

By Senator Silver

38-1671-99

See HB

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.

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

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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 are confidential and exempt
8 from s. 119.07(1) and s. 24(a), Art. I of the State
9 Constitution unless the winner consents to the release of such
10 information, or as provided for in s. 24.115(4) or s.
11 409.2577.

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

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26 shall stand repealed on October 2, 2004, unless reviewed and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

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

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

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

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23 LEGISLATIVE SUMMARY

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