

By the Committee on Comprehensive Planning, Local and Military Affairs

316-372-01

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A bill to be entitled  
An act relating to public records; amending s.  
119.07, F.S.; deleting provisions that provide  
for repeal and legislative review of an  
exemption from public records law for a  
specified period which is provided for  
documents used by a municipal utility to  
prepare and submit certain sealed bids;  
providing an effective date.

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

Section 1. Paragraph (aa) of subsection (3) of section  
119.07, Florida Statutes, is amended to read:

119.07 Inspection, examination, and duplication of  
records; exemptions.--

(3)

(aa) Any data, record, or document used directly or  
solely by a municipally owned utility to prepare and submit a  
bid relative to the sale, distribution, or use of any service,  
commodity, or tangible personal property to any customer or  
prospective customer shall be exempt from the provisions of  
subsection (1) and s. 24(a), Art. I of the State Constitution.  
This exemption commences when a municipal utility identifies  
in writing a specific bid to which it intends to respond. This  
exemption no longer applies when the contract for sale,  
distribution, or use of the service, commodity, or tangible  
personal property is executed, a decision is made not to  
execute such contract, or the project is no longer under  
active consideration. The exemption in this paragraph includes  
the bid documents actually furnished in response to the

1 request for bids. However, the exemption for the bid documents  
2 submitted no longer applies after the bids are opened by the  
3 customer or prospective customer. ~~This paragraph is subject to~~  
4 ~~the Open Government Sunset Review Act of 1995 in accordance~~  
5 ~~with s. 119.15, and shall stand repealed on October 2, 2001,~~  
6 ~~unless reviewed and saved from repeal through reenactment by~~  
7 ~~the Legislature.~~

8 Section 2. This act shall take effect upon becoming a  
9 law.

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12 SENATE SUMMARY

13 Provides that an exemption from public records law  
14 provided for documents used by a municipal utility to  
15 prepare and submit certain sealed bids is not subject to  
16 repeal and legislative review under the Open Government  
17 Sunset Review Act of 1995.  
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