



1 alternatives to fee-simple techniques if the authority  
2 determines that disclosure of such reports will bring the  
3 proposed acquisition to closure. If negotiations are  
4 terminated by the authority, the appraisal reports, offers,  
5 and counteroffers shall become available pursuant to s.  
6 119.07(1) and s. 24(a), Art. I of the State Constitution.  
7 Notwithstanding this section, the authority may share and  
8 disclose appraisal reports, appraisal information, offers, and  
9 counteroffers when joint acquisition of property is  
10 contemplated. The authority shall maintain the confidentiality  
11 of such appraisal reports, appraisal information, offers, and  
12 counteroffers in conformance with this section, except in  
13 those cases in which the authority has exercised discretion to  
14 disclose such information. The authority may disclose  
15 appraisal information, offers, and counteroffers to a third  
16 party who has entered into a contractual agreement with the  
17 authority to work with or on behalf of or to assist the  
18 authority in connection with land acquisitions. The third  
19 party shall maintain the confidentiality of such information  
20 in conformance with this section. In addition, the authority  
21 may use as its own appraisals obtained by a third party under  
22 contract with the authority to provide such services, provided  
23 the appraisals are reviewed and approved by the authority.

24 (2) Subsection (1) is subject to the Open Government  
25 Sunset Review Act of 1995 in accordance with s. 119.15 and  
26 shall stand repealed on October 2, 2011, unless reviewed and  
27 saved from repeal through reenactment by the Legislature.

28 Section 2. The Legislature finds that it is a public  
29 necessity that proprietary confidential business information  
30 contained in appraisal reports, offers, and counteroffers be  
31 kept confidential when held by a local governmental entity or

1 agency. Disclosure of this proprietary confidential business  
2 information in a local governmental entity's or agency's  
3 possession would adversely affect the goal of the purchase of  
4 lands for the public good using public funds at competitive  
5 prices resulting from negotiations between parties. Further,  
6 each party is entitled to independently obtain appraisal  
7 reports and property value information regarding that  
8 property. Disclosure of the appraisal report or property  
9 information by the governmental entity or agency could create  
10 an unfair disadvantage for the governmental entity or agency  
11 during negotiations. Release of appraisal reports, offers, and  
12 counteroffers could impair full and fair competition between  
13 the negotiating parties. Thus, the public and private harm in  
14 disclosing this information significantly outweighs any public  
15 benefit derived from disclosure, and the public's ability to  
16 scrutinize and monitor agency action is not diminished by  
17 nondisclosure of this information.

18           Section 3. This act shall take effect on the same date  
19 that SB \_\_\_\_ or similar legislation takes effect, but it shall  
20 not take effect unless such legislation is adopted in the same  
21 legislative session or an extension thereof and becomes law.

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