

By Senator Burt

16-636-01

1                                   A bill to be entitled  
2           An act relating to public records; providing an  
3           exemption from public records requirements for  
4           information submitted by members of the tobacco  
5           industry for purposes of calculating the annual  
6           tobacco-settlement payments; providing for  
7           future review and repeal; providing a finding  
8           of public necessity; providing a contingent  
9           effective date.

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

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13           Section 1. Representations from members of the tobacco  
14 industry which are submitted to the Comptroller under section  
15 569.21, Florida Statutes, for purposes of calculating the  
16 annual tobacco-settlement payments are confidential and exempt  
17 from section 119.07(1), Florida Statutes, and Section 24(a),  
18 Article I of the State Constitution. This exemption is subject  
19 to the Open Government Sunset Review Act of 1995 in accordance  
20 with section 119.15, Florida Statutes, and shall stand  
21 repealed on October 2, 2006, unless reviewed and saved from  
22 repeal through reenactment by the Legislature.

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24           Section 2. Effective January 7, 2003, section 1 of  
25 this act is amended to read:

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27           Section 1. Representations from members of the tobacco  
28 industry which are submitted to the Chief Financial Officer  
29 ~~Comptroller~~ under section 569.21, Florida Statutes, for  
30 purposes of calculating the annual tobacco-settlement payments  
31 are confidential and exempt from section 119.07(1), Florida  
Statutes, and Section 24(a), Article I of the State  
Constitution. This exemption is subject to the Open Government

1 Sunset Review Act of 1995 in accordance with section 119.15,  
2 Florida Statutes, and shall stand repealed on October 2, 2006,  
3 unless reviewed and saved from repeal through reenactment by  
4 the Legislature.

5           Section 3. The Legislature finds that the exemption  
6 from the public records law provided by this act is a public  
7 necessity because disclosure of the representations from the  
8 tobacco industry which are used to calculate the annual  
9 payments to the state may harm the competitive standing of  
10 companies within the tobacco industry. The Legislature further  
11 finds that if such information is disclosed, tobacco companies  
12 would be disinclined to provide to the state a full and  
13 accurate report of information that is required for purposes  
14 of calculating and verifying the annual tobacco-settlement  
15 payments.

16           Section 4. Except as otherwise expressly provided in  
17 this act, this act shall take effect on the same date that  
18 Senate Bill \_\_\_\_, or similar legislation providing for the  
19 reporting and verifying of information from the tobacco  
20 industry, takes effect, if such legislation is adopted in the  
21 same legislative session or an extension thereof.

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24   SENATE SUMMARY

25           Provides an exemption from public records requirements  
26           for information used to calculate the annual  
27           tobacco-settlement payments. Provides for future review  
28           and repeal.