

By Representative Bitner

1                                   A bill to be entitled  
2           An act relating to public records; creating s.  
3           24.1126, F.S.; providing exemptions from public  
4           records requirements for specified information  
5           obtained by the Department of the Lottery in  
6           connection with the establishment and operation  
7           of video lottery games, and for certain  
8           identifying information regarding a winner of a  
9           video lottery game; providing conditions under  
10          which such information may be disclosed;  
11          providing for future review and repeal;  
12          providing a finding of public necessity;  
13          providing a contingent effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17           Section 1. Section 24.1126, Florida Statutes, is  
18 created to read:

19           24.1126 Video lottery games; confidentiality.--  
20           (1) The following information obtained by the  
21 department in connection with the establishment and operation  
22 of video lottery games is confidential and exempt from s.  
23 119.07(1) and s. 24(a), Art. I of the State Constitution:  
24 trade secrets; security measures, systems, or procedures;  
25 security reports; information concerning bids or other  
26 contractual data, the disclosure of which would impair the  
27 efforts of the department to contract for goods or services on  
28 favorable terms; employee personnel information unrelated to  
29 compensation, duties, qualifications, or responsibilities; and  
30 information obtained by the Division of Security pursuant to  
31 its investigations which is otherwise confidential. Such

1 confidential information may be released to other governmental  
2 entities as needed in connection with the performance of their  
3 duties. The receiving governmental entity shall retain the  
4 confidentiality of such information as provided for in this  
5 section.

6 (2) The street address and the telephone number of a  
7 winner of a video lottery game is confidential and exempt from  
8 s. 119.07(1) and s. 24(a), Art. I of the State Constitution,  
9 unless the winner consents to the release of such information,  
10 or as provided for in s. 24.115(4) or s. 409.2577.

11 (3) Any information made confidential and exempt from  
12 s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
13 under this section shall be disclosed to a member of the  
14 commission, to the Auditor General, or to the independent  
15 auditor selected under s. 24.123 upon such person's request  
16 therefor. If the President of the Senate or the Speaker of the  
17 House of Representatives certifies that information made  
18 confidential under this section is necessary for effecting  
19 legislative changes, the requested information shall be  
20 disclosed to him or her, and he or she may disclose such  
21 information to members of the Legislature and legislative  
22 staff as necessary to effect such purpose.

23 (4) This section is subject to the Open Government  
24 Sunset Review Act of 1995 in accordance with s. 119.15, and  
25 shall stand repealed on October 2, 2004, unless reviewed and  
26 saved from repeal through reenactment by the Legislature.

27 Section 2. The Legislature finds that the exemptions  
28 from public records requirements in s. 24.1126, Florida  
29 Statutes, are a public necessity. These exemptions are  
30 necessary to enable the Department of the Lottery to  
31 effectively and efficiently administer the establishment and

1 operation of video lottery games. If trade secrets and other  
2 sensitive business information in the department's possession  
3 were subject to disclosure, businesses providing video lottery  
4 equipment and services to the department could be  
5 significantly damaged in the marketplace, and such businesses  
6 would hesitate to cooperate with the department. If  
7 information about the security of video lottery games were  
8 subject to disclosure, the integrity of the lottery system  
9 could be breached, resulting in the erosion of the public's  
10 confidence in the lottery, reduced participation, and reduced  
11 revenue. Further, if identifying information about the winner  
12 of a video lottery game were disclosed without the winner's  
13 consent, he or she could be subject to unwanted publicity and  
14 harassment, possibly with criminal intent.

15       Section 3. This act shall take effect on the same date  
16 as House Bill \_\_\_\_ or similar legislation authorizing  
17 establishment of video lottery games takes effect, if such  
18 legislation is adopted in the same legislative session or an  
19 extension thereof.

20  
21 \*\*\*\*\*

22                   HOUSE SUMMARY

23       Provides exemptions from public records requirements for  
24 specified information obtained by the Department of the  
25 Lottery in connection with the establishment and  
26 operation of video lottery games, and for certain  
27 identifying information regarding a winner of a video  
28 lottery game. Provides conditions under which such  
29 information may be disclosed. Provides for future review  
30 and repeal. Takes effect contingent on adoption of  
31 legislation authorizing video lottery games.