

Committee on Governmental Oversight and Accountability

SB 7026 — OGSR/Trade Secret Held by an Agency

by Governmental Oversight and Accountability Committee

The bill maintains the confidential and exempt status for trade secrets held by an agency by deleting the scheduled October 2, 2026, repeal date in s. 119.0715, F.S., and deletes duplicative exemptions from public records inspection and copying requirements for trade secrets codified elsewhere in the Florida Statutes. The duplicative agency-specific exemptions repealed by this bill include the following:

- Section 287.137, F.S., relating to trade secrets obtained by the Attorney General in investigations relating to the antitrust violator vendor list.
- Section 288.075, F.S., relating to trade secrets held by an economic development agency.
- Section 334.049, F.S., relating to trade secrets regarding the methods of process, production, or manufacture obtained by the Department of Transportation “as a result of research and development projects.”
- Section 408.185, F.S., relating to trade secrets obtained by the Attorney General from a member of the health care community pursuant to the request for an antitrust no-action letter.
- Section 409.91196, F.S., relating to trade secrets identified and held by the Agency for Health Care Administration for use in Medicaid supplemental rebate agreement negotiations.
- Section 440.108, F.S., relating to trade secrets in workers’ compensation investigative records created by the Department of Financial Services.
- Section 497.172, F.S., relating to trade secrets held by the Department of Financial Services or Board of Funeral, Cemetery, and Consumer Services in the course of their development of licensure examinations, investigation of a licensee, and inspection of a facility.
- Sections 501.171, 501.1735, 501.2041, and 501.722, F.S., relating to trade secrets obtained by the Department of Legal Affairs during investigations into certain unfair and deceptive trade practices and certain breaches of data security.
- Section 520.9965, F.S., relating to trade secret information obtained by the Office of Financial Regulation of the Financial Services Commission or the Department of Financial Services during an investigation into certain actions prohibited in retail sales.
- Section 548.062, F.S., relating to trade secrets of a promoter to the Florida Athletic Commission.
- Section 559.5558, F.S., relating to trade secret information held by the Office of Financial Regulation of the Financial Services Commission pursuant to an investigation or examination of a violation of the Florida Consumer Collection Practices Act.
- Section 569.215, F.S., relating to trade secrets controlled by a tobacco company that is a signatory to the settlement agreement in *State v. American Tobacco Company* and obtained by certain officials during negotiations of the case or during verification of settlement payments related to the case.

- Section 627.0628, F.S., relating to trade secrets used in designing and constructing a hurricane or flood loss model for Florida Commission on Hurricane Loss Projection Methodology.
- Section 1004.4472, F.S., relating to trade secrets obtained by the Florida Institute for Human and Machine Cognition, Inc., in the course of research conducted by or through the corporation or a subsidiary, and business transactions resulting from such research.

The trade secrets are still protected from public records disclosure by s. 119.0715(5), F.S., which is saved from repeal by the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 33-3; House 106-3