

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 business records of a business owner subject to
5 a governmental condemning authority in an
6 eminent domain proceeding; providing an
7 expiration date; providing a finding of public
8 necessity; providing a contingent effective
9 date.

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

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13 Section 1. Business records provided by the owner of a
14 business to a governmental condemning authority as part of an
15 offer of business damages pursuant to section 73.015, Florida
16 Statutes, are exempt from the disclosure provisions of Section
17 24(a) of Article I of the State Constitution and section
18 119.07(1), Florida Statutes. This exemption is subject to the
19 Open Government Sunset Review Act in accordance with section
20 119.15, Florida Statutes, and expires on October 2, 2004,
21 unless reviewed and reenacted by the Legislature.

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23 Section 2. The Legislature finds that it is a public
24 necessity that the business records of an owner who provides a
25 governmental condemning authority business records as part of
26 a presuit offer of business damages in an eminent domain
27 proceeding be exempt in order to encourage presuit
28 settlements. Furthermore, the Legislature finds that business
29 records are of a sensitive nature and the disclosure of such
30 information could place the business at a competitive
31 disadvantage should these sensitive business records be
revealed to the public.

1 Section 3. This act shall take effect on the effective
2 date of SB 940 or similar legislation relating to eminent
3 domain, and shall not take effect if that legislation does not
4 become a law.

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