. 812.081,~~ and the actual or developmental costs of
 996 E911 systems that are developed, produced, or received
 997 internally by a provider or by a provider's employees,
 998 directors, officers, or agents.

999 Section 26. Paragraph (a) of subsection (3) of section
 1000 366.093, Florida Statutes, is amended to read:

1001 366.093 Public utility records; confidentiality.—

1002 (3) Proprietary confidential business information means

1003 information, regardless of form or characteristics, which is

1004 owned or controlled by the person or company, is intended to be

1005 and is treated by the person or company as private in that the

1006 disclosure of the information would cause harm to the ratepayers

1007 or the person's or company's business operations, and has not

1008 been disclosed unless disclosed pursuant to a statutory

1009 provision, an order of a court or administrative body, or

1010 private agreement that provides that the information will not be

1011 released to the public. Proprietary confidential business

1012 information includes, ~~but is not limited to:~~

1013 ~~(a) Trade secrets.~~

1014 Section 27. Paragraph (a) of subsection (3) of section

1015 367.156, Florida Statutes, is amended to read:

1016 367.156 Public utility records; confidentiality.—

1017 (3) Proprietary confidential business information means

1018 information, regardless of form or characteristics, which is

1019 owned or controlled by the person or company, is intended to be

1020 and is treated by the person or company as private in that the

1021 disclosure of the information would cause harm to the ratepayers

1022 or the person's or company's business operations, and has not

1023 been disclosed unless disclosed pursuant to a statutory

1024 provision, an order of a court or administrative body, or a

1025 private agreement that provides that the information will not be

1026 released to the public. Proprietary business information
 1027 includes, ~~but is not limited to:~~

1028 ~~(a) Trade secrets.~~

1029 Section 28. Paragraph (a) of subsection (3) of section
 1030 368.108, Florida Statutes, is amended to read:

1031 368.108 Confidentiality; discovery.—

1032 (3) "Proprietary confidential business information" means
 1033 information, regardless of form or characteristics, which is
 1034 owned or controlled by the person or company, is intended to be
 1035 and is treated by the person or company as private in that the
 1036 disclosure of the information would cause harm to the ratepayers
 1037 or the person's or company's business operations, and has not
 1038 been disclosed unless disclosed pursuant to a statutory
 1039 provision, an order of a court or administrative body, or a
 1040 private agreement that provides that the information will not be
 1041 released to the public. "Proprietary confidential business
 1042 information" includes, ~~but is not limited to:~~

1043 ~~(a) Trade secrets.~~

1044 Section 29. Paragraph (e) of subsection (1) of section
 1045 377.24075, Florida Statutes, is amended to read:

1046 377.24075 Exemption from public records requirements.—
 1047 Proprietary business information held by the Department of
 1048 Environmental Protection in accordance with its statutory duties
 1049 with respect to an application for a natural gas storage
 1050 facility permit is confidential and exempt from s. 119.07(1) and

1051 s. 24(a), Art. I of the State Constitution.

1052 (1) As used in this section, the term "proprietary
1053 business information" means information that:

1054 (e) Includes, ~~but is not limited to:~~

1055 ~~1. Trade secrets as defined in s. 688.002.~~

1056 1.2. Leasing plans, real property acquisition plans,
1057 exploration budgets, or marketing studies, the disclosure of
1058 which would impair the efforts of the applicant or its
1059 affiliates to contract for goods or services or to acquire real
1060 property interests on favorable terms.

1061 2.3. Competitive interests, which may include well design
1062 or completion plans, geological or engineering studies related
1063 to storage reservoir performance characteristics, or field
1064 utilization strategies or operating plans, the disclosure of
1065 which would impair the competitive business of the applicant
1066 providing the information.

1067 Section 30. Section 381.83, Florida Statutes, is repealed.

1068 Section 31. Paragraph (c) of subsection (2) of section
1069 395.3035, Florida Statutes, is amended to read:

1070 395.3035 Confidentiality of hospital records and
1071 meetings.—

1072 (2) The following records and information of any hospital
1073 that is subject to chapter 119 and s. 24(a), Art. I of the State
1074 Constitution are confidential and exempt from the provisions of
1075 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1076 (c) ~~Trade secrets, as defined in s. 688.002, including~~
 1077 Reimbursement methodologies and rates.

1078 Section 32. Subsection (2) and paragraph (b) of subsection
 1079 (3) of section 403.7046, Florida Statutes, are amended to read:

1080 403.7046 Regulation of recovered materials.—

1081 (2) Notwithstanding s. 688.01, information reported
 1082 pursuant to this section or any rule adopted pursuant to this
 1083 section which, if disclosed, would reveal a trade secret, as
 1084 defined in s. 688.01, may be provided by the department ~~812.081,~~
 1085 ~~is confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~
 1086 ~~I of the State Constitution. For reporting or information~~
 1087 ~~purposes, however, the department may provide this information~~
 1088 in such form that the names of the persons reporting such
 1089 information and the specific information reported are not
 1090 revealed. ~~This subsection is subject to the Open Government~~
 1091 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
 1092 ~~repealed on October 2, 2021, unless reviewed and saved from~~
 1093 ~~repeal through reenactment by the Legislature.~~

1094 (3) Except as otherwise provided in this section or
 1095 pursuant to a special act in effect on or before January 1,
 1096 1993, a local government may not require a commercial
 1097 establishment that generates source-separated recovered
 1098 materials to sell or otherwise convey its recovered materials to
 1099 the local government or to a facility designated by the local
 1100 government, nor may the local government restrict such a

1101 generator's right to sell or otherwise convey such recovered
1102 materials to any properly certified recovered materials dealer
1103 who has satisfied the requirements of this section. A local
1104 government may not enact any ordinance that prevents such a
1105 dealer from entering into a contract with a commercial
1106 establishment to purchase, collect, transport, process, or
1107 receive source-separated recovered materials.

1108 (b)~~1~~. Before engaging in business within the jurisdiction
1109 of the local government, a recovered materials dealer or
1110 pyrolysis facility must provide the local government with a copy
1111 of the certification provided for in this section. In addition,
1112 the local government may establish a registration process
1113 whereby a recovered materials dealer or pyrolysis facility must
1114 register with the local government before engaging in business
1115 within the jurisdiction of the local government. Such
1116 registration process is limited to requiring the dealer or
1117 pyrolysis facility to register its name, including the owner or
1118 operator of the dealer or pyrolysis facility, and, if the dealer
1119 or pyrolysis facility is a business entity, its general or
1120 limited partners, its corporate officers and directors, its
1121 permanent place of business, evidence of its certification under
1122 this section, and a certification that the recovered materials
1123 or post-use polymers will be processed at a recovered materials
1124 processing facility or pyrolysis facility satisfying the
1125 requirements of this section. The local government may not use

1126 the information provided in the registration application to
1127 compete unfairly with the recovered materials dealer until 90
1128 days after receipt of the application. All counties, and
1129 municipalities whose population exceeds 35,000 according to the
1130 population estimates determined pursuant to s. 186.901, may
1131 establish a reporting process that must be limited to the
1132 regulations, reporting format, and reporting frequency
1133 established by the department pursuant to this section, which
1134 must, at a minimum, include requiring the dealer or pyrolysis
1135 facility to identify the types and approximate amount of
1136 recovered materials or post-use polymers collected, recycled, or
1137 reused during the reporting period; the approximate percentage
1138 of recovered materials or post-use polymers reused, stored, or
1139 delivered to a recovered materials processing facility or
1140 pyrolysis facility or disposed of in a solid waste disposal
1141 facility; and the locations where any recovered materials or
1142 post-use polymers were disposed of as solid waste. The local
1143 government may charge the dealer or pyrolysis facility a
1144 registration fee commensurate with and no greater than the cost
1145 incurred by the local government in operating its registration
1146 program. Registration program costs are limited to those costs
1147 associated with the activities described in this paragraph
1148 ~~subparagraph~~. Any reporting or registration process established
1149 by a local government with regard to recovered materials or
1150 post-use polymers is governed by this section and department

1151 rules adopted pursuant thereto.

1152 ~~2. Information reported under this subsection which, if~~
1153 ~~disclosed, would reveal a trade secret, as defined in s.~~
1154 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
1155 ~~24(a), Art. I of the State Constitution. This subparagraph is~~
1156 ~~subject to the Open Government Sunset Review Act in accordance~~
1157 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1158 ~~unless reviewed and saved from repeal through reenactment by the~~
1159 ~~Legislature.~~

1160 Section 33. Section 403.73, Florida Statutes, is repealed.

1161 Section 34. Paragraph (c) of subsection (1) of section
1162 408.061, Florida Statutes, is amended to read:

1163 408.061 Data collection; uniform systems of financial
1164 reporting; information relating to physician charges;
1165 confidential information; immunity.—

1166 (1) The agency shall require the submission by health care
1167 facilities, health care providers, and health insurers of data
1168 necessary to carry out the agency's duties and to facilitate
1169 transparency in health care pricing data and quality measures.
1170 Specifications for data to be collected under this section shall
1171 be developed by the agency and applicable contract vendors, with
1172 the assistance of technical advisory panels including
1173 representatives of affected entities, consumers, purchasers, and
1174 such other interested parties as may be determined by the
1175 agency.

1176 (c) Data to be submitted by health insurers may include,
 1177 but are not limited to: claims, payments to health care
 1178 facilities and health care providers as specified by rule,
 1179 premium, administration, and financial information. Data
 1180 submitted shall be certified by the chief financial officer, an
 1181 appropriate and duly authorized representative, or an employee
 1182 of the insurer that the information submitted is true and
 1183 accurate. ~~Information that is considered a trade secret under s.~~
 1184 ~~812.081 shall be clearly designated.~~

1185 Section 35. Subsection (1) of section 408.185, Florida
 1186 Statutes, is amended to read:

1187 408.185 Information submitted for review of antitrust
 1188 issues; confidentiality.—The following information held by the
 1189 Office of the Attorney General, which is submitted by a member
 1190 of the health care community pursuant to a request for an
 1191 antitrust no-action letter shall be confidential and exempt from
 1192 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1193 Constitution for 1 year after the date of submission.

1194 ~~(1) Documents that reveal trade secrets as defined in s.~~
 1195 ~~688.002.~~

1196 Section 36. Paragraph (a) of subsection (14) of section
 1197 408.910, Florida Statutes, is amended to read:

1198 408.910 Florida Health Choices Program.—

1199 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1200 (a) Definitions.—For purposes of this subsection, the

1201 term:

1202 1. "Buyer's representative" means a participating
1203 insurance agent as described in paragraph (4) (g).

1204 2. "Enrollee" means an employer who is eligible to enroll
1205 in the program pursuant to paragraph (4) (a).

1206 3. "Participant" means an individual who is eligible to
1207 participate in the program pursuant to paragraph (4) (b).

1208 4. "Proprietary confidential business information" means
1209 information, regardless of form or characteristics, that is
1210 owned or controlled by a vendor requesting confidentiality under
1211 this section; that is intended to be and is treated by the
1212 vendor as private in that the disclosure of the information
1213 would cause harm to the business operations of the vendor; that
1214 has not been disclosed unless disclosed pursuant to a statutory
1215 provision, an order of a court or administrative body, or a
1216 private agreement providing that the information may be released
1217 to the public; and that is information concerning:

1218 a. Business plans.

1219 b. Internal auditing controls and reports of internal
1220 auditors.

1221 c. Reports of external auditors for privately held
1222 companies.

1223 d. Client and customer lists.

1224 e. Potentially patentable material.

1225 ~~f. A trade secret as defined in s. 688.002.~~

1226 5. "Vendor" means a participating insurer or other
 1227 provider of services as described in paragraph (4) (d).

1228 Section 37. Section 409.91196, Florida Statutes, is amended
 1229 to read:

1230 409.91196 Supplemental rebate agreements; public records
 1231 and public meetings exemption.—

1232 (1) The rebate amount, percent of rebate, manufacturer's
 1233 pricing, and supplemental rebate, ~~and other trade secrets as~~
 1234 ~~defined in s. 688.002 that the agency has identified for use in~~
 1235 ~~negotiations,~~ held by the Agency for Health Care Administration
 1236 under s. 409.912(5) (a)7. are confidential and exempt from s.
 1237 119.07(1) and s. 24(a), Art. I of the State Constitution.

1238 (2) That portion of a meeting of the Medicaid
 1239 Pharmaceutical and Therapeutics Committee at which the rebate
 1240 amount, percent of rebate, manufacturer's pricing, or
 1241 supplemental rebate, or confidential and exempt ~~other~~ trade
 1242 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that
 1243 the agency has identified for use in negotiations, are discussed
 1244 is exempt from s. 286.011 and s. 24(b), Art. I of the State
 1245 Constitution. A record shall be made of each exempt portion of a
 1246 meeting. Such record must include the times of commencement and
 1247 termination, all discussions and proceedings, the names of all
 1248 persons present at any time, and the names of all persons
 1249 speaking. No exempt portion of a meeting may be held off the
 1250 record.

1251 Section 38. Paragraph (b) of subsection (2) of section
 1252 440.108, Florida Statutes, is amended to read:

1253 440.108 Investigatory records relating to workers'
 1254 compensation employer compliance; confidentiality.—

1255 (2) After an investigation is completed or ceases to be
 1256 active, information in records relating to the investigation
 1257 remains confidential and exempt from the provisions of s.
 1258 119.07(1) and s. 24(a), Art. I of the State Constitution if
 1259 disclosure of that information would:

1260 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1261 Section 39. Paragraph (c) of subsection (1) of section
 1262 494.00125, Florida Statutes, is amended to read:

1263 494.00125 Public records exemptions.—

1264 (1) INVESTIGATIONS OR EXAMINATIONS.—

1265 (c) Except as necessary for the office to enforce the
 1266 provisions of this chapter, a consumer complaint and other
 1267 information relative to an investigation or examination shall
 1268 remain confidential and exempt from s. 119.07(1) after the
 1269 investigation or examination is completed or ceases to be active
 1270 to the extent disclosure would:

1271 1. Jeopardize the integrity of another active
 1272 investigation or examination.

1273 2. Reveal the name, address, telephone number, social
 1274 security number, or any other identifying number or information
 1275 of any complainant, customer, or account holder.

- 1276 3. Disclose the identity of a confidential source.
- 1277 4. Disclose investigative techniques or procedures.
- 1278 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1279 Section 40. Subsection (4) of section 497.172, Florida
 1280 Statutes, is amended to read:

1281 497.172 Public records exemptions; public meetings
 1282 exemptions.—

1283 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~
 1284 ~~688.002, held by the department or board, are confidential and~~
 1285 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
 1286 ~~Constitution.~~

1287 Section 41. Paragraph (c) of subsection (3) of section
 1288 499.012, Florida Statutes, is amended to read:

1289 499.012 Permit application requirements.—

1290 (3)

1291 ~~(c) Information submitted by an applicant on an~~
 1292 ~~application required pursuant to this subsection which is a~~
 1293 ~~trade secret, as defined in s. 812.081, shall be maintained by~~
 1294 ~~the department as trade secret information pursuant to s.~~
 1295 ~~499.051(7).~~

1296 Section 42. Paragraph (b) of subsection (7) of section
 1297 499.0121, Florida Statutes, is amended to read:

1298 499.0121 Storage and handling of prescription drugs;
 1299 recordkeeping.—The department shall adopt rules to implement
 1300 this section as necessary to protect the public health, safety,

1301 and welfare. Such rules shall include, but not be limited to,
1302 requirements for the storage and handling of prescription drugs
1303 and for the establishment and maintenance of prescription drug
1304 distribution records.

1305 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1306 ~~(b) Such portions of the information required pursuant to~~
1307 ~~this subsection which are a trade secret, as defined in s.~~
1308 ~~812.081, shall be maintained by the department as trade secret~~
1309 ~~information is required to be maintained under s. 499.051. This~~
1310 ~~paragraph is subject to the Open Government Sunset Review Act in~~
1311 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
1312 ~~2021, unless reviewed and saved from repeal through reenactment~~
1313 ~~by the Legislature.~~

1314 Section 43. Paragraph (g) of subsection (1) of section
1315 499.05, Florida Statutes, is amended to read:

1316 499.05 Rules.—

1317 (1) The department shall adopt rules to implement and
1318 enforce this chapter with respect to:

1319 (g) Inspections and investigations conducted under s.
1320 499.051 or s. 499.93, ~~and the identification of information~~
1321 ~~claimed to be a trade secret and exempt from the public records~~
1322 ~~law as provided in s. 499.051(7).~~

1323 Section 44. Paragraph (b) of subsection (7) of section
1324 499.051, Florida Statutes, is amended to read:

1325 499.051 Inspections and investigations.—

1326 (7)
 1327 ~~(b) Information that constitutes a trade secret, as~~
 1328 ~~defined in s. 812.081, contained in the complaint or obtained by~~
 1329 ~~the department pursuant to the investigation must remain~~
 1330 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
 1331 ~~of the State Constitution as long as the information is held by~~
 1332 ~~the department. This paragraph is subject to the Open Government~~
 1333 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
 1334 ~~repealed on October 2, 2021, unless reviewed and saved from~~
 1335 ~~repeal through reenactment by the Legislature.~~

1336 Section 45. Section 499.931, Florida Statutes, is
 1337 repealed.

1338 Section 46. Paragraph (d) of subsection (11) of section
 1339 501.171, Florida Statutes, is amended to read:

1340 501.171 Security of confidential personal information.—

1341 (11) PUBLIC RECORDS EXEMPTION.—

1342 (d) For purposes of this subsection, the term "proprietary
 1343 information" means information that:

- 1344 1. Is owned or controlled by the covered entity.
- 1345 2. Is intended to be private and is treated by the covered
 1346 entity as private because disclosure would harm the covered
 1347 entity or its business operations.
- 1348 3. Has not been disclosed except as required by law or a
 1349 private agreement that provides that the information will not be
 1350 released to the public.

1351 4. Is not publicly available or otherwise readily
 1352 ascertainable through proper means from another source in the
 1353 same configuration as received by the department.

1354 5. Includes:

1355 ~~a. Trade secrets as defined in s. 688.002.~~

1356 ~~b.~~ competitive interests, the disclosure of which would
 1357 impair the competitive business of the covered entity who is the
 1358 subject of the information.

1359 Section 47. Section 502.222, Florida Statutes, is
 1360 repealed.

1361 Section 48. Paragraph (b) of subsection (1) of section
 1362 517.2015, Florida Statutes, is amended to read:

1363 517.2015 Confidentiality of information relating to
 1364 investigations and examinations.—

1365 (1)

1366 (b) Except as necessary for the office to enforce the
 1367 provisions of this chapter, a consumer complaint and other
 1368 information relative to an investigation or examination shall
 1369 remain confidential and exempt from s. 119.07(1) after the
 1370 investigation or examination is completed or ceases to be active
 1371 to the extent disclosure would:

1372 1. Jeopardize the integrity of another active
 1373 investigation or examination.

1374 2. Reveal the name, address, telephone number, social
 1375 security number, or any other identifying number or information

1376 of any complainant, customer, or account holder.

1377 3. Disclose the identity of a confidential source.

1378 4. Disclose investigative techniques or procedures.

1379 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1380 Section 49. Paragraph (b) of subsection (1) of section
1381 520.9965, Florida Statutes, is amended to read:

1382 520.9965 Confidentiality of information relating to
1383 investigations and examinations.—

1384 (1)

1385 (b) Except as necessary for the office to enforce the
1386 provisions of this chapter, a consumer complaint and other
1387 information relative to an investigation or examination shall
1388 remain confidential and exempt from s. 119.07(1) after the
1389 investigation or examination is completed or ceases to be active
1390 to the extent disclosure would:

1391 1. Jeopardize the integrity of another active
1392 investigation or examination.

1393 2. Reveal the name, address, telephone number, social
1394 security number, or any other identifying number or information
1395 of any complainant, customer, or account holder.

1396 3. Disclose the identity of a confidential source.

1397 4. Disclose investigative techniques or procedures.

1398 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1399 Section 50. Subsection (2) of section 526.311, Florida
1400 Statutes, is amended to read:

1401 526.311 Enforcement; civil penalties; injunctive relief.-
 1402 (2) The Department of Agriculture and Consumer Services
 1403 shall investigate any complaints regarding violations of this
 1404 act and may request in writing the production of documents and
 1405 records as part of its investigation of a complaint. If the
 1406 person upon whom such request was made fails to produce the
 1407 documents or records within 30 days after the date of the
 1408 request, the department, through the department's office of
 1409 general counsel, may issue and serve a subpoena to compel the
 1410 production of such documents and records. If any person shall
 1411 refuse to comply with a subpoena issued under this section, the
 1412 department may petition a court of competent jurisdiction to
 1413 enforce the subpoena and assess such sanctions as the court may
 1414 direct. Refiners shall afford the department reasonable access
 1415 to the refiners' posted terminal price. Any records, documents,
 1416 papers, maps, books, tapes, photographs, files, sound
 1417 recordings, or other business material, regardless of form or
 1418 characteristics, obtained by the department are confidential and
 1419 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
 1420 of the State Constitution while the investigation is pending. At
 1421 the conclusion of an investigation, any matter determined by the
 1422 department or by a judicial or administrative body, federal or
 1423 state, to be ~~a trade secret or~~ proprietary confidential business
 1424 information held by the department pursuant to such
 1425 investigation shall be considered confidential and exempt from

1426 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1427 Constitution. Such materials may be used in any administrative
 1428 or judicial proceeding so long as the confidential or
 1429 proprietary nature of the material is maintained.

1430 Section 51. Paragraph (e) of subsection (1) of section
 1431 548.062, Florida Statutes, is amended to read:

1432 548.062 Public records exemption.—

1433 (1) As used in this section, the term "proprietary
 1434 confidential business information" means information that:

1435 (e) Concerns any of the following:

- 1436 1. The number of ticket sales for a match;
- 1437 2. The amount of gross receipts after a match;
- 1438 ~~3. A trade secret, as defined in s. 688.002;~~

1439 3.4. Business plans;

1440 4.5. Internal auditing controls and reports of internal
 1441 auditors; or

1442 5.6. Reports of external auditors.

1443 Section 52. Paragraph (a) of subsection (1) of section
 1444 556.113, Florida Statutes, is amended to read:

1445 556.113 Sunshine State One-Call of Florida, Inc.; public
 1446 records exemption.—

1447 (1) As used in this section, the term "proprietary
 1448 confidential business information" means information provided
 1449 by:

1450 (a) A member operator which is a map, plan, facility

1451 location diagram, internal damage investigation report or
 1452 analysis, or dispatch methodology, ~~or trade secret as defined in~~
 1453 ~~s. 688.002,~~ or which describes the exact location of a utility
 1454 underground facility or the protection, repair, or restoration
 1455 thereof, and:

1456 1. Is intended to be and is treated by the member operator
 1457 as confidential;

1458 2. The disclosure of which would likely be used by a
 1459 competitor to harm the business interests of the member operator
 1460 or could be used for the purpose of inflicting damage on
 1461 underground facilities; and

1462 3. Is not otherwise readily ascertainable or publicly
 1463 available by proper means by other persons from another source
 1464 in the same configuration as provided to Sunshine State One-Call
 1465 of Florida, Inc.

1466 Section 53. Paragraph (b) of subsection (2) of section
 1467 559.5558, Florida Statutes, is amended to read:

1468 559.5558 Public records exemption; investigations and
 1469 examinations.—

1470 (2)

1471 (b) Information made confidential and exempt pursuant to
 1472 this section is no longer confidential and exempt once the
 1473 investigation or examination is completed or ceases to be active
 1474 unless disclosure of the information would:

1475 1. Jeopardize the integrity of another active

1476 investigation or examination.

1477 2. Reveal the personal identifying information of a
 1478 consumer, unless the consumer is also the complainant. A
 1479 complainant's personal identifying information is subject to
 1480 disclosure after the investigation or examination is completed
 1481 or ceases to be active. However, a complainant's personal
 1482 financial and health information remains confidential and
 1483 exempt.

1484 3. Reveal the identity of a confidential source.

1485 4. Reveal investigative or examination techniques or
 1486 procedures.

1487 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1488 Section 54. Paragraph (c) of subsection (3) of section
 1489 559.9285, Florida Statutes, is amended to read:

1490 559.9285 Certification of business activities.—

1491 (3) The department shall specify by rule the form of each
 1492 certification under this section which shall include the
 1493 following information:

1494 (c) The legal name, any trade names or fictitious names,
 1495 mailing address, physical address, telephone number or numbers,
 1496 facsimile number or numbers, and all Internet and electronic
 1497 contact information of every other commercial entity with which
 1498 the certifying party engages in business or commerce that is
 1499 related in any way to the certifying party's business or
 1500 commerce with any terrorist state. The information disclosed

1501 pursuant to this paragraph does not constitute customer lists
1502 ~~or~~ customer names, ~~or trade secrets~~ protected under s.
1503 570.544(8) or trade secrets protected under s. 688.01.

1504 Section 55. Subsection (2) of section 560.129, Florida
1505 Statutes, is amended to read:

1506 560.129 Confidentiality.—

1507 (2) All information obtained by the office in the course
1508 of its investigation or examination ~~which is a trade secret, as~~
1509 ~~defined in s. 688.002, or~~ which is personal financial
1510 information shall remain confidential and exempt from s.
1511 119.07(1) and s. 24(a), Art. I of the State Constitution. If any
1512 administrative, civil, or criminal proceeding against a money
1513 services business, its authorized vendor, or an affiliated party
1514 is initiated and the office seeks to use matter that a licensee
1515 believes to be ~~a trade secret or~~ personal financial information,
1516 such records shall be subject to an in camera review by the
1517 administrative law judge, if the matter is before the Division
1518 of Administrative Hearings, or a judge of any court of this
1519 state, any other state, or the United States, as appropriate,
1520 for the purpose of determining if the matter is ~~a trade secret~~
1521 ~~or is~~ personal financial information. ~~If it is determined that~~
1522 ~~the matter is a trade secret, the matter shall remain~~
1523 ~~confidential.~~ If it is determined that the matter is personal
1524 financial information, the matter shall remain confidential
1525 unless the administrative law judge or judge determines that, in

1526 | the interests of justice, the matter should become public.
 1527 | Section 56. Subsection (3) of section 570.48, Florida
 1528 | Statutes, is amended to read:
 1529 | 570.48 Division of Fruit and Vegetables; powers and
 1530 | duties; records.—The duties of the Division of Fruit and
 1531 | Vegetables include, but are not limited to:
 1532 | (3) Maintaining the records of the division. The records
 1533 | of the division are public records .; ~~however, trade secrets as~~
 1534 | ~~defined in s. 812.081 are confidential and exempt from s.~~
 1535 | ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
 1536 | ~~subsection is subject to the Open Government Sunset Review Act~~
 1537 | ~~in accordance with s. 119.15 and shall stand repealed on October~~
 1538 | ~~2, 2021, unless reviewed and saved from repeal through~~
 1539 | ~~reenactment by the Legislature. This Section 688.01 may not be~~
 1540 | ~~construed to prohibit:~~
 1541 | ~~(a) A disclosure necessary to enforcement procedures.~~
 1542 | ~~(b) The department from releasing information to other~~
 1543 | ~~governmental agencies. Other governmental agencies that receive~~
 1544 | ~~confidential information from the department under this~~
 1545 | ~~subsection shall maintain the confidentiality of that~~
 1546 | ~~information.~~
 1547 | ~~(c)~~ the department or other agencies from compiling and
 1548 | publishing appropriate data regarding procedures, yield,
 1549 | recovery, quality, and related matters, provided such released
 1550 | data do not reveal by whom the activity to which the data relate

1551 | was conducted.

1552 | Section 57. Subsection (8) of section 570.544, Florida
1553 | Statutes, is amended to read:

1554 | 570.544 Division of Consumer Services; director; powers;
1555 | processing of complaints; records.—

1556 | (8) The records of the Division of Consumer Services are
1557 | public records. However, customer lists and, customer names, ~~and~~
1558 | ~~trade secrets~~ are confidential and exempt from the provisions of
1559 | s. 119.07(1). Disclosure necessary to enforcement procedures
1560 | does not violate this prohibition.

1561 | Section 58. Subsection (2) of section 573.123, Florida
1562 | Statutes, is amended to read:

1563 | 573.123 Maintenance and production of records.—

1564 | ~~(2) Information that, if disclosed, would reveal a trade~~
1565 | ~~secret, as defined in s. 812.081, of any person subject to a~~
1566 | ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1567 | ~~s. 24(a), Art. I of the State Constitution and may not be~~
1568 | ~~disclosed except to an attorney who provides legal advice to the~~
1569 | ~~division about enforcing a marketing order or by court order. A~~
1570 | ~~person who receives confidential information under this~~
1571 | ~~subsection shall maintain the confidentiality of that~~
1572 | ~~information. This subsection is subject to the Open Government~~
1573 | ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1574 | ~~repealed on October 2, 2021, unless reviewed and saved from~~
1575 | ~~repeal through reenactment by the Legislature.~~

1576 Section 59. Section 581.199, Florida Statutes, is
 1577 repealed.

1578 Section 60. Paragraph (b) of subsection (8) of section
 1579 601.10, Florida Statutes, is amended to read:

1580 601.10 Powers of the Department of Citrus.—The department
 1581 shall have and shall exercise such general and specific powers
 1582 as are delegated to it by this chapter and other statutes of the
 1583 state, which powers shall include, but are not limited to, the
 1584 following:

1585 (8)

1586 ~~(b) Any information provided to the department which~~
 1587 ~~constitutes a trade secret as defined in s. 812.081 is~~
 1588 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
 1589 ~~of the State Constitution. This paragraph is subject to the Open~~
 1590 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
 1591 ~~shall stand repealed on October 2, 2021, unless reviewed and~~
 1592 ~~saved from repeal through reenactment by the Legislature.~~

1593 Section 61. Paragraph (d) of subsection (7) of section
 1594 601.15, Florida Statutes, is amended to read:

1595 601.15 Advertising campaign; methods of conducting;
 1596 assessments; emergency reserve fund; citrus research.—

1597 (7) All assessments levied and collected under this
 1598 chapter shall be paid into the State Treasury on or before the
 1599 15th day of each month. Such moneys shall be accounted for in a
 1600 special fund to be designated as the Florida Citrus Advertising

1601 Trust Fund, and all moneys in such fund are appropriated to the
1602 department for the following purposes:

1603 (d)1. The pro rata portion of moneys allocated to each
1604 type of citrus product in noncommodity programs shall be used by
1605 the department to encourage substantial increases in the
1606 effectiveness, frequency, and volume of noncommodity
1607 advertising, merchandising, publicity, and sales promotion of
1608 such citrus products through rebates and incentive payments to
1609 handlers and trade customers for these activities. The
1610 department shall adopt rules providing for the use of such
1611 moneys. The rules shall establish alternate incentive programs,
1612 including at least one incentive program for product sold under
1613 advertised brands, one incentive program for product sold under
1614 private label brands, and one incentive program for product sold
1615 in bulk. For each incentive program, the rules must establish
1616 eligibility and performance requirements and must provide
1617 appropriate limitations on amounts payable to a handler or trade
1618 customer for a particular season. Such limitations may relate to
1619 the amount of citrus assessments levied and collected on the
1620 citrus product handled by such handler or trade customer during
1621 a 12-month representative period.

1622 2. The department may require from participants in
1623 noncommodity advertising and promotional programs commercial
1624 information necessary to determine eligibility for and
1625 performance in such programs. ~~Any information required which~~

1626 ~~constitutes a trade secret as defined in s. 812.081 is~~
1627 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1628 ~~of the State Constitution. This subparagraph is subject to the~~
1629 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
1630 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~
1631 ~~saved from repeal through reenactment by the Legislature.~~

1632 Section 62. Paragraph (c) of subsection (8) of section
1633 601.152, Florida Statutes, is amended to read:

1634 601.152 Special marketing orders.—

1635 (8)

1636 (c)~~1~~. Every handler shall, at such times as the department
1637 may require, file with the department a return, not under oath,
1638 on forms to be prescribed and furnished by the department,
1639 certified as true and correct, stating the quantity of the type,
1640 variety, and form of citrus fruit or citrus product specified in
1641 the marketing order first handled in the primary channels of
1642 trade in the state by such handler during the period of time
1643 specified in the marketing order. Such returns must contain any
1644 further information deemed by the department to be reasonably
1645 necessary to properly administer or enforce this section or any
1646 marketing order implemented under this section.

1647 ~~2. Information that, if disclosed, would reveal a trade~~
1648 ~~secret, as defined in s. 812.081, of any person subject to a~~
1649 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1650 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~

1651 ~~subject to the Open Government Sunset Review Act in accordance~~
 1652 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
 1653 ~~unless reviewed and saved from repeal through reenactment by the~~
 1654 ~~Legislature.~~

1655 Section 63. Section 601.76, Florida Statutes, is repealed.

1656 Section 64. Subsection (6) of section 607.0505, Florida
 1657 Statutes, is amended to read:

1658 607.0505 Registered agent; duties.—

1659 (6) Information provided to, and records and
 1660 transcriptions of testimony obtained by, the Department of Legal
 1661 Affairs pursuant to this section are confidential and exempt
 1662 from the provisions of s. 119.07(1) while the investigation is
 1663 active. For purposes of this section, an investigation shall be
 1664 considered "active" while such investigation is being conducted
 1665 with a reasonable, good faith belief that it may lead to the
 1666 filing of an administrative, civil, or criminal proceeding. An
 1667 investigation does not cease to be active so long as the
 1668 department is proceeding with reasonable dispatch and there is a
 1669 good faith belief that action may be initiated by the department
 1670 or other administrative or law enforcement agency. Except for
 1671 active criminal intelligence or criminal investigative
 1672 information, as defined in s. 119.011, and information which, if
 1673 disclosed, ~~would reveal a trade secret, as defined in s.~~
 1674 ~~688.002, or~~ would jeopardize the safety of an individual, all
 1675 information, records, and transcriptions become public record

1676 when the investigation is completed or ceases to be active. The
1677 department shall not disclose confidential information, records,
1678 or transcriptions of testimony except pursuant to the
1679 authorization by the Attorney General in any of the following
1680 circumstances:

1681 (a) To a law enforcement agency participating in or
1682 conducting a civil investigation under chapter 895, or
1683 participating in or conducting a criminal investigation.

1684 (b) In the course of filing, participating in, or
1685 conducting a judicial proceeding instituted pursuant to this
1686 section or chapter 895.

1687 (c) In the course of filing, participating in, or
1688 conducting a judicial proceeding to enforce an order or judgment
1689 entered pursuant to this section or chapter 895.

1690 (d) In the course of a criminal or civil proceeding.

1691
1692 A person or law enforcement agency which receives any
1693 information, record, or transcription of testimony that has been
1694 made confidential by this subsection shall maintain the
1695 confidentiality of such material and shall not disclose such
1696 information, record, or transcription of testimony except as
1697 provided for herein. Any person who willfully discloses any
1698 information, record, or transcription of testimony that has been
1699 made confidential by this subsection, except as provided for
1700 herein, is guilty of a misdemeanor of the first degree,

1701 punishable as provided in s. 775.082 or s. 775.083. If any
1702 information, record, or testimony obtained pursuant to
1703 subsection (2) is offered in evidence in any judicial
1704 proceeding, the court may, in its discretion, seal that portion
1705 of the record to further the policies of confidentiality set
1706 forth herein.

1707 Section 65. Subsection (6) of section 617.0503, Florida
1708 Statutes, is amended to read:

1709 617.0503 Registered agent; duties; confidentiality of
1710 investigation records.—

1711 (6) Information provided to, and records and
1712 transcriptions of testimony obtained by, the Department of Legal
1713 Affairs pursuant to this section are confidential and exempt
1714 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the
1715 State Constitution while the investigation is active. For
1716 purposes of this section, an investigation shall be considered
1717 "active" while such investigation is being conducted with a
1718 reasonable, good faith belief that it may lead to the filing of
1719 an administrative, civil, or criminal proceeding. An
1720 investigation does not cease to be active so long as the
1721 department is proceeding with reasonable dispatch and there is a
1722 good faith belief that action may be initiated by the department
1723 or other administrative or law enforcement agency. Except for
1724 active criminal intelligence or criminal investigative
1725 information, as defined in s. 119.011, and information which, if

1726 | disclosed, ~~would reveal a trade secret, as defined in s.~~
1727 | ~~688.002,~~ or would jeopardize the safety of an individual, all
1728 | information, records, and transcriptions become available to the
1729 | public when the investigation is completed or ceases to be
1730 | active. The department shall not disclose confidential
1731 | information, records, or transcriptions of testimony except
1732 | pursuant to authorization by the Attorney General in any of the
1733 | following circumstances:

1734 | (a) To a law enforcement agency participating in or
1735 | conducting a civil investigation under chapter 895, or
1736 | participating in or conducting a criminal investigation.

1737 | (b) In the course of filing, participating in, or
1738 | conducting a judicial proceeding instituted pursuant to this
1739 | section or chapter 895.

1740 | (c) In the course of filing, participating in, or
1741 | conducting a judicial proceeding to enforce an order or judgment
1742 | entered pursuant to this section or chapter 895.

1743 | (d) In the course of a criminal proceeding.

1744 |
1745 | A person or law enforcement agency that receives any
1746 | information, record, or transcription of testimony that has been
1747 | made confidential by this subsection shall maintain the
1748 | confidentiality of such material and shall not disclose such
1749 | information, record, or transcription of testimony except as
1750 | provided for herein. Any person who willfully discloses any

1751 information, record, or transcription of testimony that has been
 1752 made confidential by this subsection, except as provided for in
 1753 this subsection, commits a misdemeanor of the first degree,
 1754 punishable as provided in s. 775.082 or s. 775.083. If any
 1755 information, record, or testimony obtained pursuant to
 1756 subsection (2) is offered in evidence in any judicial
 1757 proceeding, the court may, in its discretion, seal that portion
 1758 of the record to further the policies of confidentiality set
 1759 forth in this subsection.

1760 Section 66. Paragraph (c) of subsection (1) of section
 1761 624.4212, Florida Statutes, is amended to read:

1762 624.4212 Confidentiality of proprietary business and other
 1763 information.—

1764 (1) As used in this section, the term "proprietary
 1765 business information" means information, regardless of form or
 1766 characteristics, which is owned or controlled by an insurer, or
 1767 a person or an affiliated person who seeks acquisition of
 1768 controlling stock in a domestic stock insurer or controlling
 1769 company, and which:

1770 (c) Includes:

1771 ~~1. Trade secrets as defined in s. 688.002 which comply~~
 1772 ~~with s. 624.4213.~~

1773 1.2. Information relating to competitive interests, the
 1774 disclosure of which would impair the competitive business of the
 1775 provider of the information.

1776 ~~2.3.~~ The source, nature, and amount of the consideration
1777 used or to be used in carrying out a merger or other acquisition
1778 of control in the ordinary course of business, including the
1779 identity of the lender, if the person filing a statement
1780 regarding consideration so requests.

1781 ~~3.4.~~ Information relating to bids or other contractual
1782 data, the disclosure of which would impair the efforts of the
1783 insurer or its affiliates to contract for goods or services on
1784 favorable terms.

1785 ~~4.5.~~ Internal auditing controls and reports of internal
1786 auditors.

1787 Section 67. Section 624.4213, Florida Statutes, is
1788 repealed.

1789 Section 68. Paragraph (d) of subsection (1) of section
1790 626.84195, Florida Statutes, is amended to read:

1791 626.84195 Confidentiality of information supplied by title
1792 insurance agencies and insurers.—

1793 (1) As used in this section, the term "proprietary
1794 business information" means information that:

1795 (d) Concerns:

1796 1. Business plans;

1797 2. Internal auditing controls and reports of internal
1798 auditors;

1799 3. Reports of external auditors for privately held
1800 companies;

1801 ~~4. Trade secrets, as defined in s. 688.002; or~~
 1802 4.5. Financial information, including revenue data, loss
 1803 expense data, gross receipts, taxes paid, capital investment,
 1804 and employee wages.

1805 Section 69. Subsection (2) of section 626.884, Florida
 1806 Statutes, is amended to read:

1807 626.884 Maintenance of records by administrator; access;
 1808 confidentiality.-

1809 (2) The office shall have access to books and records
 1810 maintained by the administrator for the purpose of examination,
 1811 audit, and inspection. ~~Information contained in such books and~~
 1812 ~~records is confidential and exempt from the provisions of s.~~
 1813 ~~119.07(1) if the disclosure of such information would reveal a~~
 1814 ~~trade secret as defined in s. 688.002. However, the office may~~
 1815 ~~use such information in any proceeding instituted against the~~
 1816 ~~administrator.~~

1817 Section 70. Subsection (1) of section 626.9936, Florida
 1818 Statutes, is amended to read:

1819 626.9936 Access to records.-

1820 (1) Notwithstanding subsections (1) and (2) of Article
 1821 VIII, subsection (2) of Article X, and subsection (6) of Article
 1822 XII of the Interstate Insurance Product Regulation Compact, a
 1823 request by a resident of this state for public inspection and
 1824 copying of information, data, or official records that includes:

1825 ~~(a) An insurer's trade secrets shall be referred to the~~

1826 ~~commissioner who shall respond to the request, with the~~
 1827 ~~cooperation and assistance of the commission, in accordance with~~
 1828 ~~s. 624.4213; or~~

1829 ~~(b)~~ matters of privacy of individuals shall be referred to
 1830 the commissioner who shall respond to the request, with the
 1831 cooperation and assistance of the commission, in accordance with
 1832 s. 119.07(1).

1833 Section 71. Paragraph (g) of subsection (3) of section
 1834 627.0628, Florida Statutes, is amended to read:

1835 627.0628 Florida Commission on Hurricane Loss Projection
 1836 Methodology; public records exemption; public meetings
 1837 exemption.—

1838 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1839 ~~(g)1. A trade secret, as defined in s. 688.002, which is~~
 1840 ~~used in designing and constructing a hurricane or flood loss~~
 1841 ~~model and which is provided pursuant to this section, by a~~
 1842 ~~private company, to the commission, office, or consumer advocate~~
 1843 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~
 1844 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~
 1845 ~~Constitution.~~

1846 1.2.a. That portion of a meeting of the commission or of a
 1847 rate proceeding on an insurer's rate filing at which a trade
 1848 secret made confidential and exempt pursuant to s. 688.01 ~~by~~
 1849 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.
 1850 24(b), Art. I of the State Constitution. The closed meeting must

1851 be recorded, and no portion of the closed meeting may be off the
1852 record.

1853 ~~2.b.~~ The recording of a closed portion of a meeting is
1854 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1855 Constitution.

1856 ~~e. This paragraph is subject to the Open Government Sunset~~
1857 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
1858 ~~on October 2, 2019, unless reviewed and saved from repeal~~
1859 ~~through reenactment by the Legislature.~~

1860 Section 72. Paragraphs (a) and (c) of subsection (11) of
1861 section 627.3518, Florida Statutes, are amended to read:

1862 627.3518 Citizens Property Insurance Corporation
1863 policyholder eligibility clearinghouse program.—The purpose of
1864 this section is to provide a framework for the corporation to
1865 implement a clearinghouse program by January 1, 2014.

1866 (11) Proprietary business information provided to the
1867 corporation's clearinghouse by insurers with respect to
1868 identifying and selecting risks for an offer of coverage is
1869 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1870 of the State Constitution.

1871 (a) As used in this subsection, the term "proprietary
1872 business information" means information, regardless of form or
1873 characteristics, which is owned or controlled by an insurer and:

1874 1. Is identified by the insurer as proprietary business
1875 information and is intended to be and is treated by the insurer

1876 as private in that the disclosure of the information would cause
 1877 harm to the insurer, an individual, or the company's business
 1878 operations and has not been disclosed unless disclosed pursuant
 1879 to a statutory requirement, an order of a court or
 1880 administrative body, or a private agreement that provides that
 1881 the information will not be released to the public;

1882 2. Is not otherwise readily ascertainable or publicly
 1883 available by proper means by other persons from another source
 1884 in the same configuration as provided to the clearinghouse; and

1885 3. ~~Includes, but is not limited to:~~

1886 ~~a. Trade secrets.~~

1887 ~~b.~~ information relating to competitive interests, the
 1888 disclosure of which would impair the competitive business of the
 1889 provider of the information.

1890
 1891 Proprietary business information may be found in underwriting
 1892 criteria or instructions which are used to identify and select
 1893 risks through the program for an offer of coverage and are
 1894 shared with the clearinghouse to facilitate the shopping of
 1895 risks with the insurer.

1896 ~~(c) This subsection is subject to the Open Government~~
 1897 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
 1898 ~~repealed on October 2, 2018, unless reviewed and saved from~~
 1899 ~~repeal through reenactment by the Legislature.~~

1900 Section 73. Subsections (4), (5), (14), and (15) of

1901 section 655.057, Florida Statutes, are amended to read:
 1902 655.057 Records; limited restrictions upon public access.—
 1903 ~~(4) Except as otherwise provided in this section and~~
 1904 ~~except for those portions that are otherwise public record,~~
 1905 ~~trade secrets as defined in s. 688.002 which comply with s.~~
 1906 ~~655.0591 and which are held by the office in accordance with its~~
 1907 ~~statutory duties with respect to the financial institutions~~
 1908 ~~codes are confidential and exempt from s. 119.07(1) and s.~~
 1909 ~~24(a), Art. I of the State Constitution.~~
 1910 (4)(5) Neither this section nor s. 688.01 prevents ~~does~~
 1911 ~~not prevent~~ or restricts ~~restrict~~:
 1912 (a) Publishing reports that are required to be submitted
 1913 to the office pursuant to s. 655.045(2) or required by
 1914 applicable federal statutes or regulations to be published.
 1915 (b) Furnishing records or information to any other state,
 1916 federal, or foreign agency responsible for the regulation or
 1917 supervision of financial institutions.
 1918 (c) Disclosing or publishing summaries of the condition
 1919 of financial institutions and general economic and similar
 1920 statistics and data, provided that the identity of a particular
 1921 financial institution is not disclosed.
 1922 (d) Reporting any suspected criminal activity, with
 1923 supporting documents and information, to appropriate law
 1924 enforcement and prosecutorial agencies.
 1925 (e) Furnishing information upon request to the Chief

1926 Financial Officer or the Division of Treasury of the Department
 1927 of Financial Services regarding the financial condition of any
 1928 financial institution that is, or has applied to be, designated
 1929 as a qualified public depository pursuant to chapter 280.

1930 (f) Furnishing information to Federal Home Loan Banks
 1931 regarding its member institutions pursuant to an information
 1932 sharing agreement between the Federal Home Loan Banks and the
 1933 office.

1934
 1935 Any confidential information or records obtained from the office
 1936 pursuant to this subsection shall be maintained as confidential
 1937 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1938 Constitution.

1939 (14) This section is ~~Subsections (3) and (4) are subject~~
 1940 ~~to the Open Government Sunset Review Act in accordance with s.~~
 1941 ~~119.15 and is are repealed on October 2, 2019, unless reviewed~~
 1942 ~~and saved from repeal through reenactment by the Legislature.~~

1943 ~~(15) Subsections (1), (2), (5), and (9) are subject to the~~
 1944 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
 1945 ~~and is are repealed on October 2, 2022, unless reviewed and~~
 1946 ~~saved from repeal through reenactment by the Legislature.~~

1947 Section 74. Section 655.0591, Florida Statutes, is
 1948 repealed.

1949 Section 75. Subsection (11) of section 663.533, Florida
 1950 Statutes, is amended to read:

1951 663.533 Applicability of the financial institutions
 1952 codes.—A qualified limited service affiliate is subject to the
 1953 financial institutions codes. Without limiting the foregoing,
 1954 the following provisions are applicable to a qualified limited
 1955 service affiliate:

1956 (11) Section 688.01 ~~655.0591~~, relating to trade secret
 1957 documents.

1958
 1959 This section does not prohibit the office from investigating or
 1960 examining an entity to ensure that it is not in violation of
 1961 this chapter or applicable provisions of the financial
 1962 institutions codes.

1963 Section 76. Section 721.071, Florida Statutes, is
 1964 repealed.

1965 Section 77. Subsections (3) and (4) of section 815.04,
 1966 Florida Statutes, are amended to read:

1967 815.04 Offenses against intellectual property; ~~public~~
 1968 ~~records exemption.~~—

1969 ~~(3) Data, programs, or supporting documentation that is a~~
 1970 ~~trade secret as defined in s. 812.081, that is held by an agency~~
 1971 ~~as defined in chapter 119, and that resides or exists internal~~
 1972 ~~or external to a computer, computer system, computer network, or~~
 1973 ~~electronic device is confidential and exempt from the provisions~~
 1974 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~
 1975 ~~This subsection is subject to the Open Government Sunset Review~~

1976 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
 1977 ~~October 2, 2021, unless reviewed and saved from repeal through~~
 1978 ~~reenactment by the Legislature.~~

1979 (3)~~(4)~~ A person who willfully, knowingly, and without
 1980 authorization discloses or takes data, programs, or supporting
 1981 documentation that is a trade secret as defined in s. 812.081 ~~or~~
 1982 ~~is confidential as provided by law~~ residing or existing internal
 1983 or external to a computer, computer system, computer network, or
 1984 electronic device commits an offense against intellectual
 1985 property.

1986 Section 78. Section 815.045, Florida Statutes, is
 1987 repealed.

1988 Section 79. Subsection (2) of section 1004.22, Florida
 1989 Statutes, is amended to read:

1990 1004.22 Divisions of sponsored research at state
 1991 universities.—

1992 (2) The university shall set such policies to regulate the
 1993 activities of the divisions of sponsored research as it may
 1994 consider necessary to administer the research programs in a
 1995 manner which assures efficiency and effectiveness, producing the
 1996 maximum benefit for the educational programs and maximum service
 1997 to the state. To this end, materials that relate to methods of
 1998 manufacture or production, ~~potential trade secrets,~~ potentially
 1999 patentable material, ~~actual trade secrets,~~ business
 2000 transactions, or proprietary information received, generated,

2001 | ascertained, or discovered during the course of research
2002 | conducted within the state universities shall be confidential
2003 | and exempt from the provisions of s. 119.07(1), except that a
2004 | division of sponsored research shall make available upon request
2005 | the title and description of a research project, the name of the
2006 | researcher, and the amount and source of funding provided for
2007 | such project.

2008 | Section 80. Paragraph (c) of subsection (2) and
2009 | subsections (3), (4), and (7) of section 1004.30, Florida
2010 | Statutes, are amended to read:

2011 | 1004.30 University health services support organization;
2012 | confidentiality of information.—

2013 | (2) The following university health services support
2014 | organization's records and information are confidential and
2015 | exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
2016 | of the State Constitution:

2017 | ~~(c) Trade secrets, as defined in s. 688.002, including~~
2018 | ~~reimbursement methodologies and rates.~~

2019 | (3) Any portion of a governing board or peer review panel
2020 | or committee meeting during which a confidential and exempt
2021 | contract, document, record, or marketing plan, ~~or trade secret,~~
2022 | as provided for in subsection (2), or a confidential and exempt
2023 | trade secret, as provided for in s. 688.01, is discussed is
2024 | exempt from the provisions of s. 286.011 and s. 24(b), Art. I of
2025 | the State Constitution.

2026 (4) Those portions of any public record, such as a tape
 2027 recording, minutes, and notes, generated during that portion of
 2028 a governing board or peer review panel or committee meeting
 2029 which is closed to the public pursuant to this section, ~~which~~
 2030 ~~contain information relating to contracts, documents, records,~~
 2031 ~~marketing plans, or trade secrets which are made confidential~~
 2032 ~~and exempt by this section,~~ are confidential and exempt from the
 2033 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 2034 Constitution.

2035 (7) Those portions of any public record, such as a tape
 2036 recording, minutes, or notes, generated during that portion of a
 2037 governing board meeting at which negotiations for contracts for
 2038 managed-care arrangements occur, are reported on, or are acted
 2039 on by the governing board, which record is made confidential and
 2040 exempt by subsection (4), shall become public records 2 years
 2041 after the termination or completion of the term of the contract
 2042 to which such negotiations relate or, if no contract was
 2043 executed, 2 years after the termination of the negotiations.
 2044 Notwithstanding paragraph (2)(a) and subsection (4), a
 2045 university health services support organization must make
 2046 available, upon request, the title and general description of a
 2047 contract for managed-care arrangements, the names of the
 2048 contracting parties, and the duration of the contract term. All
 2049 contracts for managed-care arrangements which are made
 2050 confidential and exempt by paragraph (2)(a), except those

2051 portions of any contract containing trade secrets which are made
 2052 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall
 2053 become public 2 years after the termination or completion of the
 2054 term of the contract.

2055 Section 81. Paragraph (b) of subsection (8) of section
 2056 1004.43, Florida Statutes, is amended to read:

2057 1004.43 H. Lee Moffitt Cancer Center and Research
 2058 Institute.—There is established the H. Lee Moffitt Cancer Center
 2059 and Research Institute, a statewide resource for basic and
 2060 clinical research and multidisciplinary approaches to patient
 2061 care.

2062 (8)

2063 (b) Proprietary confidential business information is
 2064 confidential and exempt from the provisions of s. 119.07(1) and
 2065 s. 24(a), Art. I of the State Constitution. However, the Auditor
 2066 General, the Office of Program Policy Analysis and Government
 2067 Accountability, and the Board of Governors, pursuant to their
 2068 oversight and auditing functions, must be given access to all
 2069 proprietary confidential business information upon request and
 2070 without subpoena and must maintain the confidentiality of
 2071 information so received. As used in this paragraph, the term
 2072 "proprietary confidential business information" means
 2073 information, regardless of its form or characteristics, which is
 2074 owned or controlled by the not-for-profit corporation or its
 2075 subsidiaries; is intended to be and is treated by the not-for-

2076 | profit corporation or its subsidiaries as private and the
2077 | disclosure of which would harm the business operations of the
2078 | not-for-profit corporation or its subsidiaries; has not been
2079 | intentionally disclosed by the corporation or its subsidiaries
2080 | unless pursuant to law, an order of a court or administrative
2081 | body, a legislative proceeding pursuant to s. 5, Art. III of the
2082 | State Constitution, or a private agreement that provides that
2083 | the information may be released to the public; and which is
2084 | information concerning:

2085 | 1. Internal auditing controls and reports of internal
2086 | auditors;

2087 | 2. Matters reasonably encompassed in privileged attorney-
2088 | client communications;

2089 | 3. Contracts for managed-care arrangements, including
2090 | preferred provider organization contracts, health maintenance
2091 | organization contracts, and exclusive provider organization
2092 | contracts, and any documents directly relating to the
2093 | negotiation, performance, and implementation of any such
2094 | contracts for managed-care arrangements;

2095 | 4. Bids or other contractual data, banking records, and
2096 | credit agreements the disclosure of which would impair the
2097 | efforts of the not-for-profit corporation or its subsidiaries to
2098 | contract for goods or services on favorable terms;

2099 | 5. Information relating to private contractual data, the
2100 | disclosure of which would impair the competitive interest of the

2101 provider of the information;

2102 6. Corporate officer and employee personnel information;

2103 7. Information relating to the proceedings and records of

2104 credentialing panels and committees and of the governing board

2105 of the not-for-profit corporation or its subsidiaries relating

2106 to credentialing;

2107 8. Minutes of meetings of the governing board of the not-

2108 for-profit corporation and its subsidiaries, except minutes of

2109 meetings open to the public pursuant to subsection (9);

2110 9. Information that reveals plans for marketing services

2111 that the corporation or its subsidiaries reasonably expect to be

2112 provided by competitors;

2113 10. ~~Trade secrets as defined in s. 688.002, including:~~

2114 ~~a.~~ Information relating to methods of manufacture or

2115 production, ~~potential trade secrets,~~ potentially patentable

2116 materials, or proprietary information received, generated,

2117 ascertained, or discovered during the course of research

2118 conducted by the not-for-profit corporation or its subsidiaries;

2119 and

2120 ~~11.b.~~ Reimbursement methodologies or rates;

2121 ~~12.11.~~ The identity of donors or prospective donors of

2122 property who wish to remain anonymous or any information

2123 identifying such donors or prospective donors. The anonymity of

2124 these donors or prospective donors must be maintained in the

2125 auditor's report; or

2126 | ~~13.12.~~ Any information received by the not-for-profit
 2127 | corporation or its subsidiaries from an agency in this or
 2128 | another state or nation or the Federal Government which is
 2129 | otherwise exempt or confidential pursuant to the laws of this or
 2130 | another state or nation or pursuant to federal law.

2131 |
 2132 | As used in this paragraph, the term "managed care" means systems
 2133 | or techniques generally used by third-party payors or their
 2134 | agents to affect access to and control payment for health care
 2135 | services. Managed-care techniques most often include one or more
 2136 | of the following: prior, concurrent, and retrospective review of
 2137 | the medical necessity and appropriateness of services or site of
 2138 | services; contracts with selected health care providers;
 2139 | financial incentives or disincentives related to the use of
 2140 | specific providers, services, or service sites; controlled
 2141 | access to and coordination of services by a case manager; and
 2142 | payor efforts to identify treatment alternatives and modify
 2143 | benefit restrictions for high-cost patient care.

2144 | Section 82. Paragraph (a) of subsection (2) of section
 2145 | 1004.4472, Florida Statutes, is amended to read:

2146 | 1004.4472 Florida Institute for Human and Machine
 2147 | Cognition, Inc.; public records exemption; public meetings
 2148 | exemption.—

2149 | (2) The following information held by the corporation or
 2150 | its subsidiary is confidential and exempt from s. 119.07(1) and

2151 s. 24(a), Art. I of the State Constitution:

2152 (a) Material relating to methods of manufacture or
2153 production, ~~potential trade secrets~~, patentable material, ~~actual~~
2154 ~~trade secrets as defined in s. 688.002~~ or proprietary
2155 information received, generated, ascertained, or discovered
2156 during the course of research conducted by or through the
2157 corporation or a subsidiary, and business transactions resulting
2158 from such research.

2159 Section 83. Subsection (2) of section 1004.78, Florida
2160 Statutes, is amended to read:

2161 1004.78 Technology transfer centers at Florida College
2162 System institutions.—

2163 (2) The Florida College System institution board of
2164 trustees shall set such policies to regulate the activities of
2165 the technology transfer center as it may consider necessary to
2166 effectuate the purposes of this section and to administer the
2167 programs of the center in a manner which assures efficiency and
2168 effectiveness, producing the maximum benefit for the educational
2169 programs and maximum service to the state. To this end,
2170 materials that relate to methods of manufacture or production,
2171 ~~potential trade secrets~~, potentially patentable material, ~~actual~~
2172 ~~trade secrets~~, business transactions, or proprietary information
2173 received, generated, ascertained, or discovered during the
2174 course of activities conducted within the Florida College System
2175 institutions shall be confidential and exempt from the

2176 provisions of s. 119.07(1), except that a Florida College System
 2177 institution shall make available upon request the title and
 2178 description of a project, the name of the investigator, and the
 2179 amount and source of funding provided for such project.

2180 Section 84. Section 601.80, Florida Statutes, is amended
 2181 to read:

2182 601.80 Unlawful to use uncertified coloring matter.—It is
 2183 unlawful for any person to use on oranges or citrus hybrids any
 2184 coloring matter which has not first received the approval of the
 2185 Department of Agriculture ~~as provided under s. 601.76.~~

2186 Section 85. Subsection (11) of section 663.533, Florida
 2187 Statutes, is amended to read:

2188 663.533 Applicability of the financial institutions
 2189 codes.—A qualified limited service affiliate is subject to the
 2190 financial institutions codes. Without limiting the foregoing,
 2191 the following provisions are applicable to a qualified limited
 2192 service affiliate:

2193 ~~(11) Section 655.0591, relating to trade secret documents.~~

2194
 2195 This section does not prohibit the office from investigating or
 2196 examining an entity to ensure that it is not in violation of
 2197 this chapter or applicable provisions of the financial
 2198 institutions codes.

2199 Section 86. Paragraph (c) of subsection (12) of section
 2200 721.13, Florida Statutes, is amended to read:

2201 721.13 Management.—
 2202 (12)
 2203 (c) The managing entity shall maintain copies of all
 2204 records, data, and information supporting the processes,
 2205 analyses, procedures, and methods utilized by the managing
 2206 entity in its determination to reserve accommodations of the
 2207 timeshare plan pursuant to this subsection for a period of 5
 2208 years from the date of such determination. In the event of an
 2209 investigation by the division for failure of a managing entity
 2210 to comply with this subsection, the managing entity shall make
 2211 all such records, data, and information available to the
 2212 division for inspection, ~~provided that if the managing entity~~
 2213 ~~complies with the provisions of s. 721.071, any such records,~~
 2214 ~~data, and information provided to the division shall constitute~~
 2215 ~~a trade secret pursuant to that section.~~

2216 Section 87. Paragraphs (a) and (c) of subsection (3) of
 2217 section 921.0022, Florida Statutes, are amended to read:
 2218 921.0022 Criminal Punishment Code; offense severity
 2219 ranking chart.—

2220 (3) OFFENSE SEVERITY RANKING CHART
 2221 (a) LEVEL 1

2222

Florida	Felony	
Statute	Degree	Description

2223

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2224	24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
2225	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2226	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2227	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2228	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2229	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2230	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.

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2231	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2232	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2233	322.212 (5) (a)	3rd	False application for driver license or identification card.
2234	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2235	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than

2236			\$300.
	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2237			
	562.27 (1)	3rd	Possess still or still apparatus.
2238			
	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
2239			
	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2240			
	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2241			
	<u>815.04 (4) (a)</u>	3rd	Offense against intellectual property (i.e., computer programs, data).
	815.04 (5) (a)		
2242			

2243	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
2244	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2245	826.01	3rd	Bigamy.
2246	828.122 (3)	3rd	Fighting or baiting animals.
2247	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
2248	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.

2249	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.
2250	838.15 (2)	3rd	Commercial bribe receiving.
2251	838.16	3rd	Commercial bribery.
2252	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2253	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2254	849.01	3rd	Keeping gambling house.
2255	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.

2256	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2257	849.25 (2)	3rd	Engaging in bookmaking.
2258	860.08	3rd	Interfere with a railroad signal.
2259	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2260	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2261	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2262	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2263			
2264	(c) LEVEL 3		
2265			
	Florida	Felony	Description

	Statute	Degree	
2266	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2267	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2268	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2269	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2270	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2271	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2272	319.33 (1) (c)	3rd	Procure or pass title on stolen

2273			vehicle.
	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2274			
	327.35 (2) (b)	3rd	Felony BUI.
2275			
	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2276			
	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2277			
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2278			
	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring,

2279	379.2431 (1) (e) 6.	3rd	selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2280	379.2431 (1) (e) 7.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
2281	400.9935 (4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2282	400.9935 (4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license. Filing a false license application or other required

			information or failing to report information.
2283	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2284	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2285	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2286	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2287	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2288	697.08	3rd	Equity skimming.

2289	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2290	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2291	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2292	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2293	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2294	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2295			

2296	<u>815.04 (4) (b)</u> 815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2297	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2298	817.233	3rd	Burning to defraud insurer.
2299	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2300	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2301	817.236	3rd	Filing a false motor vehicle insurance application.
2302	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

2303	817.413 (2)	3rd	Sale of used goods as new.
2304	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2305	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2306	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2307	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2308	843.19	3rd	Injure, disable, or kill police dog or horse.
2309	860.15 (3)	3rd	Overcharging for repairs and parts.

2310	870.01 (2)	3rd	Riot; inciting or encouraging.
2311	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c)1., (2) (c)2., (2) (c)3., (2) (c)5., (2) (c)6., (2) (c)7., (2) (c)8., (2) (c)9., (3), or (4) drugs).
2312	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03(1) (c), (2) (c)1., (2) (c)2., (2) (c)3., (2) (c)5., (2) (c)6., (2) (c)7., (2) (c)8., (2) (c)9., (3), or (4) drugs within 1,000 feet of university.
2313	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)5., (2) (c)6., (2) (c)7., (2) (c)8., (2) (c)9., (3), or (4) drugs within 1,000 feet of public housing facility.

2314	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2315	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
2316	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2317	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2318	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by

2319	893.13(8)(a)1.	3rd	chapter 893. Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
2320	893.13(8)(a)2.	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.
2321	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2322	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an

2323	918.13(1)(a)	3rd	animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
2324	944.47 (1)(a)1. & 2.	3rd	Alter, destroy, or conceal investigation evidence.
2325	944.47(1)(c)	2nd	Introduce contraband to correctional facility.
2326	985.721	3rd	Possess contraband while upon the grounds of a correctional institution.
2327	Section 88. This act shall take effect upon becoming a law		
2328	if CS/HB 461 or similar legislation is adopted in the same		
2329	legislative session or an extension thereof and becomes law.		