



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; amending s. 601.76, F.S.; deleting provisions
169 relating to a public records exemption for certain
170 formulas filed with the Department of Agriculture;
171 amending ss. 607.0505 and 617.0503, F.S.; deleting
172 provisions relating to public records exemptions for
173 certain information that might reveal trade secrets
174 held by the Department of Legal Affairs; amending s.
175 624.307, F.S.; authorizing the Office of Insurance



176 Regulation to report certain information on an
177 aggregate basis; amending s. 624.315, F.S.;

178 authorizing the Office of Insurance Regulation to make
179 certain information available on an aggregate basis;
180 amending s. 624.4212, F.S.; deleting provisions
181 relating to public records exemptions for trade
182 secrets held by the Office of Insurance Regulation;
183 revising a cross-reference; repealing s. 624.4213,
184 F.S., relating to trade secret documents submitted to
185 the Department of Financial Services or the Office of
186 Insurance Regulation; amending ss. 626.84195 and
187 626.884, F.S.; deleting provisions relating to public
188 records exemptions for trade secrets held by the
189 Office of Insurance Regulation; amending s. 626.9936,
190 F.S.; revising provisions relating to a public records
191 exemption for trade secrets held by the Office of
192 Insurance Regulation; amending ss. 627.0628 and
193 627.3518, F.S.; deleting provisions relating to public
194 records exemptions for trade secrets held by the
195 Department of Financial Services or the Office of
196 Insurance Regulation; amending s. 655.057, F.S.;

197 revising provisions relating to a public records
198 exemption for trade secrets held by the Office of
199 Financial Regulation; repealing s. 655.0591, F.S.,
200 relating to trade secret documents held by the Office



201 of Financial Regulation; amending s. 663.533, F.S.;

202 revising a cross-reference; repealing s. 721.071,

203 F.S., relating to trade secret material filed with the

204 Division of Florida Condominiums, Timeshares, and

205 Mobile Homes of the Department of Business and

206 Professional Regulation; amending s. 815.04, F.S.;

207 deleting a public records exemption for certain trade

208 secret information relating to offenses against

209 intellectual property; repealing s. 815.045, F.S.,

210 relating to trade secret information; amending s.

211 1004.22, F.S.; revising provisions relating to public

212 records exemptions for trade secrets and potential

213 trade secrets received, generated, ascertained, or

214 discovered during the course of research conducted

215 within the state universities; amending s. 1004.30,

216 F.S.; revising provisions relating to public records

217 exemptions for trade secrets held by state university

218 health support organizations; amending s. 1004.43,

219 F.S.; revising provisions relating to public records

220 exemptions for trade secrets and potential trade

221 secrets held by the H. Lee Moffitt Cancer Center and

222 Research Institute; amending s. 1004.4472, F.S.;

223 revising provisions relating to public records

224 exemptions for trade secrets and potential trade

225 secrets held by the Florida Institute for Human and



226 Machine Cognition, Inc.; amending s. 1004.78, F.S.;

227 revising provisions relating to public records

228 exemptions for trade secrets and potential trade

229 secrets held by the technology transfers centers at

230 Florida College System institutions; amending s.

231 601.80, F.S.; correcting a cross-reference; amending

232 ss. 663.533, 721.13, and 921.0022, F.S.; conforming

233 provisions to changes made by the act; providing a

234 contingent effective date.

235

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

237

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

239 to read:

240 119.07135 Agency contracts; public records.—

241 (1) Any contract or agreement, or an addendum thereto, to

242 which an agency or an entity subject to this chapter is a party,

243 is a public record, except that confidential or exempt

244 information contained therein may be redacted prior to release

245 of the contract or agreement, or an addendum thereto, if the

246 specific statutory exemption is identified.

247 (2) Notwithstanding any other provision of law, the

248 following information related to any contract or agreement, or

249 an addendum thereto, with an agency or an entity subject to this

250 chapter is not confidential or exempt from s. 119.07(1) and s.



251 24(a), Art. I of the State Constitution:

252 (a) The parties to the contract or agreement, or an
253 addendum thereto if the contract or agreement, or the addendum
254 thereto, includes a provision requiring the agency or an entity
255 subject to this chapter to expend funds.

256 (b) The amount of money paid, any payment structure or
257 plan, expenditures, incentives, bonuses, fees, or penalties.

258 (c) The nature or type of the commodities or services
259 purchased.

260 (d) Applicable contract unit prices and deliverables.

261 Section 2. Paragraph (a) of subsection (12) of section
262 24.105, Florida Statutes, is amended to read:

263 24.105 Powers and duties of department.—The department
264 shall:

265 ~~(12)(a) Determine by rule information relating to the~~
266 ~~operation of the lottery which is confidential and exempt from~~
267 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~
268 ~~Constitution. Such information includes trade secrets; security~~
269 ~~measures, systems, or procedures; security reports; information~~
270 ~~concerning bids or other contractual data, the disclosure of~~
271 ~~which would impair the efforts of the department to contract for~~
272 ~~goods or services on favorable terms; employee personnel~~
273 ~~information unrelated to compensation, duties, qualifications,~~
274 ~~or responsibilities; and information obtained by the Division of~~
275 ~~Security pursuant to its investigations which is otherwise~~



276 ~~confidential. To be deemed confidential, the information must be~~
277 ~~necessary to the security and integrity of the lottery.~~
278 ~~Confidential information may be released to other governmental~~
279 ~~entities as needed in connection with the performance of their~~
280 ~~duties. The receiving governmental entity shall retain the~~
281 ~~confidentiality of such information as provided for in this~~
282 ~~subsection.~~

283 Section 3. Paragraph (e) of subsection (1) of section
284 73.0155, Florida Statutes, is amended to read:

285 73.0155 Confidentiality; business information provided to
286 a governmental condemning authority.—

287 (1) The following business information provided by the
288 owner of a business to a governmental condemning authority as
289 part of an offer of business damages under s. 73.015 is
290 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
291 of the State Constitution if the owner requests in writing that
292 the business information be held confidential and exempt:

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

296 Section 4. Paragraph (f) of subsection (1) of section
297 119.071, Florida Statutes, is amended to read:

298 119.071 General exemptions from inspection or copying of
299 public records.—

300 (1) AGENCY ADMINISTRATION.—



301 ~~(f) Data processing software obtained by an agency under a~~
302 ~~licensing agreement that prohibits its disclosure and which~~
303 ~~software is a trade secret, as defined in s. 812.081, and~~
304 Agency-produced data processing software that is sensitive is
305 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State
306 Constitution. The designation of agency-produced software as
307 sensitive does not prohibit an agency head from sharing or
308 exchanging such software with another public agency. ~~This~~
309 ~~paragraph is subject to the Open Government Sunset Review Act in~~
310 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
311 ~~2021, unless reviewed and saved from repeal through reenactment~~
312 ~~by the Legislature.~~

313 Section 5. Paragraph (a) of subsection (4) of section
314 119.0713, Florida Statutes, is amended to read:

315 119.0713 Local government agency exemptions from
316 inspection or copying of public records.—

317 (4) (a) Proprietary confidential business information means
318 information, regardless of form or characteristics, which is
319 held by an electric utility that is subject to chapter 119, is
320 intended to be and is treated by the entity that provided the
321 information to the electric utility as private in that the
322 disclosure of the information would cause harm to the entity
323 providing the information or its business operations, and has
324 not been disclosed unless disclosed pursuant to a statutory
325 provision, an order of a court or administrative body, or a



326 private agreement that provides that the information will not be
327 released to the public. Proprietary confidential business
328 information includes, ~~but is not limited to:~~

329 ~~1. Trade secrets.~~

330 1.2. Internal auditing controls and reports of internal
331 auditors.

332 2.3. Security measures, systems, or procedures.

333 3.4. Information concerning bids or other contractual
334 data, the disclosure of which would impair the efforts of the
335 electric utility to contract for goods or services on favorable
336 terms.

337 4.5. Information relating to competitive interests, the
338 disclosure of which would impair the competitive business of the
339 provider of the information.

340 Section 6. Paragraph (d) of subsection (9) of section
341 125.0104, Florida Statutes, is amended to read:

342 125.0104 Tourist development tax; procedure for levying;
343 authorized uses; referendum; enforcement.—

344 (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any
345 other powers and duties provided for agencies created for the
346 purpose of tourism promotion by a county levying the tourist
347 development tax, such agencies are authorized and empowered to:

348 (d) Undertake marketing research and advertising research
349 studies and provide reservations services and convention and
350 meetings booking services consistent with the authorized uses of



351 revenue as set forth in subsection (5).

352 1. Information given to a county tourism promotion agency
353 which, if released, would reveal the identity of persons or
354 entities who provide data or other information as a response to
355 a sales promotion effort, an advertisement, or a research
356 project or whose names, addresses, meeting or convention plan
357 information or accommodations or other visitation needs become
358 booking or reservation list data, is exempt from s. 119.07(1)
359 and s. 24(a), Art. I of the State Constitution.

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

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

365 b. ~~Trade secrets and commercial or financial information~~
366 ~~gathered from a person and privileged or confidential, as~~
367 ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~
368 ~~amendments thereto.~~

369 3. ~~A trade secret, as defined in s. 812.081, held by a~~
370 ~~county tourism promotion agency is exempt from s. 119.07(1) and~~
371 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
372 ~~subject to the Open Government Sunset Review Act in accordance~~
373 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
374 ~~unless reviewed and saved from repeal through reenactment by the~~
375 ~~Legislature.~~



376 Section 7. Paragraph (m) of subsection (15) of section
377 163.01, Florida Statutes, is amended to read:

378 163.01 Florida Interlocal Cooperation Act of 1969.—

379 (15) Notwithstanding any other provision of this section
380 or of any other law except s. 361.14, any public agency of this
381 state which is an electric utility, or any separate legal entity
382 created pursuant to the provisions of this section, the
383 membership of which consists only of electric utilities, and
384 which exercises or proposes to exercise the powers granted by
385 part II of chapter 361, the Joint Power Act, may exercise any or
386 all of the following powers:

387 (m) In the event that any public agency or any such legal
388 entity, or both, should receive, in connection with its joint
389 ownership or right to the services, output, capacity, or energy
390 of an electric project, as defined in paragraph (3)(d), any
391 material which is designated by the person supplying such
392 material as proprietary confidential business information or
393 which a court of competent jurisdiction has designated as
394 confidential or secret shall be kept confidential and shall be
395 exempt from the provisions of s. 119.07(1). As used in this
396 paragraph, "proprietary confidential business information"
397 ~~includes, but is not limited to, trade secrets; internal~~
398 ~~auditing controls and reports of internal auditors; security~~
399 ~~measures, systems, or procedures; information concerning bids or~~
400 ~~other contractual data, the disclosure of which would impair the~~



401 ~~efforts of the utility to contract for services on favorable~~
402 ~~terms;~~ employee personnel information unrelated to compensation,
403 duties, qualifications, or responsibilities; and formulas,
404 patterns, devices, combinations of devices, ~~contract costs,~~ or
405 other information the disclosure of which would injure the
406 affected entity in the marketplace.

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

409 202.195 Proprietary confidential business information;
410 public records exemption.—

411 (2) For the purposes of this exemption, "proprietary
412 confidential business information" includes maps, plans, billing
413 and payment records, ~~trade secrets,~~ or other information
414 relating to the provision of or facilities for communications
415 service:

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

418 (b) The disclosure of which would be reasonably likely to
419 be used by a competitor to harm the business interests of the
420 company; and

421 (c) That is not otherwise readily ascertainable or
422 publicly available by proper means by other persons from another
423 source in the same configuration as requested by the local
424 governmental entity.

425



426 Proprietary confidential business information does not include
427 schematics indicating the location of facilities for a specific
428 site that are provided in the normal course of the local
429 governmental entity's permitting process.

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

432 215.4401 Board of Administration; public record
433 exemptions.-

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

435 1. "Alternative investment" means an investment by the
436 State Board of Administration in a private equity fund, venture
437 fund, hedge fund, or distress fund or a direct investment in a
438 portfolio company through an investment manager.

439 2. "Alternative investment vehicle" means the limited
440 partnership, limited liability company, or similar legal
441 structure or investment manager through which the State Board of
442 Administration invests in a portfolio company.

443 3. "Portfolio company" means a corporation or other
444 issuer, any of whose securities are owned by an alternative
445 investment vehicle or the State Board of Administration and any
446 subsidiary of such corporation or other issuer.

447 4. "Portfolio positions" means individual investments in
448 portfolio companies which are made by the alternative investment
449 vehicles, including information or specific investment terms
450 associated with any portfolio company investment.



451 5. "Proprietor" means an alternative investment vehicle, a
452 portfolio company in which the alternative investment vehicle is
453 invested, or an outside consultant, including the respective
454 authorized officers, employees, agents, or successors in
455 interest, which controls or owns information provided to the
456 State Board of Administration.

457 6. "Proprietary confidential business information" means
458 information that has been designated by the proprietor when
459 provided to the State Board of Administration as information
460 that is owned or controlled by a proprietor; that is intended to
461 be and is treated by the proprietor as private, the disclosure
462 of which would harm the business operations of the proprietor
463 and has not been intentionally disclosed by the proprietor
464 unless pursuant to a private agreement that provides that the
465 information will not be released to the public except as
466 required by law or legal process, or pursuant to law or an order
467 of a court or administrative body; and that concerns:

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

469 a.b. Information provided to the State Board of
470 Administration regarding a prospective investment in a private
471 equity fund, venture fund, hedge fund, distress fund, or
472 portfolio company which is proprietary to the provider of the
473 information.

474 b.e. Financial statements and auditor reports of an
475 alternative investment vehicle.



476 ~~c.d.~~ Meeting materials of an alternative investment
477 vehicle relating to financial, operating, or marketing
478 information of the alternative investment vehicle.

479 ~~d.e.~~ Information regarding the portfolio positions in
480 which the alternative investment vehicles invest.

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

483 ~~f.g.~~ Alternative investment agreements and related
484 records.

485 ~~g.h.~~ Information concerning investors, other than the
486 State Board of Administration, in an alternative investment
487 vehicle.

488 7. "Proprietary confidential business information" does
489 not include:

490 a. The name, address, and vintage year of an alternative
491 investment vehicle and the identity of the principals involved
492 in the management of the alternative investment vehicle.

493 b. The dollar amount of the commitment made by the State
494 Board of Administration to each alternative investment vehicle
495 since inception.

496 c. The dollar amount and date of cash contributions made
497 by the State Board of Administration to each alternative
498 investment vehicle since inception.

499 d. The dollar amount, on a fiscal-year-end basis, of cash
500 distributions received by the State Board of Administration from



501 each alternative investment vehicle.

502 e. The dollar amount, on a fiscal-year-end basis, of cash
503 distributions received by the State Board of Administration plus
504 the remaining value of alternative-vehicle assets that are
505 attributable to the State Board of Administration's investment
506 in each alternative investment vehicle.

507 f. The net internal rate of return of each alternative
508 investment vehicle since inception.

509 g. The investment multiple of each alternative investment
510 vehicle since inception.

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

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

517 j. A description of any compensation, fees, or expenses,
518 including the amount or value, paid or agreed to be paid by a
519 proprietor to any person to solicit the board to make an
520 alternative investment or investment through an alternative
521 investment vehicle. This does not apply to an executive officer,
522 general partner, managing member, or other employee of the
523 proprietor, who is paid by the proprietor to solicit the board
524 to make such investments.

525 (c)1. Notwithstanding the provisions of paragraph (b), a



526 request to inspect or copy a record under s. 119.07(1) that
527 contains proprietary confidential business information shall be
528 granted if the proprietor of the information fails, within a
529 reasonable period of time after the request is received by the
530 State Board of Administration, to verify the following to the
531 State Board of Administration through a written declaration in
532 the manner provided by s. 92.525:

533 a. That the requested record contains proprietary
534 confidential business information and the specific location of
535 such information within the record;

536 ~~b. If the proprietary confidential business information is~~
537 ~~a trade secret, a verification that it is a trade secret as~~
538 ~~defined in s. 688.002;~~

539 b.e. That the proprietary confidential business
540 information is intended to be and is treated by the proprietor
541 as private, is the subject of efforts of the proprietor to
542 maintain its privacy, and is not readily ascertainable or
543 publicly available from any other source; and

544 ~~c.d.~~ That the disclosure of the proprietary confidential
545 business information to the public would harm the business
546 operations of the proprietor.

547 2. The State Board of Administration shall maintain a list
548 and a description of the records covered by any verified,
549 written declaration made under this paragraph.

550 (d) Any person may petition a court of competent



551 jurisdiction for an order for the public release of those
552 portions of any record made confidential and exempt by paragraph
553 (b). Any action under this paragraph must be brought in Leon
554 County, Florida, and the petition or other initial pleading
555 shall be served on the State Board of Administration and, if
556 determinable upon diligent inquiry, on the proprietor of the
557 information sought to be released. In any order for the public
558 release of a record under this paragraph, the court shall make a
559 finding ~~that the record or portion thereof is not a trade secret~~
560 ~~as defined in s. 688.002,~~ that a compelling public interest is
561 served by the release of the record or portions thereof which
562 exceed the public necessity for maintaining the confidentiality
563 of such record, and that the release of the record will not
564 cause damage to or adversely affect the interests of the
565 proprietor of the released information, other private persons or
566 business entities, the State Board of Administration, or any
567 trust fund, the assets of which are invested by the State Board
568 of Administration.

569 Section 10. Subsection (1) of section 252.88, Florida
570 Statutes, is amended to read:

571 252.88 Public records.—

572 (1) Whenever EPCRA authorizes an employer to exclude trade
573 secret information from its submittals, the employer shall
574 furnish the information so excluded to the commission upon
575 request. ~~Such information shall be confidential and exempt from~~



576 | ~~the provisions of s. 119.07(1). The commission shall not~~
577 | ~~disclose such information except pursuant to a final~~
578 | ~~determination under s. 322 of EPCRA by the Administrator of the~~
579 | ~~Environmental Protection Agency that such information is not~~
580 | ~~entitled to trade secret protection, or pursuant to an order of~~
581 | ~~court.~~

582 | Section 11. Section 252.943, Florida Statutes, is
583 | repealed.

584 | Section 12. Paragraph (h) of subsection (2) of section
585 | 287.0943, Florida Statutes, is amended to read:

586 | 287.0943 Certification of minority business enterprises.-

587 | (2)

588 | (h) The certification procedures should allow an applicant
589 | seeking certification to designate on the application form the
590 | information the applicant considers to be proprietary,
591 | confidential business information. As used in this paragraph,
592 | "proprietary, confidential business information" includes, ~~but~~
593 | ~~is not limited to,~~ any information that would be exempt from
594 | public inspection pursuant to the provisions of chapter 119;
595 | ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~
596 | ~~costs;~~ or other information the disclosure of which would injure
597 | the affected party in the marketplace or otherwise violate s.
598 | 286.041. The executor in receipt of the application shall issue
599 | written and final notice of any information for which
600 | noninspection is requested but not provided for by law.



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

603 288.047 Quick-response training for economic development.—

604 (7) In providing instruction pursuant to this section,
605 materials that relate to methods of manufacture or production,
606 ~~potential trade secrets,~~ business transactions, or proprietary
607 information received, produced, ascertained, or discovered by
608 employees of the respective departments, district school boards,
609 community college district boards of trustees, or other
610 personnel employed for the purposes of this section is
611 confidential and exempt from the provisions of s. 119.07(1). The
612 state may seek copyright protection for instructional materials
613 and ancillary written documents developed wholly or partially
614 with state funds as a result of instruction provided pursuant to
615 this section, except for materials that are confidential and
616 exempt from the provisions of s. 119.07(1).

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

619 288.075 Confidentiality of records.—

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

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

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

625 Section 15. Subsection (9) of section 288.1226, Florida



626 Statutes, is amended to read:

627 288.1226 Florida Tourism Industry Marketing Corporation;
628 use of property; board of directors; duties; audit.—

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

639 Section 16. Paragraph (d) of subsection (3) of section
640 288.776, Florida Statutes, is amended to read:

641 288.776 Board of directors; powers and duties.—

642 (3) The board shall:

643 (d) Adopt policies, including criteria, establishing which
644 exporters and export transactions shall be eligible for
645 insurance, coinsurance, loan guarantees, and direct, guaranteed,
646 or collateralized loans which may be extended by the
647 corporation. Pursuant to this subsection, the board shall
648 include the following criteria:

649 1. Any individual signing any corporation loan application
650 and loan or guarantee agreement shall have an equity in the



651 business applying for financial assistance.

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

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

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

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

663
664 Personal financial records, ~~trade secrets~~, or proprietary
665 information of applicants shall be confidential and exempt from
666 the provisions of s. 119.07(1).

667 Section 17. Section 288.9520, Florida Statutes, is amended
668 to read:

669 288.9520 Public records exemption.—Materials that relate
670 to methods of manufacture or production, ~~potential trade~~
671 ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,
672 business transactions, financial and proprietary information,
673 and agreements or proposals to receive funding that are
674 received, generated, ascertained, or discovered by Enterprise
675 Florida, Inc., including its affiliates or subsidiaries and



676 partnership participants, such as private enterprises,
677 educational institutions, and other organizations, are
678 confidential and exempt from the provisions of s. 119.07(1) and
679 s. 24(a), Art. I of the State Constitution, except that a
680 recipient of Enterprise Florida, Inc., research funds shall make
681 available, upon request, the title and description of the
682 research project, the name of the researcher, and the amount and
683 source of funding provided for the project.

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

686 288.9607 Guaranty of bond issues.—

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

691 Section 19. Paragraph (f) of subsection (1), paragraph (a)
692 of subsection (2), paragraph (a) of subsection (3), and
693 paragraphs (b) and (c) of subsection (4) of section 288.9626,
694 Florida Statutes, are amended to read:

695 288.9626 Exemptions from public records and public
696 meetings requirements for the Florida Opportunity Fund.—

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

698 (f)1. "Proprietary confidential business information"
699 means information that has been designated by the proprietor
700 when provided to the Florida Opportunity Fund as information



701 that is owned or controlled by a proprietor; that is intended to
702 be and is treated by the proprietor as private, the disclosure
703 of which would harm the business operations of the proprietor
704 and has not been intentionally disclosed by the proprietor
705 unless pursuant to a private agreement that provides that the
706 information will not be released to the public except as
707 required by law or legal process, or pursuant to law or an order
708 of a court or administrative body; and that concerns:

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

710 a.b. Information provided to the Florida Opportunity Fund
711 regarding an existing or prospective alternative investment in a
712 private equity fund, venture capital fund, angel fund, or
713 portfolio company that is proprietary to the provider of the
714 information.

715 b.e. Financial statements and auditor reports of an
716 alternative investment vehicle or portfolio company, unless
717 publicly released by the alternative investment vehicle or
718 portfolio company.

719 c.d. Meeting materials of an alternative investment
720 vehicle or portfolio company relating to financial, operating,
721 or marketing information of the alternative investment vehicle
722 or portfolio company.

723 d.e. Information regarding the portfolio positions in
724 which the alternative investment vehicles or Florida Opportunity
725 Fund invest.



726 ~~e.f.~~ Capital call and distribution notices to investors or
727 the Florida Opportunity Fund of an alternative investment
728 vehicle.

729 ~~f.g.~~ Alternative investment agreements and related
730 records.

731 ~~g.h.~~ Information concerning investors, other than the
732 Florida Opportunity Fund, in an alternative investment vehicle
733 or portfolio company.

734 2. "Proprietary confidential business information" does
735 not include:

736 a. The name, address, and vintage year of an alternative
737 investment vehicle or Florida Opportunity Fund and the identity
738 of the principals involved in the management of the alternative
739 investment vehicle or Florida Opportunity Fund.

740 b. The dollar amount of the commitment made by the Florida
741 Opportunity Fund to each alternative investment vehicle since
742 inception, if any.

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

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

749 e. The dollar amount, on a fiscal-year-end basis, of cash
750 or other fungible distributions received by the Florida



751 Opportunity Fund plus the remaining value of alternative-vehicle
752 assets that are attributable to the Florida Opportunity Fund's
753 investment in each alternative investment vehicle.

754 f. The net internal rate of return of each alternative
755 investment vehicle since inception.

756 g. The investment multiple of each alternative investment
757 vehicle since inception.

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

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

764 (2) PUBLIC RECORDS EXEMPTION.—

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

768 1. Materials that relate to methods of manufacture or
769 production, ~~potential trade secrets~~, or patentable material
770 received, generated, ascertained, or discovered during the
771 course of research or through research projects and that are
772 provided by a proprietor.

773 2. Information that would identify an investor or
774 potential investor who desires to remain anonymous in projects
775 reviewed by the Florida Opportunity Fund.



776 3. Proprietary confidential business information regarding
777 alternative investments for 7 years after the termination of the
778 alternative investment.

779 (3) PUBLIC MEETINGS EXEMPTION.—

780 (a) That portion of a meeting of the board of directors
781 of the Florida Opportunity Fund at which information is
782 discussed which is confidential and exempt under subsection (2)
783 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of
784 the State Constitution.

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

786 (b) Notwithstanding the provisions of paragraph (2)(a), a
787 request to inspect or copy a public record that contains
788 proprietary confidential business information shall be granted
789 if the proprietor of the information fails, within a reasonable
790 period of time after the request is received by the Florida
791 Opportunity Fund, to verify the following to the Florida
792 Opportunity Fund through a written declaration in the manner
793 provided by s. 92.525:

794 1. That the requested record contains proprietary
795 confidential business information and the specific location of
796 such information within the record;

797 ~~2. If the proprietary confidential business information is~~
798 ~~a trade secret, a verification that it is a trade secret as~~
799 ~~defined in s. 688.002;~~

800 ~~2.3.~~ That the proprietary confidential business



801 information is intended to be and is treated by the proprietor
802 as private, is the subject of efforts of the proprietor to
803 maintain its privacy, and is not readily ascertainable or
804 publicly available from any other source; and

805 3.4. That the disclosure of the proprietary confidential
806 business information to the public would harm the business
807 operations of the proprietor.

808 (c)1. Any person may petition a court of competent
809 jurisdiction for an order for the public release of those
810 portions of any record made confidential and exempt by
811 subsection (2).

812 2. Any action under this subsection must be brought in
813 Orange County, and the petition or other initial pleading shall
814 be served on the Florida Opportunity Fund and, if determinable
815 upon diligent inquiry, on the proprietor of the information
816 sought to be released.

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

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

821 a. b. A compelling public interest is served by the
822 release of the record or portions thereof which exceed the
823 public necessity for maintaining the confidentiality of such
824 record; and

825 b. e. The release of the record will not cause damage to



826 or adversely affect the interests of the proprietor of the
827 released information, other private persons or business
828 entities, or the Florida Opportunity Fund.

829 Section 20. Paragraph (b) of subsection (1), paragraph (a)
830 of subsection (2), paragraph (a) of subsection (3), and
831 paragraphs (b) and (c) of subsection (4) of section 288.9627,
832 Florida Statutes, are amended to read:

833 288.9627 Exemptions from public records and public
834 meetings requirements for the Institute for the
835 Commercialization of Public Research.—

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

837 (b)1. "Proprietary confidential business information"
838 means information that has been designated by the proprietor
839 when provided to the institute as information that is owned or
840 controlled by a proprietor; that is intended to be and is
841 treated by the proprietor as private, the disclosure of which
842 would harm the business operations of the proprietor and has not
843 been intentionally disclosed by the proprietor unless pursuant
844 to a private agreement that provides that the information will
845 not be released to the public except as required by law or legal
846 process, or pursuant to law or an order of a court or
847 administrative body; and that concerns:

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

849 a.b. Financial statements and internal or external auditor
850 reports of a proprietor corporation, partnership, or person



851 requesting confidentiality under this statute, unless publicly
852 released by the proprietor.

853 ~~b.e.~~ Meeting materials related to financial, operating,
854 investment, or marketing information of the proprietor
855 corporation, partnership, or person.

856 ~~c.d.~~ Information concerning private investors in the
857 proprietor corporation, partnership, or person.

858 2. "Proprietary confidential business information" does
859 not include:

860 a. The identity and primary address of the proprietor's
861 principals.

862 b. The dollar amount and date of the financial commitment
863 or contribution made by the institute.

864 c. The dollar amount, on a fiscal-year-end basis, of cash
865 repayments or other fungible distributions received by the
866 institute from each proprietor.

867 d. The dollar amount, if any, of the total management fees
868 and costs paid on an annual fiscal-year-end basis by the
869 institute.

870 (2) PUBLIC RECORDS EXEMPTION.—

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

874 1. Materials that relate to methods of manufacture or
875 production, ~~potential trade secrets~~, or patentable material



876 received, generated, ascertained, or discovered during the
877 course of research or through research projects conducted by
878 universities and other publicly supported organizations in this
879 state and that are provided to the institute by a proprietor.

880 2. Information that would identify an investor or
881 potential investor who desires to remain anonymous in projects
882 reviewed by the institute for assistance.

883 3. Any information received from a person from another
884 state or nation or the Federal Government which is otherwise
885 confidential or exempt pursuant to the laws of that state or
886 nation or pursuant to federal law.

887 4. Proprietary confidential business information for 7
888 years after the termination of the institute's financial
889 commitment to the company.

890 (3) PUBLIC MEETINGS EXEMPTION.—

891 (a) That portion of a meeting of the institute's board of
892 directors at which information is discussed which is
893 confidential and exempt under subsection (2) or s. 688.01 is
894 exempt from s. 286.011 and s. 24(b), Art. I of the State
895 Constitution.

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

897 (b) Notwithstanding the provisions of paragraph (2)(a), a
898 request to inspect or copy a public record that contains
899 proprietary confidential business information shall be granted
900 if the proprietor of the information fails, within a reasonable



901 period of time after the request is received by the institute,
902 to verify the following to the institute through a written
903 declaration in the manner provided by s. 92.525:

904 1. That the requested record contains proprietary
905 confidential business information and the specific location of
906 such information within the record;

907 ~~2. If the proprietary confidential business information is~~
908 ~~a trade secret, a verification that it is a trade secret as~~
909 ~~defined in s. 688.002;~~

910 ~~2.3.~~ That the proprietary confidential business
911 information is intended to be and is treated by the proprietor
912 as private, is the subject of efforts of the proprietor to
913 maintain its privacy, and is not readily ascertainable or
914 publicly available from any other source; and

915 ~~3.4.~~ That the disclosure of the proprietary confidential
916 business information to the public would harm the business
917 operations of the proprietor.

918 (c)1. Any person may petition a court of competent
919 jurisdiction for an order for the public release of those
920 portions of any record made confidential and exempt by
921 subsection (2).

922 2. Any action under this subsection must be brought in
923 Palm Beach County or Alachua County, and the petition or other
924 initial pleading shall be served on the institute and, if
925 determinable upon diligent inquiry, on the proprietor of the



926 information sought to be released.

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

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

931 a.b. A compelling public interest is served by the release
932 of the record or portions thereof which exceed the public
933 necessity for maintaining the confidentiality of such record;
934 and

935 b.e. The release of the record will not cause damage to or
936 adversely affect the interests of the proprietor of the released
937 information, other private persons or business entities, or the
938 institute.

939 Section 21. Section 331.326, Florida Statutes, is amended
940 to read:

941 331.326 Information relating to trade secrets
942 confidential.—The records of Space Florida regarding matters
943 encompassed by this act are public records subject to chapter
944 119. ~~Any information held by Space Florida which is a trade~~
945 ~~secret, as defined in s. 812.081, including trade secrets of~~
946 ~~Space Florida, any spaceport user, or the space industry~~
947 ~~business, is confidential and exempt from s. 119.07(1) and s.~~
948 ~~24(a), Art. I of the State Constitution and may not be~~
949 ~~disclosed. If Space Florida determines that any information~~
950 ~~requested by the public will reveal a trade secret, it shall, in~~



951 ~~writing, inform the person making the request of that~~
952 ~~determination. The determination is a final order as defined in~~
953 ~~s. 120.52. Any meeting or portion of a meeting of Space~~
954 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~
955 ~~of the State Constitution when the board is discussing trade~~
956 ~~secrets as defined in s. 688.01. Any public record generated~~
957 ~~during the closed portions of the meetings, such as minutes,~~
958 ~~tape recordings, and notes, is confidential and exempt from s.~~
959 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
960 ~~section is subject to the Open Government Sunset Review Act in~~
961 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
962 ~~2021, unless reviewed and saved from repeal through reenactment~~
963 ~~by the Legislature.~~

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

966 334.049 Patents, copyrights, trademarks; notice to
967 Department of State; ~~confidentiality of trade secrets.~~

968 ~~(4) Any information obtained by the department as a result~~
969 ~~of research and development projects and revealing a method of~~
970 ~~process, production, or manufacture which is a trade secret as~~
971 ~~defined in s. 688.002, is confidential and exempt from the~~
972 ~~provisions of s. 119.07(1).~~

973 Section 23. Section 350.121, Florida Statutes, is amended
974 to read:

975 350.121 Commission inquiries; confidentiality of business



976 material.—If the commission undertakes an inquiry, any records,
977 documents, papers, maps, books, tapes, photographs, files, sound
978 recordings, or other business material, regardless of form or
979 characteristics, obtained by the commission incident to the
980 inquiry are considered confidential and exempt from s. 119.07(1)
981 while the inquiry is pending. If at the conclusion of an inquiry
982 the commission undertakes a formal proceeding, any matter
983 determined by the commission or by a judicial or administrative
984 body, federal or state, to be ~~trade secrets or~~ proprietary
985 confidential business information coming into its possession
986 pursuant to such inquiry shall be considered confidential and
987 exempt from s. 119.07(1). Such material may be used in any
988 administrative or judicial proceeding so long as the
989 confidential or proprietary nature of the material is
990 maintained.

991 Section 24. Paragraph (a) of subsection (3) of section
992 364.183, Florida Statutes, is amended to read:

993 364.183 Access to company records.—

994 (3) The term "proprietary confidential business
995 information" means information, regardless of form or
996 characteristics, which is owned or controlled by the person or
997 company, is intended to be and is treated by the person or
998 company as private in that the disclosure of the information
999 would cause harm to the ratepayers or the person's or company's
1000 business operations, and has not been disclosed unless disclosed



1001 pursuant to a statutory provision, an order of a court or
1002 administrative body, or private agreement that provides that the
1003 information will not be released to the public. The term
1004 includes, ~~but is not limited to:~~

1005 ~~(a) Trade secrets.~~

1006 Section 25. Subsection (3) of section 365.174, Florida
1007 Statutes, is amended to read:

1008 365.174 Proprietary confidential business information.—

1009 (3) As used in this section, the term "proprietary
1010 confidential business information" means customer lists,
1011 customer numbers, individual or aggregate customer data by
1012 location, usage and capacity data, network facilities used to
1013 serve subscribers, technology descriptions, or technical
1014 information, ~~or trade secrets, including trade secrets as~~
1015 ~~defined in s. 812.081~~, and the actual or developmental costs of
1016 E911 systems that are developed, produced, or received
1017 internally by a provider or by a provider's employees,
1018 directors, officers, or agents.

1019 Section 26. Paragraph (a) of subsection (3) of section
1020 366.093, Florida Statutes, is amended to read:

1021 366.093 Public utility records; confidentiality.—

1022 (3) Proprietary confidential business information means
1023 information, regardless of form or characteristics, which is
1024 owned or controlled by the person or company, is intended to be
1025 and is treated by the person or company as private in that the



1026 disclosure of the information would cause harm to the ratepayers
1027 or the person's or company's business operations, and has not
1028 been disclosed unless disclosed pursuant to a statutory
1029 provision, an order of a court or administrative body, or
1030 private agreement that provides that the information will not be
1031 released to the public. Proprietary confidential business
1032 information includes, ~~but is not limited to:~~

1033 ~~(a) Trade secrets.~~

1034 Section 27. Paragraph (a) of subsection (3) of section
1035 367.156, Florida Statutes, is amended to read:

1036 367.156 Public utility records; confidentiality.—

1037 (3) Proprietary confidential business information means
1038 information, regardless of form or characteristics, which is
1039 owned or controlled by the person or company, is intended to be
1040 and is treated by the person or company as private in that the
1041 disclosure of the information would cause harm to the ratepayers
1042 or the person's or company's business operations, and has not
1043 been disclosed unless disclosed pursuant to a statutory
1044 provision, an order of a court or administrative body, or a
1045 private agreement that provides that the information will not be
1046 released to the public. Proprietary business information
1047 includes, ~~but is not limited to:~~

1048 ~~(a) Trade secrets.~~

1049 Section 28. Paragraph (a) of subsection (3) of section
1050 368.108, Florida Statutes, is amended to read:



1051 368.108 Confidentiality; discovery.—

1052 (3) "Proprietary confidential business information" means

1053 information, regardless of form or characteristics, which is

1054 owned or controlled by the person or company, is intended to be

1055 and is treated by the person or company as private in that the

1056 disclosure of the information would cause harm to the ratepayers

1057 or the person's or company's business operations, and has not

1058 been disclosed unless disclosed pursuant to a statutory

1059 provision, an order of a court or administrative body, or a

1060 private agreement that provides that the information will not be

1061 released to the public. "Proprietary confidential business

1062 information" includes, ~~but is not limited to:~~

1063 ~~(a) Trade secrets.~~

1064 Section 29. Paragraph (e) of subsection (1) of section

1065 377.24075, Florida Statutes, is amended to read:

1066 377.24075 Exemption from public records requirements.—

1067 Proprietary business information held by the Department of

1068 Environmental Protection in accordance with its statutory duties

1069 with respect to an application for a natural gas storage

1070 facility permit is confidential and exempt from s. 119.07(1) and

1071 s. 24(a), Art. I of the State Constitution.

1072 (1) As used in this section, the term "proprietary

1073 business information" means information that:

1074 (e) Includes, ~~but is not limited to:~~

1075 ~~1. Trade secrets as defined in s. 688.002.~~



1076 ~~1.2.~~ Leasing plans, real property acquisition plans,
1077 exploration budgets, or marketing studies, the disclosure of
1078 which would impair the efforts of the applicant or its
1079 affiliates to contract for goods or services or to acquire real
1080 property interests on favorable terms.

1081 ~~2.3.~~ Competitive interests, which may include well design
1082 or completion plans, geological or engineering studies related
1083 to storage reservoir performance characteristics, or field
1084 utilization strategies or operating plans, the disclosure of
1085 which would impair the competitive business of the applicant
1086 providing the information.

1087 Section 30. Section 381.83, Florida Statutes, is repealed.

1088 Section 31. Paragraph (c) of subsection (2) of section
1089 395.3035, Florida Statutes, is amended to read:

1090 395.3035 Confidentiality of hospital records and
1091 meetings.—

1092 (2) The following records and information of any hospital
1093 that is subject to chapter 119 and s. 24(a), Art. I of the State
1094 Constitution are confidential and exempt from the provisions of
1095 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1096 (c) ~~Trade secrets, as defined in s. 688.002, including~~
1097 Reimbursement methodologies and rates.

1098 Section 32. Subsection (2) and paragraph (b) of subsection
1099 (3) of section 403.7046, Florida Statutes, are amended to read:

1100 403.7046 Regulation of recovered materials.—



1101 (2) Notwithstanding s. 688.01, information reported
1102 pursuant to this section or any rule adopted pursuant to this
1103 section which, if disclosed, would reveal a trade secret, as
1104 defined in s. 688.01, may be provided by the department ~~812.081,~~
1105 ~~is confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~
1106 ~~I of the State Constitution. For reporting or information~~
1107 ~~purposes, however, the department may provide this information~~
1108 in such form that the names of the persons reporting such
1109 information and the specific information reported are not
1110 revealed. ~~This subsection is subject to the Open Government~~
1111 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1112 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1113 ~~repeal through reenactment by the Legislature.~~

1114 (3) Except as otherwise provided in this section or
1115 pursuant to a special act in effect on or before January 1,
1116 1993, a local government may not require a commercial
1117 establishment that generates source-separated recovered
1118 materials to sell or otherwise convey its recovered materials to
1119 the local government or to a facility designated by the local
1120 government, nor may the local government restrict such a
1121 generator's right to sell or otherwise convey such recovered
1122 materials to any properly certified recovered materials dealer
1123 who has satisfied the requirements of this section. A local
1124 government may not enact any ordinance that prevents such a
1125 dealer from entering into a contract with a commercial



1126 establishment to purchase, collect, transport, process, or
1127 receive source-separated recovered materials.

1128 (b)~~1~~. Before engaging in business within the jurisdiction
1129 of the local government, a recovered materials dealer or
1130 pyrolysis facility must provide the local government with a copy
1131 of the certification provided for in this section. In addition,
1132 the local government may establish a registration process
1133 whereby a recovered materials dealer or pyrolysis facility must
1134 register with the local government before engaging in business
1135 within the jurisdiction of the local government. Such
1136 registration process is limited to requiring the dealer or
1137 pyrolysis facility to register its name, including the owner or
1138 operator of the dealer or pyrolysis facility, and, if the dealer
1139 or pyrolysis facility is a business entity, its general or
1140 limited partners, its corporate officers and directors, its
1141 permanent place of business, evidence of its certification under
1142 this section, and a certification that the recovered materials
1143 or post-use polymers will be processed at a recovered materials
1144 processing facility or pyrolysis facility satisfying the
1145 requirements of this section. The local government may not use
1146 the information provided in the registration application to
1147 compete unfairly with the recovered materials dealer until 90
1148 days after receipt of the application. All counties, and
1149 municipalities whose population exceeds 35,000 according to the
1150 population estimates determined pursuant to s. 186.901, may



1151 establish a reporting process that must be limited to the
1152 regulations, reporting format, and reporting frequency
1153 established by the department pursuant to this section, which
1154 must, at a minimum, include requiring the dealer or pyrolysis
1155 facility to identify the types and approximate amount of
1156 recovered materials or post-use polymers collected, recycled, or
1157 reused during the reporting period; the approximate percentage
1158 of recovered materials or post-use polymers reused, stored, or
1159 delivered to a recovered materials processing facility or
1160 pyrolysis facility or disposed of in a solid waste disposal
1161 facility; and the locations where any recovered materials or
1162 post-use polymers were disposed of as solid waste. The local
1163 government may charge the dealer or pyrolysis facility a
1164 registration fee commensurate with and no greater than the cost
1165 incurred by the local government in operating its registration
1166 program. Registration program costs are limited to those costs
1167 associated with the activities described in this paragraph
1168 ~~subparagraph~~. Any reporting or registration process established
1169 by a local government with regard to recovered materials or
1170 post-use polymers is governed by this section and department
1171 rules adopted pursuant thereto.

1172 ~~2. Information reported under this subsection which, if~~
1173 ~~disclosed, would reveal a trade secret, as defined in s.~~
1174 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
1175 ~~24(a), Art. I of the State Constitution. This subparagraph is~~



1176 ~~subject to the Open Government Sunset Review Act in accordance~~
1177 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1178 ~~unless reviewed and saved from repeal through reenactment by the~~
1179 ~~Legislature.~~

1180 Section 33. Section 403.73, Florida Statutes, is repealed.

1181 Section 34. Paragraph (c) of subsection (1) of section
1182 408.061, Florida Statutes, is amended to read:

1183 408.061 Data collection; uniform systems of financial
1184 reporting; information relating to physician charges;
1185 confidential information; immunity.—

1186 (1) The agency shall require the submission by health care
1187 facilities, health care providers, and health insurers of data
1188 necessary to carry out the agency's duties and to facilitate
1189 transparency in health care pricing data and quality measures.
1190 Specifications for data to be collected under this section shall
1191 be developed by the agency and applicable contract vendors, with
1192 the assistance of technical advisory panels including
1193 representatives of affected entities, consumers, purchasers, and
1194 such other interested parties as may be determined by the
1195 agency.

1196 (c) Data to be submitted by health insurers may include,
1197 but are not limited to: claims, payments to health care
1198 facilities and health care providers as specified by rule,
1199 premium, administration, and financial information. Data
1200 submitted shall be certified by the chief financial officer, an



1201 appropriate and duly authorized representative, or an employee
 1202 of the insurer that the information submitted is true and
 1203 accurate. ~~Information that is considered a trade secret under s.~~
 1204 ~~812.081 shall be clearly designated.~~

1205 Section 35. Subsection (1) of section 408.185, Florida
 1206 Statutes, is amended to read:

1207 408.185 Information submitted for review of antitrust
 1208 issues; confidentiality.—The following information held by the
 1209 Office of the Attorney General, which is submitted by a member
 1210 of the health care community pursuant to a request for an
 1211 antitrust no-action letter shall be confidential and exempt from
 1212 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1213 Constitution for 1 year after the date of submission.

1214 ~~(1) Documents that reveal trade secrets as defined in s.~~
 1215 ~~688.002.~~

1216 Section 36. Paragraph (a) of subsection (14) of section
 1217 408.910, Florida Statutes, is amended to read:

1218 408.910 Florida Health Choices Program.—

1219 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1220 (a) Definitions.—For purposes of this subsection, the
 1221 term:

1222 1. "Buyer's representative" means a participating
 1223 insurance agent as described in paragraph (4) (g).

1224 2. "Enrollee" means an employer who is eligible to enroll
 1225 in the program pursuant to paragraph (4) (a).



1226 3. "Participant" means an individual who is eligible to
1227 participate in the program pursuant to paragraph (4) (b).

1228 4. "Proprietary confidential business information" means
1229 information, regardless of form or characteristics, that is
1230 owned or controlled by a vendor requesting confidentiality under
1231 this section; that is intended to be and is treated by the
1232 vendor as private in that the disclosure of the information
1233 would cause harm to the business operations of the vendor; that
1234 has not been disclosed unless disclosed pursuant to a statutory
1235 provision, an order of a court or administrative body, or a
1236 private agreement providing that the information may be released
1237 to the public; and that is information concerning:

1238 a. Business plans.

1239 b. Internal auditing controls and reports of internal
1240 auditors.

1241 c. Reports of external auditors for privately held
1242 companies.

1243 d. Client and customer lists.

1244 e. Potentially patentable material.

1245 ~~f. A trade secret as defined in s. 688.002.~~

1246 5. "Vendor" means a participating insurer or other
1247 provider of services as described in paragraph (4) (d).

1248 Section 37. Section 409.91196, Florida Statutes, is
1249 amended to read:

1250 409.91196 Supplemental rebate agreements; public records



1251 and public meetings exemption.—

1252 (1) The rebate amount, percent of rebate, manufacturer's
1253 pricing, and supplemental rebate, ~~and other trade secrets as~~
1254 ~~defined in s. 688.002 that the agency has identified for use in~~
1255 ~~negotiations,~~ held by the Agency for Health Care Administration
1256 under s. 409.912(5)(a)7. are confidential and exempt from s.
1257 119.07(1) and s. 24(a), Art. I of the State Constitution.

1258 (2) That portion of a meeting of the Medicaid
1259 Pharmaceutical and Therapeutics Committee at which the rebate
1260 amount, percent of rebate, manufacturer's pricing, or
1261 supplemental rebate, or confidential and exempt ~~other~~ trade
1262 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that
1263 the agency has identified for use in negotiations, are discussed
1264 is exempt from s. 286.011 and s. 24(b), Art. I of the State
1265 Constitution. A record shall be made of each exempt portion of a
1266 meeting. Such record must include the times of commencement and
1267 termination, all discussions and proceedings, the names of all
1268 persons present at any time, and the names of all persons
1269 speaking. No exempt portion of a meeting may be held off the
1270 record.

1271 Section 38. Paragraph (b) of subsection (2) of section
1272 440.108, Florida Statutes, is amended to read:

1273 440.108 Investigatory records relating to workers'
1274 compensation employer compliance; confidentiality.—

1275 (2) After an investigation is completed or ceases to be



1276 active, information in records relating to the investigation
1277 remains confidential and exempt from the provisions of s.
1278 119.07(1) and s. 24(a), Art. I of the State Constitution if
1279 disclosure of that information would:

1280 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~
1281 Section 39. Paragraph (c) of subsection (1) of section
1282 494.00125, Florida Statutes, is amended to read:
1283 494.00125 Public records exemptions.—
1284 (1) INVESTIGATIONS OR EXAMINATIONS.—
1285 (c) Except as necessary for the office to enforce the
1286 provisions of this chapter, a consumer complaint and other
1287 information relative to an investigation or examination shall
1288 remain confidential and exempt from s. 119.07(1) after the
1289 investigation or examination is completed or ceases to be active
1290 to the extent disclosure would:

- 1291 1. Jeopardize the integrity of another active
1292 investigation or examination.
- 1293 2. Reveal the name, address, telephone number, social
1294 security number, or any other identifying number or information
1295 of any complainant, customer, or account holder.
- 1296 3. Disclose the identity of a confidential source.
- 1297 4. Disclose investigative techniques or procedures.
- 1298 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1299 Section 40. Subsection (4) of section 497.172, Florida
1300 Statutes, is amended to read:



1301 497.172 Public records exemptions; public meetings
 1302 exemptions.—

1303 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~
 1304 ~~688.002, held by the department or board, are confidential and~~
 1305 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
 1306 ~~Constitution.~~

1307 Section 41. Paragraph (c) of subsection (3) of section
 1308 499.012, Florida Statutes, is amended to read:

1309 499.012 Permit application requirements.—

1310 (3)

1311 ~~(c) Information submitted by an applicant on an~~
 1312 ~~application required pursuant to this subsection which is a~~
 1313 ~~trade secret, as defined in s. 812.081, shall be maintained by~~
 1314 ~~the department as trade secret information pursuant to s.~~
 1315 ~~499.051(7).~~

1316 Section 42. Paragraph (b) of subsection (7) of section
 1317 499.0121, Florida Statutes, is amended to read:

1318 499.0121 Storage and handling of prescription drugs;
 1319 recordkeeping.—The department shall adopt rules to implement
 1320 this section as necessary to protect the public health, safety,
 1321 and welfare. Such rules shall include, but not be limited to,
 1322 requirements for the storage and handling of prescription drugs
 1323 and for the establishment and maintenance of prescription drug
 1324 distribution records.

1325 (7) PRESCRIPTION DRUG PURCHASE LIST.—



1326 ~~(b) Such portions of the information required pursuant to~~
1327 ~~this subsection which are a trade secret, as defined in s.~~
1328 ~~812.081, shall be maintained by the department as trade secret~~
1329 ~~information is required to be maintained under s. 499.051. This~~
1330 ~~paragraph is subject to the Open Government Sunset Review Act in~~
1331 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
1332 ~~2021, unless reviewed and saved from repeal through reenactment~~
1333 ~~by the Legislature.~~

1334 Section 43. Paragraph (g) of subsection (1) of section
1335 499.05, Florida Statutes, is amended to read:

1336 499.05 Rules.—

1337 (1) The department shall adopt rules to implement and
1338 enforce this chapter with respect to:

1339 (g) Inspections and investigations conducted under s.
1340 499.051 or s. 499.93, ~~and the identification of information~~
1341 ~~claimed to be a trade secret and exempt from the public records~~
1342 ~~law as provided in s. 499.051(7).~~

1343 Section 44. Paragraph (b) of subsection (7) of section
1344 499.051, Florida Statutes, is amended to read:

1345 499.051 Inspections and investigations.—

1346 (7)

1347 ~~(b) Information that constitutes a trade secret, as~~
1348 ~~defined in s. 812.081, contained in the complaint or obtained by~~
1349 ~~the department pursuant to the investigation must remain~~
1350 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~



1351 ~~of the State Constitution as long as the information is held by~~
1352 ~~the department. This paragraph is subject to the Open Government~~
1353 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1354 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1355 ~~repeal through reenactment by the Legislature.~~

1356 Section 45. Section 499.931, Florida Statutes, is
1357 repealed.

1358 Section 46. Paragraph (d) of subsection (11) of section
1359 501.171, Florida Statutes, is amended to read:

1360 501.171 Security of confidential personal information.—

1361 (11) PUBLIC RECORDS EXEMPTION.—

1362 (d) For purposes of this subsection, the term "proprietary
1363 information" means information that:

1364 1. Is owned or controlled by the covered entity.

1365 2. Is intended to be private and is treated by the covered
1366 entity as private because disclosure would harm the covered
1367 entity or its business operations.

1368 3. Has not been disclosed except as required by law or a
1369 private agreement that provides that the information will not be
1370 released to the public.

1371 4. Is not publicly available or otherwise readily
1372 ascertainable through proper means from another source in the
1373 same configuration as received by the department.

1374 5. Includes:

1375 ~~a. Trade secrets as defined in s. 688.002.~~



1376 ~~b.~~ competitive interests, the disclosure of which would
1377 impair the competitive business of the covered entity who is the
1378 subject of the information.

1379 Section 47. Section 502.222, Florida Statutes, is
1380 repealed.

1381 Section 48. Paragraph (b) of subsection (1) of section
1382 517.2015, Florida Statutes, is amended to read:

1383 517.2015 Confidentiality of information relating to
1384 investigations and examinations.—

1385 (1)

1386 (b) Except as necessary for the office to enforce the
1387 provisions of this chapter, a consumer complaint and other
1388 information relative to an investigation or examination shall
1389 remain confidential and exempt from s. 119.07(1) after the
1390 investigation or examination is completed or ceases to be active
1391 to the extent disclosure would:

1392 1. Jeopardize the integrity of another active
1393 investigation or examination.

1394 2. Reveal the name, address, telephone number, social
1395 security number, or any other identifying number or information
1396 of any complainant, customer, or account holder.

1397 3. Disclose the identity of a confidential source.

1398 4. Disclose investigative techniques or procedures.

1399 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1400 Section 49. Paragraph (b) of subsection (1) of section



1401 520.9965, Florida Statutes, is amended to read:
 1402 520.9965 Confidentiality of information relating to
 1403 investigations and examinations.-
 1404 (1)
 1405 (b) Except as necessary for the office to enforce the
 1406 provisions of this chapter, a consumer complaint and other
 1407 information relative to an investigation or examination shall
 1408 remain confidential and exempt from s. 119.07(1) after the
 1409 investigation or examination is completed or ceases to be active
 1410 to the extent disclosure would:
 1411 1. Jeopardize the integrity of another active
 1412 investigation or examination.
 1413 2. Reveal the name, address, telephone number, social
 1414 security number, or any other identifying number or information
 1415 of any complainant, customer, or account holder.
 1416 3. Disclose the identity of a confidential source.
 1417 4. Disclose investigative techniques or procedures.
 1418 ~~5. Reveal a trade secret as defined in s. 688.002.~~
 1419 Section 50. Subsection (2) of section 526.311, Florida
 1420 Statutes, is amended to read:
 1421 526.311 Enforcement; civil penalties; injunctive relief.-
 1422 (2) The Department of Agriculture and Consumer Services
 1423 shall investigate any complaints regarding violations of this
 1424 act and may request in writing the production of documents and
 1425 records as part of its investigation of a complaint. If the



1426 person upon whom such request was made fails to produce the
1427 documents or records within 30 days after the date of the
1428 request, the department, through the department's office of
1429 general counsel, may issue and serve a subpoena to compel the
1430 production of such documents and records. If any person shall
1431 refuse to comply with a subpoena issued under this section, the
1432 department may petition a court of competent jurisdiction to
1433 enforce the subpoena and assess such sanctions as the court may
1434 direct. Refiners shall afford the department reasonable access
1435 to the refiners' posted terminal price. Any records, documents,
1436 papers, maps, books, tapes, photographs, files, sound
1437 recordings, or other business material, regardless of form or
1438 characteristics, obtained by the department are confidential and
1439 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
1440 of the State Constitution while the investigation is pending. At
1441 the conclusion of an investigation, any matter determined by the
1442 department or by a judicial or administrative body, federal or
1443 state, to be ~~a trade secret or~~ proprietary confidential business
1444 information held by the department pursuant to such
1445 investigation shall be considered confidential and exempt from
1446 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1447 Constitution. Such materials may be used in any administrative
1448 or judicial proceeding so long as the confidential or
1449 proprietary nature of the material is maintained.

1450 Section 51. Paragraph (e) of subsection (1) of section



1451 548.062, Florida Statutes, is amended to read:
 1452 548.062 Public records exemption.—
 1453 (1) As used in this section, the term "proprietary
 1454 confidential business information" means information that:
 1455 (e) Concerns any of the following:
 1456 1. The number of ticket sales for a match;
 1457 2. The amount of gross receipts after a match;
 1458 ~~3. A trade secret, as defined in s. 688.002;~~
 1459 3.4. Business plans;
 1460 ~~4.5.~~ Internal auditing controls and reports of internal
 1461 auditors; or
 1462 ~~5.6.~~ Reports of external auditors.
 1463 Section 52. Paragraph (a) of subsection (1) of section
 1464 556.113, Florida Statutes, is amended to read:
 1465 556.113 Sunshine State One-Call of Florida, Inc.; public
 1466 records exemption.—
 1467 (1) As used in this section, the term "proprietary
 1468 confidential business information" means information provided
 1469 by:
 1470 (a) A member operator which is a map, plan, facility
 1471 location diagram, internal damage investigation report or
 1472 analysis, or dispatch methodology, ~~or trade secret as defined in~~
 1473 ~~s. 688.002,~~ or which describes the exact location of a utility
 1474 underground facility or the protection, repair, or restoration
 1475 thereof, and:



1476 | 1. Is intended to be and is treated by the member operator
1477 | as confidential;

1478 | 2. The disclosure of which would likely be used by a
1479 | competitor to harm the business interests of the member operator
1480 | or could be used for the purpose of inflicting damage on
1481 | underground facilities; and

1482 | 3. Is not otherwise readily ascertainable or publicly
1483 | available by proper means by other persons from another source
1484 | in the same configuration as provided to Sunshine State One-Call
1485 | of Florida, Inc.

1486 | Section 53. Paragraph (b) of subsection (2) of section
1487 | 559.5558, Florida Statutes, is amended to read:

1488 | 559.5558 Public records exemption; investigations and
1489 | examinations.—

1490 | (2)

1491 | (b) Information made confidential and exempt pursuant to
1492 | this section is no longer confidential and exempt once the
1493 | investigation or examination is completed or ceases to be active
1494 | unless disclosure of the information would:

1495 | 1. Jeopardize the integrity of another active
1496 | investigation or examination.

1497 | 2. Reveal the personal identifying information of a
1498 | consumer, unless the consumer is also the complainant. A
1499 | complainant's personal identifying information is subject to
1500 | disclosure after the investigation or examination is completed



1501 or ceases to be active. However, a complainant's personal
 1502 financial and health information remains confidential and
 1503 exempt.

1504 3. Reveal the identity of a confidential source.

1505 4. Reveal investigative or examination techniques or
 1506 procedures.

1507 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1508 Section 54. Paragraph (c) of subsection (3) of section
 1509 559.9285, Florida Statutes, is amended to read:

1510 559.9285 Certification of business activities.—

1511 (3) The department shall specify by rule the form of each
 1512 certification under this section which shall include the
 1513 following information:

1514 (c) The legal name, any trade names or fictitious names,
 1515 mailing address, physical address, telephone number or numbers,
 1516 facsimile number or numbers, and all Internet and electronic
 1517 contact information of every other commercial entity with which
 1518 the certifying party engages in business or commerce that is
 1519 related in any way to the certifying party's business or
 1520 commerce with any terrorist state. The information disclosed
 1521 pursuant to this paragraph does not constitute customer lists
 1522 ~~or~~ customer names, ~~or trade secrets~~ protected under s.
 1523 570.544(8) or trade secrets protected under s. 688.01.

1524 Section 55. Subsection (2) of section 560.129, Florida
 1525 Statutes, is amended to read:



1526 560.129 Confidentiality.—

1527 (2) All information obtained by the office in the course
1528 of its investigation or examination ~~which is a trade secret, as~~
1529 ~~defined in s. 688.002, or~~ which is personal financial
1530 information shall remain confidential and exempt from s.
1531 119.07(1) and s. 24(a), Art. I of the State Constitution. If any
1532 administrative, civil, or criminal proceeding against a money
1533 services business, its authorized vendor, or an affiliated party
1534 is initiated and the office seeks to use matter that a licensee
1535 believes to be ~~a trade secret or~~ personal financial information,
1536 such records shall be subject to an in camera review by the
1537 administrative law judge, if the matter is before the Division
1538 of Administrative Hearings, or a judge of any court of this
1539 state, any other state, or the United States, as appropriate,
1540 for the purpose of determining if the matter is ~~a trade secret~~
1541 ~~or is~~ personal financial information. ~~If it is determined that~~
1542 ~~the matter is a trade secret, the matter shall remain~~
1543 ~~confidential.~~ If it is determined that the matter is personal
1544 financial information, the matter shall remain confidential
1545 unless the administrative law judge or judge determines that, in
1546 the interests of justice, the matter should become public.

1547 Section 56. Subsection (3) of section 570.48, Florida
1548 Statutes, is amended to read:

1549 570.48 Division of Fruit and Vegetables; powers and
1550 duties; records.—The duties of the Division of Fruit and



1551 Vegetables include, but are not limited to:

1552 (3) Maintaining the records of the division. The records
1553 of the division are public records .; ~~however, trade secrets as~~
1554 ~~defined in s. 812.081 are confidential and exempt from s.~~
1555 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
1556 ~~subsection is subject to the Open Government Sunset Review Act~~
1557 ~~in accordance with s. 119.15 and shall stand repealed on October~~
1558 ~~2, 2021, unless reviewed and saved from repeal through~~
1559 ~~reenactment by the Legislature. This Section 688.01 may not be~~
1560 ~~construed to prohibit:~~

1561 ~~(a) A disclosure necessary to enforcement procedures.~~

1562 ~~(b) The department from releasing information to other~~
1563 ~~governmental agencies. Other governmental agencies that receive~~
1564 ~~confidential information from the department under this~~
1565 ~~subsection shall maintain the confidentiality of that~~
1566 ~~information.~~

1567 ~~(c) the department or other agencies from compiling and~~
1568 ~~publishing appropriate data regarding procedures, yield,~~
1569 ~~recovery, quality, and related matters, provided such released~~
1570 ~~data do not reveal by whom the activity to which the data relate~~
1571 ~~was conducted.~~

1572 Section 57. Subsection (8) of section 570.544, Florida
1573 Statutes, is amended to read:

1574 570.544 Division of Consumer Services; director; powers;
1575 processing of complaints; records.—



1576 (8) The records of the Division of Consumer Services are
1577 public records. However, customer lists and, customer names, ~~and~~
1578 ~~trade secrets~~ are confidential and exempt from the provisions of
1579 s. 119.07(1). Disclosure necessary to enforcement procedures
1580 does not violate this prohibition.

1581 Section 58. Subsection (2) of section 573.123, Florida
1582 Statutes, is amended to read:

1583 573.123 Maintenance and production of records.—

1584 ~~(2) Information that, if disclosed, would reveal a trade~~
1585 ~~secret, as defined in s. 812.081, of any person subject to a~~
1586 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1587 ~~s. 24(a), Art. I of the State Constitution and may not be~~
1588 ~~disclosed except to an attorney who provides legal advice to the~~
1589 ~~division about enforcing a marketing order or by court order. A~~
1590 ~~person who receives confidential information under this~~
1591 ~~subsection shall maintain the confidentiality of that~~
1592 ~~information. This subsection is subject to the Open Government~~
1593 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1594 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1595 ~~repeal through reenactment by the Legislature.~~

1596 Section 59. Section 581.199, Florida Statutes, is
1597 repealed.

1598 Section 60. Paragraph (b) of subsection (8) of section
1599 601.10, Florida Statutes, is amended to read:

1600 601.10 Powers of the Department of Citrus.—The department



1601 shall have and shall exercise such general and specific powers
1602 as are delegated to it by this chapter and other statutes of the
1603 state, which powers shall include, but are not limited to, the
1604 following:

1605 (8)

1606 ~~(b) Any information provided to the department which~~
1607 ~~constitutes a trade secret as defined in s. 812.081 is~~
1608 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1609 ~~of the State Constitution. This paragraph is subject to the Open~~
1610 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
1611 ~~shall stand repealed on October 2, 2021, unless reviewed and~~
1612 ~~saved from repeal through reenactment by the Legislature.~~

1613 Section 61. Paragraph (d) of subsection (7) of section
1614 601.15, Florida Statutes, is amended to read:

1615 601.15 Advertising campaign; methods of conducting;
1616 assessments; emergency reserve fund; citrus research.—

1617 (7) All assessments levied and collected under this
1618 chapter shall be paid into the State Treasury on or before the
1619 15th day of each month. Such moneys shall be accounted for in a
1620 special fund to be designated as the Florida Citrus Advertising
1621 Trust Fund, and all moneys in such fund are appropriated to the
1622 department for the following purposes:

1623 (d)1. The pro rata portion of moneys allocated to each
1624 type of citrus product in noncommodity programs shall be used by
1625 the department to encourage substantial increases in the



1626 effectiveness, frequency, and volume of noncommodity
1627 advertising, merchandising, publicity, and sales promotion of
1628 such citrus products through rebates and incentive payments to
1629 handlers and trade customers for these activities. The
1630 department shall adopt rules providing for the use of such
1631 moneys. The rules shall establish alternate incentive programs,
1632 including at least one incentive program for product sold under
1633 advertised brands, one incentive program for product sold under
1634 private label brands, and one incentive program for product sold
1635 in bulk. For each incentive program, the rules must establish
1636 eligibility and performance requirements and must provide
1637 appropriate limitations on amounts payable to a handler or trade
1638 customer for a particular season. Such limitations may relate to
1639 the amount of citrus assessments levied and collected on the
1640 citrus product handled by such handler or trade customer during
1641 a 12-month representative period.

1642 2. The department may require from participants in
1643 noncommodity advertising and promotional programs commercial
1644 information necessary to determine eligibility for and
1645 performance in such programs. ~~Any information required which~~
1646 ~~constitutes a trade secret as defined in s. 812.081 is~~
1647 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1648 ~~of the State Constitution. This subparagraph is subject to the~~
1649 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
1650 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~



1651 ~~saved from repeal through reenactment by the Legislature.~~

1652 Section 62. Paragraph (c) of subsection (8) of section
1653 601.152, Florida Statutes, is amended to read:

1654 601.152 Special marketing orders.—

1655 (8)

1656 (c)~~1~~. Every handler shall, at such times as the department
1657 may require, file with the department a return, not under oath,
1658 on forms to be prescribed and furnished by the department,
1659 certified as true and correct, stating the quantity of the type,
1660 variety, and form of citrus fruit or citrus product specified in
1661 the marketing order first handled in the primary channels of
1662 trade in the state by such handler during the period of time
1663 specified in the marketing order. Such returns must contain any
1664 further information deemed by the department to be reasonably
1665 necessary to properly administer or enforce this section or any
1666 marketing order implemented under this section.

1667 ~~2. Information that, if disclosed, would reveal a trade~~
1668 ~~secret, as defined in s. 812.081, of any person subject to a~~
1669 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1670 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
1671 ~~subject to the Open Government Sunset Review Act in accordance~~
1672 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1673 ~~unless reviewed and saved from repeal through reenactment by the~~
1674 ~~Legislature.~~

1675 Section 63. Section 601.76, Florida Statutes, is amended



1676 to read:

1677 601.76 Manufacturer to furnish formula and other
 1678 information.—Any formula required to be filed with the
 1679 Department of Agriculture ~~shall be deemed a trade secret as~~
 1680 ~~defined in s. 812.081,~~ is confidential and exempt from s.
 1681 119.07(1) and s. 24(a), Art. I of the State Constitution, and
 1682 may be divulged only to the Department of Agriculture or to its
 1683 duly authorized representatives or upon court order when
 1684 necessary in the enforcement of this law. A person who receives
 1685 such a formula from the Department of Agriculture under this
 1686 section shall maintain the confidentiality of the formula. ~~This~~
 1687 ~~section is subject to the Open Government Sunset Review Act in~~
 1688 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
 1689 ~~2021, unless reviewed and saved from repeal through reenactment~~
 1690 ~~by the Legislature.~~

1691 Section 64. Subsection (6) of section 607.0505, Florida
 1692 Statutes, is amended to read:

1693 607.0505 Registered agent; duties.—

1694 (6) Information provided to, and records and
 1695 transcriptions of testimony obtained by, the Department of Legal
 1696 Affairs pursuant to this section are confidential and exempt
 1697 from the provisions of s. 119.07(1) while the investigation is
 1698 active. For purposes of this section, an investigation shall be
 1699 considered "active" while such investigation is being conducted
 1700 with a reasonable, good faith belief that it may lead to the



1701 filing of an administrative, civil, or criminal proceeding. An
1702 investigation does not cease to be active so long as the
1703 department is proceeding with reasonable dispatch and there is a
1704 good faith belief that action may be initiated by the department
1705 or other administrative or law enforcement agency. Except for
1706 active criminal intelligence or criminal investigative
1707 information, as defined in s. 119.011, and information which, if
1708 disclosed, ~~would reveal a trade secret, as defined in s.~~
1709 ~~688.002, or~~ would jeopardize the safety of an individual, all
1710 information, records, and transcriptions become public record
1711 when the investigation is completed or ceases to be active. The
1712 department shall not disclose confidential information, records,
1713 or transcriptions of testimony except pursuant to the
1714 authorization by the Attorney General in any of the following
1715 circumstances:

1716 (a) To a law enforcement agency participating in or
1717 conducting a civil investigation under chapter 895, or
1718 participating in or conducting a criminal investigation.

1719 (b) In the course of filing, participating in, or
1720 conducting a judicial proceeding instituted pursuant to this
1721 section or chapter 895.

1722 (c) In the course of filing, participating in, or
1723 conducting a judicial proceeding to enforce an order or judgment
1724 entered pursuant to this section or chapter 895.

1725 (d) In the course of a criminal or civil proceeding.



1726
1727 A person or law enforcement agency which receives any
1728 information, record, or transcription of testimony that has been
1729 made confidential by this subsection shall maintain the
1730 confidentiality of such material and shall not disclose such
1731 information, record, or transcription of testimony except as
1732 provided for herein. Any person who willfully discloses any
1733 information, record, or transcription of testimony that has been
1734 made confidential by this subsection, except as provided for
1735 herein, is guilty of a misdemeanor of the first degree,
1736 punishable as provided in s. 775.082 or s. 775.083. If any
1737 information, record, or testimony obtained pursuant to
1738 subsection (2) is offered in evidence in any judicial
1739 proceeding, the court may, in its discretion, seal that portion
1740 of the record to further the policies of confidentiality set
1741 forth herein.

1742 Section 65. Subsection (6) of section 617.0503, Florida
1743 Statutes, is amended to read:

1744 617.0503 Registered agent; duties; confidentiality of
1745 investigation records.—

1746 (6) Information provided to, and records and
1747 transcriptions of testimony obtained by, the Department of Legal
1748 Affairs pursuant to this section are confidential and exempt
1749 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the
1750 State Constitution while the investigation is active. For



1751 purposes of this section, an investigation shall be considered
1752 "active" while such investigation is being conducted with a
1753 reasonable, good faith belief that it may lead to the filing of
1754 an administrative, civil, or criminal proceeding. An
1755 investigation does not cease to be active so long as the
1756 department is proceeding with reasonable dispatch and there is a
1757 good faith belief that action may be initiated by the department
1758 or other administrative or law enforcement agency. Except for
1759 active criminal intelligence or criminal investigative
1760 information, as defined in s. 119.011, and information which, if
1761 disclosed, ~~would reveal a trade secret, as defined in s.~~
1762 ~~688.002, or~~ would jeopardize the safety of an individual, all
1763 information, records, and transcriptions become available to the
1764 public when the investigation is completed or ceases to be
1765 active. The department shall not disclose confidential
1766 information, records, or transcriptions of testimony except
1767 pursuant to authorization by the Attorney General in any of the
1768 following circumstances:

1769 (a) To a law enforcement agency participating in or
1770 conducting a civil investigation under chapter 895, or
1771 participating in or conducting a criminal investigation.

1772 (b) In the course of filing, participating in, or
1773 conducting a judicial proceeding instituted pursuant to this
1774 section or chapter 895.

1775 (c) In the course of filing, participating in, or



1776 | conducting a judicial proceeding to enforce an order or judgment
1777 | entered pursuant to this section or chapter 895.

1778 | (d) In the course of a criminal proceeding.

1779 |

1780 | A person or law enforcement agency that receives any
1781 | information, record, or transcription of testimony that has been
1782 | made confidential by this subsection shall maintain the
1783 | confidentiality of such material and shall not disclose such
1784 | information, record, or transcription of testimony except as
1785 | provided for herein. Any person who willfully discloses any
1786 | information, record, or transcription of testimony that has been
1787 | made confidential by this subsection, except as provided for in
1788 | this subsection, commits a misdemeanor of the first degree,
1789 | punishable as provided in s. 775.082 or s. 775.083. If any
1790 | information, record, or testimony obtained pursuant to
1791 | subsection (2) is offered in evidence in any judicial
1792 | proceeding, the court may, in its discretion, seal that portion
1793 | of the record to further the policies of confidentiality set
1794 | forth in this subsection.

1795 | Section 66. Subsection (4) of section 624.307, Florida
1796 | Statutes, is amended to read:

1797 | 624.307 General powers; duties.—

1798 | (4) The department and office may each collect, propose,
1799 | publish, and disseminate information relating to the subject
1800 | matter of any duties imposed upon it by law. Notwithstanding any



1801 other provision of law, information reported to and collected by
1802 the office may be made available on an aggregate basis. The
1803 office may report, publish, or otherwise make available such
1804 information from all insurers on an aggregate basis by line of
1805 business and by county, even if marked trade secret pursuant to
1806 s. 688.01, but shall otherwise maintain trade secret
1807 confidentiality in accordance with s. 688.01.

1808 Section 67. Subsection (4) is added to section 624.315,
1809 Florida Statutes, to read:

1810 624.315 Department; annual report.—

1811 (4) Notwithstanding any other provision of law, the office
1812 may make the information in subsection (2) available on an
1813 aggregate basis. The office may include such statistical
1814 information from all insurers on an aggregate basis by line of
1815 business and by county, even if marked trade secret pursuant to
1816 s. 688.01, but shall otherwise maintain trade secret
1817 confidentiality in accordance with s. 688.01.

1818 Section 68. Paragraph (c) of subsection (1) and subsection
1819 (5) of section 624.4212, Florida Statutes, are amended to read:

1820 624.4212 Confidentiality of proprietary business and other
1821 information.—

1822 (1) As used in this section, the term "proprietary
1823 business information" means information, regardless of form or
1824 characteristics, which is owned or controlled by an insurer, or
1825 a person or an affiliated person who seeks acquisition of



1826 controlling stock in a domestic stock insurer or controlling
1827 company, and which:

1828 (c) Includes:

1829 ~~1. Trade secrets as defined in s. 688.002 which comply~~
1830 ~~with s. 624.4213.~~

1831 1.2. Information relating to competitive interests, the
1832 disclosure of which would impair the competitive business of the
1833 provider of the information.

1834 2.3. The source, nature, and amount of the consideration
1835 used or to be used in carrying out a merger or other acquisition
1836 of control in the ordinary course of business, including the
1837 identity of the lender, if the person filing a statement
1838 regarding consideration so requests.

1839 3.4. Information relating to bids or other contractual
1840 data, the disclosure of which would impair the efforts of the
1841 insurer or its affiliates to contract for goods or services on
1842 favorable terms.

1843 4.5. Internal auditing controls and reports of internal
1844 auditors.

1845 (5) The office may disclose information made confidential
1846 and exempt under this section or s. 688.01:

1847 (a) If the insurer to which it pertains gives prior
1848 written consent;

1849 (b) Pursuant to a court order;

1850 (c) To the Actuarial Board for Counseling and Discipline



1851 upon a request stating that the information is for the purpose
1852 of professional disciplinary proceedings and specifying
1853 procedures satisfactory to the office for preserving the
1854 confidentiality of the information;

1855 (d) To other states, federal and international agencies,
1856 the National Association of Insurance Commissioners and its
1857 affiliates and subsidiaries, and state, federal, and
1858 international law enforcement authorities, including members of
1859 a supervisory college described in s. 628.805 if the recipient
1860 agrees in writing to maintain the confidential and exempt status
1861 of the document, material, or other information and has
1862 certified in writing its legal authority to maintain such
1863 confidentiality; or

1864 (e) For the purpose of aggregating information on an
1865 industrywide basis and disclosing the information to the public
1866 only if the specific identities of the insurers, or persons or
1867 affiliated persons, are not revealed.

1868 Section 69. Section 624.4213, Florida Statutes, is
1869 repealed.

1870 Section 70. Paragraph (d) of subsection (1) of section
1871 626.84195, Florida Statutes, is amended to read:

1872 626.84195 Confidentiality of information supplied by title
1873 insurance agencies and insurers.—

1874 (1) As used in this section, the term "proprietary
1875 business information" means information that:



1876 (d) Concerns:

1877 1. Business plans;

1878 2. Internal auditing controls and reports of internal

1879 auditors;

1880 3. Reports of external auditors for privately held

1881 companies;

1882 ~~4. Trade secrets, as defined in s. 688.002;~~ or

1883 4.5. Financial information, including revenue data, loss

1884 expense data, gross receipts, taxes paid, capital investment,

1885 and employee wages.

1886 Section 71. Subsection (2) of section 626.884, Florida

1887 Statutes, is amended to read:

1888 626.884 Maintenance of records by administrator; access;

1889 confidentiality.-

1890 (2) The office shall have access to books and records

1891 maintained by the administrator for the purpose of examination,

1892 audit, and inspection. ~~Information contained in such books and~~

1893 ~~records is confidential and exempt from the provisions of s.~~

1894 ~~119.07(1) if the disclosure of such information would reveal a~~

1895 ~~trade secret as defined in s. 688.002. However,~~ The office may

1896 use such information in any proceeding instituted against the

1897 administrator.

1898 Section 72. Paragraph (a) of subsection (1) of section

1899 626.9936, Florida Statutes, is amended to read:

1900 626.9936 Access to records.-



1901 (1) Notwithstanding subsections (1) and (2) of Article
1902 VIII, subsection (2) of Article X, and subsection (6) of Article
1903 XII of the Interstate Insurance Product Regulation Compact, a
1904 request by a resident of this state for public inspection and
1905 copying of information, data, or official records that includes+

1906 (a) An insurer's trade secrets shall be referred to the
1907 commissioner who shall respond to the request, with the
1908 cooperation and assistance of the commission, in accordance with
1909 s. 688.01 ~~s. 624.4213~~; or

1910 Section 73. Paragraph (g) of subsection (3) of section
1911 627.0628, Florida Statutes, is amended to read:

1912 627.0628 Florida Commission on Hurricane Loss Projection
1913 Methodology; public records exemption; public meetings
1914 exemption.-

1915 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.-

1916 (g) ~~1. A trade secret, as defined in s. 688.002, which is
1917 used in designing and constructing a hurricane or flood loss
1918 model and which is provided pursuant to this section, by a
1919 private company, to the commission, office, or consumer advocate
1920 appointed pursuant to s. 627.0613 is confidential and exempt
1921 from s. 119.07(1) and s. 24(a), Art. I of the State
1922 Constitution.~~

1923 1.2.a. That portion of a meeting of the commission or of a
1924 rate proceeding on an insurer's rate filing at which a trade
1925 secret made confidential and exempt pursuant to s. 688.01 by



1926 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.
1927 24(b), Art. I of the State Constitution. The closed meeting must
1928 be recorded, and no portion of the closed meeting may be off the
1929 record.

1930 2.b. The recording of a closed portion of a meeting is
1931 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1932 Constitution.

1933 ~~e. This paragraph is subject to the Open Government Sunset~~
1934 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
1935 ~~on October 2, 2019, unless reviewed and saved from repeal~~
1936 ~~through reenactment by the Legislature.~~

1937 Section 74. Paragraphs (a) and (c) of subsection (11) of
1938 section 627.3518, Florida Statutes, are amended to read:

1939 627.3518 Citizens Property Insurance Corporation
1940 policyholder eligibility clearinghouse program.—The purpose of
1941 this section is to provide a framework for the corporation to
1942 implement a clearinghouse program by January 1, 2014.

1943 (11) Proprietary business information provided to the
1944 corporation's clearinghouse by insurers with respect to
1945 identifying and selecting risks for an offer of coverage is
1946 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1947 of the State Constitution.

1948 (a) As used in this subsection, the term "proprietary
1949 business information" means information, regardless of form or
1950 characteristics, which is owned or controlled by an insurer and:



1951 1. Is identified by the insurer as proprietary business
1952 information and is intended to be and is treated by the insurer
1953 as private in that the disclosure of the information would cause
1954 harm to the insurer, an individual, or the company's business
1955 operations and has not been disclosed unless disclosed pursuant
1956 to a statutory requirement, an order of a court or
1957 administrative body, or a private agreement that provides that
1958 the information will not be released to the public;

1959 2. Is not otherwise readily ascertainable or publicly
1960 available by proper means by other persons from another source
1961 in the same configuration as provided to the clearinghouse; and

1962 3. Includes, ~~but is not limited to:~~

1963 ~~a. Trade secrets.~~

1964 ~~b.~~ information relating to competitive interests, the
1965 disclosure of which would impair the competitive business of the
1966 provider of the information.

1967
1968 Proprietary business information may be found in underwriting
1969 criteria or instructions which are used to identify and select
1970 risks through the program for an offer of coverage and are
1971 shared with the clearinghouse to facilitate the shopping of
1972 risks with the insurer.

1973 ~~(c) This subsection is subject to the Open Government~~
1974 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1975 ~~repealed on October 2, 2018, unless reviewed and saved from~~



1976 | ~~repeal through reenactment by the Legislature.~~

1977 | Section 75. Subsections (4), (5), (14), and (15) of
1978 | section 655.057, Florida Statutes, are amended to read:

1979 | 655.057 Records; limited restrictions upon public access.—

1980 | ~~(4) Except as otherwise provided in this section and~~
1981 | ~~except for those portions that are otherwise public record,~~
1982 | ~~trade secrets as defined in s. 688.002 which comply with s.~~
1983 | ~~655.0591 and which are held by the office in accordance with its~~
1984 | ~~statutory duties with respect to the financial institutions~~
1985 | ~~codes are confidential and exempt from s. 119.07(1) and s.~~
1986 | ~~24(a), Art. I of the State Constitution.~~

1987 | (4)-(5) Neither this section nor s. 688.01 prevents ~~does~~
1988 | ~~not prevent~~ or restricts ~~restrict~~:

1989 | (a) Publishing reports that are required to be submitted
1990 | to the office pursuant to s. 655.045(2) or required by
1991 | applicable federal statutes or regulations to be published.

1992 | (b) Furnishing records or information to any other state,
1993 | federal, or foreign agency responsible for the regulation or
1994 | supervision of financial institutions.

1995 | (c) Disclosing or publishing summaries of the condition
1996 | of financial institutions and general economic and similar
1997 | statistics and data, provided that the identity of a particular
1998 | financial institution is not disclosed.

1999 | (d) Reporting any suspected criminal activity, with
2000 | supporting documents and information, to appropriate law



2001 enforcement and prosecutorial agencies.

2002 (e) Furnishing information upon request to the Chief
2003 Financial Officer or the Division of Treasury of the Department
2004 of Financial Services regarding the financial condition of any
2005 financial institution that is, or has applied to be, designated
2006 as a qualified public depository pursuant to chapter 280.

2007 (f) Furnishing information to Federal Home Loan Banks
2008 regarding its member institutions pursuant to an information
2009 sharing agreement between the Federal Home Loan Banks and the
2010 office.

2011
2012 Any confidential information or records obtained from the office
2013 pursuant to this subsection shall be maintained as confidential
2014 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2015 Constitution.

2016 (14) This section is ~~Subsections (3) and (4) are subject~~
2017 ~~to the Open Government Sunset Review Act in accordance with s.~~
2018 ~~119.15 and are repealed on October 2, 2019, unless reviewed and~~
2019 ~~saved from repeal through reenactment by the Legislature.~~

2020 ~~(15) Subsections (1), (2), (5), and (9) are subject to the~~
2021 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
2022 ~~and is ~~are~~ repealed on October 2, 2022, unless reviewed and~~
2023 ~~saved from repeal through reenactment by the Legislature.~~

2024 Section 76. Section 655.0591, Florida Statutes, is
2025 repealed.



2026 Section 77. Subsection (11) of section 663.533, Florida
2027 Statutes, is amended to read:

2028 663.533 Applicability of the financial institutions
2029 codes.—A qualified limited service affiliate is subject to the
2030 financial institutions codes. Without limiting the foregoing,
2031 the following provisions are applicable to a qualified limited
2032 service affiliate:

2033 (11) Section 688.01 ~~655.0591~~, relating to trade secret
2034 documents.

2035

2036 This section does not prohibit the office from investigating or
2037 examining an entity to ensure that it is not in violation of
2038 this chapter or applicable provisions of the financial
2039 institutions codes.

2040 Section 78. Section 721.071, Florida Statutes, is
2041 repealed.

2042 Section 79. Subsections (3) and (4) of section 815.04,
2043 Florida Statutes, are amended to read:

2044 815.04 Offenses against intellectual property; ~~public~~
2045 ~~records exemption.~~—

2046 ~~(3) Data, programs, or supporting documentation that is a~~
2047 ~~trade secret as defined in s. 812.081, that is held by an agency~~
2048 ~~as defined in chapter 119, and that resides or exists internal~~
2049 ~~or external to a computer, computer system, computer network, or~~
2050 ~~electronic device is confidential and exempt from the provisions~~



2051 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~
2052 ~~This subsection is subject to the Open Government Sunset Review~~
2053 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
2054 ~~October 2, 2021, unless reviewed and saved from repeal through~~
2055 ~~reenactment by the Legislature.~~

2056 (3)~~(4)~~ A person who willfully, knowingly, and without
2057 authorization discloses or takes data, programs, or supporting
2058 documentation that is a trade secret as defined in s. 812.081 ~~or~~
2059 ~~is confidential as provided by law~~ residing or existing internal
2060 or external to a computer, computer system, computer network, or
2061 electronic device commits an offense against intellectual
2062 property.

2063 Section 80. Section 815.045, Florida Statutes, is
2064 repealed.

2065 Section 81. Subsection (2) of section 1004.22, Florida
2066 Statutes, is amended to read:

2067 1004.22 Divisions of sponsored research at state
2068 universities.—

2069 (2) The university shall set such policies to regulate the
2070 activities of the divisions of sponsored research as it may
2071 consider necessary to administer the research programs in a
2072 manner which assures efficiency and effectiveness, producing the
2073 maximum benefit for the educational programs and maximum service
2074 to the state. To this end, materials that relate to methods of
2075 manufacture or production, ~~potential trade secrets,~~ potentially



2076 patentable material, ~~actual~~ trade secrets, as defined in s.
2077 688.01, business transactions, or proprietary information
2078 received, generated, ascertained, or discovered during the
2079 course of research conducted within the state universities shall
2080 be confidential and exempt from the provisions of s. 119.07(1),
2081 except that a division of sponsored research shall make
2082 available upon request the title and description of a research
2083 project, the name of the researcher, and the amount and source
2084 of funding provided for such project.

2085 Section 82. Paragraph (c) of subsection (2) and
2086 subsections (3), (4), and (7) of section 1004.30, Florida
2087 Statutes, are amended to read:

2088 1004.30 University health services support organization;
2089 confidentiality of information.—

2090 (2) The following university health services support
2091 organization's records and information are confidential and
2092 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
2093 of the State Constitution:

2094 ~~(c) Trade secrets, as defined in s. 688.002, including~~
2095 ~~reimbursement methodologies and rates.~~

2096 (3) Any portion of a governing board or peer review panel
2097 or committee meeting during which a confidential and exempt
2098 contract, document, record, or marketing plan, ~~or trade secret,~~
2099 as provided for in subsection (2), or a confidential and exempt
2100 trade secret, as provided for in s. 688.01, is discussed is



2101 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of
2102 the State Constitution.

2103 (4) Those portions of any public record, such as a tape
2104 recording, minutes, and notes, generated during that portion of
2105 a governing board or peer review panel or committee meeting
2106 which is closed to the public pursuant to this section, ~~which~~
2107 ~~contain information relating to contracts, documents, records,~~
2108 ~~marketing plans, or trade secrets which are made confidential~~
2109 ~~and exempt by this section,~~ are confidential and exempt from the
2110 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2111 Constitution.

2112 (7) Those portions of any public record, such as a tape
2113 recording, minutes, or notes, generated during that portion of a
2114 governing board meeting at which negotiations for contracts for
2115 managed-care arrangements occur, are reported on, or are acted
2116 on by the governing board, which record is made confidential and
2117 exempt by subsection (4), shall become public records 2 years
2118 after the termination or completion of the term of the contract
2119 to which such negotiations relate or, if no contract was
2120 executed, 2 years after the termination of the negotiations.
2121 Notwithstanding paragraph (2)(a) and subsection (4), a
2122 university health services support organization must make
2123 available, upon request, the title and general description of a
2124 contract for managed-care arrangements, the names of the
2125 contracting parties, and the duration of the contract term. All



2126 | contracts for managed-care arrangements which are made
2127 | confidential and exempt by paragraph (2) (a), except those
2128 | portions of any contract containing trade secrets which are made
2129 | confidential and exempt by s. 688.01 ~~paragraph (2) (c)~~, shall
2130 | become public 2 years after the termination or completion of the
2131 | term of the contract.

2132 | Section 83. Paragraph (b) of subsection (8) of section
2133 | 1004.43, Florida Statutes, is amended to read:

2134 | 1004.43 H. Lee Moffitt Cancer Center and Research
2135 | Institute.—There is established the H. Lee Moffitt Cancer Center
2136 | and Research Institute, a statewide resource for basic and
2137 | clinical research and multidisciplinary approaches to patient
2138 | care.

2139 | (8)

2140 | (b) Proprietary confidential business information is
2141 | confidential and exempt from the provisions of s. 119.07(1) and
2142 | s. 24(a), Art. I of the State Constitution. However, the Auditor
2143 | General, the Office of Program Policy Analysis and Government
2144 | Accountability, and the Board of Governors, pursuant to their
2145 | oversight and auditing functions, must be given access to all
2146 | proprietary confidential business information upon request and
2147 | without subpoena and must maintain the confidentiality of
2148 | information so received. As used in this paragraph, the term
2149 | "proprietary confidential business information" means
2150 | information, regardless of its form or characteristics, which is



2151 owned or controlled by the not-for-profit corporation or its
2152 subsidiaries; is intended to be and is treated by the not-for-
2153 profit corporation or its subsidiaries as private and the
2154 disclosure of which would harm the business operations of the
2155 not-for-profit corporation or its subsidiaries; has not been
2156 intentionally disclosed by the corporation or its subsidiaries
2157 unless pursuant to law, an order of a court or administrative
2158 body, a legislative proceeding pursuant to s. 5, Art. III of the
2159 State Constitution, or a private agreement that provides that
2160 the information may be released to the public; and which is
2161 information concerning:

2162 1. Internal auditing controls and reports of internal
2163 auditors;

2164 2. Matters reasonably encompassed in privileged attorney-
2165 client communications;

2166 3. Contracts for managed-care arrangements, including
2167 preferred provider organization contracts, health maintenance
2168 organization contracts, and exclusive provider organization
2169 contracts, and any documents directly relating to the
2170 negotiation, performance, and implementation of any such
2171 contracts for managed-care arrangements;

2172 4. Bids or other contractual data, banking records, and
2173 credit agreements the disclosure of which would impair the
2174 efforts of the not-for-profit corporation or its subsidiaries to
2175 contract for goods or services on favorable terms;



2176 5. Information relating to private contractual data, the
2177 disclosure of which would impair the competitive interest of the
2178 provider of the information;

2179 6. Corporate officer and employee personnel information;

2180 7. Information relating to the proceedings and records of
2181 credentialing panels and committees and of the governing board
2182 of the not-for-profit corporation or its subsidiaries relating
2183 to credentialing;

2184 8. Minutes of meetings of the governing board of the not-
2185 for-profit corporation and its subsidiaries, except minutes of
2186 meetings open to the public pursuant to subsection (9);

2187 9. Information that reveals plans for marketing services
2188 that the corporation or its subsidiaries reasonably expect to be
2189 provided by competitors;

2190 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,
2191 including:

2192 a. Information relating to methods of manufacture or
2193 production, ~~potential trade secrets~~, potentially patentable
2194 materials, or proprietary information received, generated,
2195 ascertained, or discovered during the course of research
2196 conducted by the not-for-profit corporation or its subsidiaries;
2197 and

2198 b. Reimbursement methodologies or rates;

2199 11. The identity of donors or prospective donors of
2200 property who wish to remain anonymous or any information



2201 identifying such donors or prospective donors. The anonymity of
2202 these donors or prospective donors must be maintained in the
2203 auditor's report; or

2204 12. Any information received by the not-for-profit
2205 corporation or its subsidiaries from an agency in this or
2206 another state or nation or the Federal Government which is
2207 otherwise exempt or confidential pursuant to the laws of this or
2208 another state or nation or pursuant to federal law.

2209
2210 As used in this paragraph, the term "managed care" means systems
2211 or techniques generally used by third-party payors or their
2212 agents to affect access to and control payment for health care
2213 services. Managed-care techniques most often include one or more
2214 of the following: prior, concurrent, and retrospective review of
2215 the medical necessity and appropriateness of services or site of
2216 services; contracts with selected health care providers;
2217 financial incentives or disincentives related to the use of
2218 specific providers, services, or service sites; controlled
2219 access to and coordination of services by a case manager; and
2220 payor efforts to identify treatment alternatives and modify
2221 benefit restrictions for high-cost patient care.

2222 Section 84. Paragraph (a) of subsection (2) of section
2223 1004.4472, Florida Statutes, is amended to read:

2224 1004.4472 Florida Institute for Human and Machine
2225 Cognition, Inc.; public records exemption; public meetings



2226 exemption.—

2227 (2) The following information held by the corporation or
2228 its subsidiary is confidential and exempt from s. 119.07(1) and
2229 s. 24(a), Art. I of the State Constitution:

2230 (a) Material relating to methods of manufacture or
2231 production, ~~potential trade secrets~~, patentable material, ~~actual~~
2232 trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary
2233 information received, generated, ascertained, or discovered
2234 during the course of research conducted by or through the
2235 corporation or a subsidiary, and business transactions resulting
2236 from such research.

2237 Section 85. Subsection (2) of section 1004.78, Florida
2238 Statutes, is amended to read:

2239 1004.78 Technology transfer centers at Florida College
2240 System institutions.—

2241 (2) The Florida College System institution board of
2242 trustees shall set such policies to regulate the activities of
2243 the technology transfer center as it may consider necessary to
2244 effectuate the purposes of this section and to administer the
2245 programs of the center in a manner which assures efficiency and
2246 effectiveness, producing the maximum benefit for the educational
2247 programs and maximum service to the state. To this end,
2248 materials that relate to methods of manufacture or production,
2249 ~~potential trade secrets~~, potentially patentable material, ~~actual~~
2250 trade secrets as defined in s. 688.01, business transactions, or



2251 proprietary information received, generated, ascertained, or
 2252 discovered during the course of activities conducted within the
 2253 Florida College System institutions shall be confidential and
 2254 exempt from the provisions of s. 119.07(1), except that a
 2255 Florida College System institution shall make available upon
 2256 request the title and description of a project, the name of the
 2257 investigator, and the amount and source of funding provided for
 2258 such project.

2259 Section 86. Section 601.80, Florida Statutes, is amended
 2260 to read:

2261 601.80 Unlawful to use uncertified coloring matter.—It is
 2262 unlawful for any person to use on oranges or citrus hybrids any
 2263 coloring matter which has not first received the approval of the
 2264 Department of Agriculture ~~as provided under s. 601.76.~~

2265 Section 87. Subsection (11) of section 663.533, Florida
 2266 Statutes, is amended to read:

2267 663.533 Applicability of the financial institutions
 2268 codes.—A qualified limited service affiliate is subject to the
 2269 financial institutions codes. Without limiting the foregoing,
 2270 the following provisions are applicable to a qualified limited
 2271 service affiliate:

2272 ~~(11) Section 655.0591, relating to trade secret documents.~~

2274 This section does not prohibit the office from investigating or
 2275 examining an entity to ensure that it is not in violation of



2276 | this chapter or applicable provisions of the financial
 2277 | institutions codes.

2278 | Section 88. Paragraph (c) of subsection (12) of section
 2279 | 721.13, Florida Statutes, is amended to read:

2280 | 721.13 Management.—

2281 | (12)

2282 | (c) The managing entity shall maintain copies of all
 2283 | records, data, and information supporting the processes,
 2284 | analyses, procedures, and methods utilized by the managing
 2285 | entity in its determination to reserve accommodations of the
 2286 | timeshare plan pursuant to this subsection for a period of 5
 2287 | years from the date of such determination. In the event of an
 2288 | investigation by the division for failure of a managing entity
 2289 | to comply with this subsection, the managing entity shall make
 2290 | all such records, data, and information available to the
 2291 | division for inspection, ~~provided that if the managing entity~~
 2292 | ~~complies with the provisions of s. 721.071, any such records,~~
 2293 | ~~data, and information provided to the division shall constitute~~
 2294 | ~~a trade secret pursuant to that section.~~

2295 | Section 89. Paragraphs (a) and (c) of subsection (3) of
 2296 | section 921.0022, Florida Statutes, are amended to read:

2297 | 921.0022 Criminal Punishment Code; offense severity
 2298 | ranking chart.—

2299 | (3) OFFENSE SEVERITY RANKING CHART

2300 | (a) LEVEL 1



2301	Florida	Felony	
	Statute	Degree	Description
2302	24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
2303	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2304	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2305	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2306	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2307	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2308			



2309	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2310	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2311	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2312	322.212 (5) (a)	3rd	False application for driver license or identification card.
2313	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment



2314			assistance benefits.
	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
2315			
	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2316			
	562.27 (1)	3rd	Possess still or still apparatus.
2317			
	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
2318			
	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2319			
	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2320			



2321	<u>815.04 (4) (a)</u> 815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
2322	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
2323	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2324	826.01	3rd	Bigamy.
2325	828.122 (3)	3rd	Fighting or baiting animals.
2326	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s.



2327			893.03(5) drugs.
	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
2328			
	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.
2329			
	838.15(2)	3rd	Commercial bribe receiving.
2330			
	838.16	3rd	Commercial bribery.
2331			
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2332			
	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2333			
	849.01	3rd	Keeping gambling house.
2334			
	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.
2335	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2336	849.25 (2)	3rd	Engaging in bookmaking.
2337	860.08	3rd	Interfere with a railroad signal.
2338	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2339	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2340	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2341	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.



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(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33 (1) (a)	3rd	Alter or forge any certificate



			of title to a motor vehicle or mobile home.
2351	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
2352	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2353	327.35(2)(b)	3rd	Felony BUI.
2354	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2355	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2356	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.



2361			without a license.
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2362			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2363			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2364			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2365			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2366			



2367	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2368	697.08	3rd	Equity skimming.
2369	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2370	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2371	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2372	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2373	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.



2374	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2375	<u>815.04 (4) (b)</u> 815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2376	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2377	817.233	3rd	Burning to defraud insurer.
2378	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2379	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2380	817.236	3rd	Filing a false motor vehicle insurance application.
	817.2361	3rd	Creating, marketing, or



2381	817.413(2)	3rd	presenting a false or fraudulent motor vehicle insurance card. Sale of used goods as new.
2382	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2383	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2384	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2385	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
2386	843.19	3rd	Injure, disable, or kill police dog or horse.



2387	860.15 (3)	3rd	Overcharging for repairs and parts.
2388	870.01 (2)	3rd	Riot; inciting or encouraging.
2389	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).
2390	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.
2391	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.,



2392	893.13(4)(c)	3rd	(2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
2393	893.13(6)(a)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2394	893.13(7)(a)8.	3rd	Possession of any controlled substance other than felony possession of cannabis.
2395	893.13(7)(a)9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2396	893.13(7)(a)10.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
			Affix false or forged label to package of controlled substance.



2397	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2398	893.13 (8) (a) 1.	3rd	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.
2399	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.
2400	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.



2401	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
2402	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
2403	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
2404	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2405	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2406	Section 90. This act shall take effect upon becoming a law		



CS/CS/HB 459, Engrossed 1

2018

2407 | if CS/CS/HB 461 or similar legislation is adopted in the same
2408 | legislative session or an extension thereof and becomes law.