Florida House of Representatives - 2002 By Representative Greenstein

A bill to be entitled 1 An act relating to public records; creating s. 2 24.1128, F.S.; providing exemptions from public 3 records requirements for specified information 4 5 obtained by the Department of the Lottery in connection with the establishment and operation 6 7 of video lottery games, and for certain identifying information regarding a winner of a 8 9 video lottery game; providing conditions under which such information may be disclosed; 10 11 providing for future review and repeal; 12 providing a finding of public necessity; providing a contingent effective date. 13 14 15 Be It Enacted by the Legislature of the State of Florida: 16 17 Section 1. Section 24.1128, Florida Statutes, is created to read: 18 19 24.1128 Video lottery games; confidentiality.--20 (1) The following information obtained by the 21 department in connection with the establishment and operation 2.2 of video lottery games is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution: 23 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 efforts of the department to contract for goods or services on 27 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 its investigations which is otherwise confidential. Such 31

1

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Florida House of Representatives - 2002 706-143-02

confidential information may be released to other governmental 1 2 entities as needed in connection with the performance of their 3 duties. The receiving governmental entity shall retain the confidentiality of such information as provided for in this 4 5 section. 6 (2) The street address and the telephone number of a 7 winner of a video lottery game is confidential and exempt from 8 s. 119.07(1) and s. 24(a), Art. I of the State Constitution, 9 unless the winner consents to the release of such information, or as provided for in s. 24.115(4) or s. 409.2577. 10 11 (3) Any information made confidential and exempt from 12 s. 119.07(1) and s. 24(a), Art. I of the State Constitution 13 under this section shall be disclosed to a member of the 14 commission, to the Auditor General, or to the independent auditor selected under s. 24.123 upon such person's request 15 16 therefor. If the President of the Senate or the Speaker of the House of Representatives certifies that information made 17 confidential under this section is necessary for effecting 18 legislative changes, the requested information shall be 19 20 disclosed to him or her, and he or she may disclose such information to members of the Legislature and legislative 21 22 staff as necessary to effect such purpose. (4) This section is subject to the Open Government 23 Sunset Review Act of 1995 in accordance with s. 119.15, and 24 shall stand repealed on October 2, 2007, unless reviewed and 25 26 saved from repeal through reenactment by the Legislature. 27 Section 2. The Legislature finds that the exemptions 28 from public records requirements in s. 24.1128, Florida 29 Statutes, are a public necessity. These exemptions are necessary to enable the Department of the Lottery to 30 effectively and efficiently administer the establishment and 31

2

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Florida House of Representatives - 2002 706-143-02

operation of video lottery games. If trade secrets and other 1 sensitive business information in the department's possession 2 were subject to disclosure, businesses providing video lottery 3 4 equipment and services to the department could be 5 significantly damaged in the marketplace, and such businesses would hesitate to cooperate with the department. If 6 7 information about the security of video lottery games were 8 subject to disclosure, the integrity of the lottery system 9 could be breached, resulting in the erosion of the public's confidence in the lottery, reduced participation, and reduced 10 11 revenue. Further, if identifying information about the winner 12 of a video lottery game were disclosed without the winner's 13 consent, he or she could be subject to unwanted publicity and harassment, possibly with criminal intent. 14 Section 3. This act shall take effect on the same date 15 as House Bill _____ or similar legislation authorizing 16 establishment of video lottery games takes effect, if such 17 legislation is adopted in the same legislative session or an 18 extension thereof and becomes law. 19 20 21 22 HOUSE SUMMARY 23 Provides exemptions from public records requirements for specified information obtained by the Department of the 24 Lottery in connection with the establishment and operation of video lottery games, and for certain identifying information regarding a winner of a video lottery game. Provides conditions under which such information may be disclosed. Provides for future review 25 26 and repeal. Takes effect contingent on adoption of 27 legislation authorizing video lottery games. 28 29 30 31 3

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