

By the Committee on State Administration and  
Representative Brummer

1                                   A bill to be entitled  
2           An act relating to a public records exemption  
3           for certain information used by municipally  
4           owned utilities; amending s. 119.07, F.S.,  
5           which provides an exemption from public records  
6           requirements for a specified period of time for  
7           certain information used by a municipal utility  
8           to prepare and submit certain sealed bids to  
9           customers or prospective customers; reenacting  
10          such exemption and removing the October 2,  
11          2001, repeal thereof scheduled under the Open  
12          Government Sunset Review Act of 1995; providing  
13          an 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. Notwithstanding the October 2, 2001, repeal  
18 of said paragraph scheduled pursuant to the Open Government  
19 Sunset Review Act of 1995, paragraph (aa) of subsection (3) of  
20 section 119.07, Florida Statutes, is reenacted and amended to  
21 read:

22           119.07 Inspection, examination, and duplication of  
23 records; exemptions.--

24           (3)

25           (aa) Any data, record, or document used directly or  
26 solely by a municipally owned utility to prepare and submit a  
27 bid relative to the sale, distribution, or use of any service,  
28 commodity, or tangible personal property to any customer or  
29 prospective customer shall be exempt from the provisions of  
30 subsection (1) and s. 24(a), Art. I of the State Constitution.  
31 This exemption commences when a municipal utility identifies

1 in writing a specific bid to which it intends to respond. This  
2 exemption no longer applies when the contract for sale,  
3 distribution, or use of the service, commodity, or tangible  
4 personal property is executed, a decision is made not to  
5 execute such contract, or the project is no longer under  
6 active consideration. The exemption in this paragraph includes  
7 the bid documents actually furnished in response to the  
8 request for bids. However, the exemption for the bid documents  
9 submitted no longer applies after the bids are opened by the  
10 customer or prospective customer. ~~This paragraph is subject to~~  
11 ~~the Open Government Sunset Review Act of 1995 in accordance~~  
12 ~~with s. 119.15, and shall stand repealed on October 2, 2001,~~  
13 ~~unless reviewed and saved from repeal through reenactment by~~  
14 ~~the Legislature.~~

15 Section 2. This act shall take effect October 1, 2001.

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17 HOUSE SUMMARY

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19 Reenacts the public records exemption for certain  
20 information used by a municipal utility to prepare and  
21 submit certain sealed bids to customers or prospective  
22 customers, and removes the October 2, 2001, repeal  
23 thereof scheduled under the Open Government Sunset Review  
24 Act of 1995.  
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