

1 | imposing such fees, ~~or~~ assessing such tax, or regulating such
2 | rights-of-way, and may not be used for any other purposes,
3 | including, but not limited to, commercial or competitive
4 | purposes.

5 | (2) For the purposes of this exemption, "proprietary
6 | confidential business information" includes ~~any proprietary or~~
7 | ~~otherwise confidential information or documentation, including~~
8 | maps, plans, billing and payment records, trade secrets, or
9 | other information relating to the provision of or facilities
10 | for communications service:

11 | (a) That is intended to be and is treated by the
12 | company as confidential;

13 | (b) The disclosure of which would be reasonably likely
14 | to be used by a competitor to harm the business interests of
15 | the company; and

16 | (c) That is not otherwise readily ascertainable or
17 | publicly available by proper means by other persons from
18 | another source to the same extent and in the same
19 | configuration format as requested by the local governmental
20 | entity.

21 |
22 | Proprietary confidential business information does not include
23 | schematics indicating the location of facilities for a
24 | specific site that are provided in the normal course of the
25 | local governmental entity's permitting process.

26 | (3) Nothing in this exemption expands the information
27 | or documentation that a local governmental entity may properly
28 | request under applicable law pursuant to the imposition of
29 | fees for occupying the rights-of-way, ~~or~~ the local
30 | communication services tax, or the regulation of its public
31 | rights-of-way.

1 (4) ~~Any information in the possession of a local~~
2 ~~government entity which consists of Maps, plans, schematics,~~
3 ~~diagrams, or other engineering data held by a local~~
4 ~~governmental entity that relate relating~~ to the exact location
5 and capacity of facilities for the provision of communications
6 services by such ~~the local government entity~~ are ~~shall be~~
7 exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art.
8 I of the State Constitution. Such information is ~~shall remain~~
9 exempt only for a period of 60 days after completion of the
10 construction of the communications services facilities.

11 ~~(5) This section is subject to the Open Government~~
12 ~~Sunset Review Act of 1995 in accordance with s. 119.15 and~~
13 ~~shall stand repealed on October 1, 2005, unless reviewed and~~
14 ~~saved from repeal through reenactment by the Legislature.~~

15 Section 2. This act shall take effect September 30,
16 2005.

17
18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 Senate Bill 680

21 Clarifies the definition of "proprietary confidential business
22 information." Provides that proprietary business information
23 is information that could be used by a competitor to harm the
24 proprietor's interest. Provides that such information is not
25 readily ascertainable or publicly available by proper means
26 from another source in the same configuration as requested by
27 the local governmental entity.
28
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30
31