

By the Committees on Governmental Oversight and Productivity; and Communication and Public Utilities

302-2066-04

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act; amending s.
4 365.174, F.S., relating to an exemption from
5 public-records requirements provided for
6 proprietary confidential business information
7 held by the Wireless 911 Board or the State
8 Technology Office; saving the exemption from
9 repeal under the Open Government Sunset Review
10 Act; deleting provisions that provide for the
11 repeal of the exemption; providing an effective
12 date.

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

16 Section 1. Section 365.174, Florida Statutes, is
17 amended to read:

18 365.174 Proprietary confidential business
19 information.--

20 (1) All proprietary confidential business information
21 submitted by a provider to the board or the office, including
22 the name and billing or service addresses of service
23 subscribers, and trade secrets as defined by s. 812.081, is
24 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
25 of the State Constitution. Statistical abstracts of
26 information collected by the board or the office may be
27 released or published, but only in a manner that does not
28 identify or allow identification of subscribers or their
29 service numbers or of revenues attributable to any provider.

30 (2) As used in this section, the term "proprietary
31 confidential business information" means customer lists,

1 customer numbers, individual or aggregate customer data by
2 location, usage and capacity data, network facilities used to
3 serve subscribers ~~and other related information~~, technology
4 descriptions, technical information, or trade secrets,
5 including trade secrets as defined in s. 812.081, and the
6 actual or developmental costs of E911 systems that are
7 developed, produced, or received internally by a provider or
8 by a provider's employees, directors, officers, or agents.

9 ~~(3) This section is subject to the Open Government~~
10 ~~Sunset Review Act of 1995 in accordance with s. 119.15, and~~
11 ~~shall stand repealed on October 1, 2004, unless reviewed and~~
12 ~~saved from repeal through reenactment by the Legislature.~~

13 Section 2. This act shall take effect October 1, 2004.

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15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 SB 1162

18 Narrows the exemption by eliminating the phrase "other related
19 information" relative to customer numbers and customer lists
20 from the definition of "proprietary confidential business
21 information" and by explicating what that other information
22 is.
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