

By Senator Posey

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1 A bill to be entitled
2 An act relating to public records; amending s. 377.707,
3 F.S.; providing an exemption from public records
4 requirements for materials that relate to methods of
5 manufacture or production, potential trade secrets,
6 potentially patentable material, actual trade secrets,
7 business transactions, financial and proprietary
8 information, and agreements or proposals to receive
9 funding that are received, generated, ascertained, or
10 discovered by the Florida Advanced Combustion Center,
11 Inc., including its affiliates or subsidiaries and
12 partnership participants; providing for future legislative
13 review and repeal of the exemption; providing a statement
14 of public necessity; providing a contingent effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. Subsection (8) of section 377.707, Florida
20 Statutes, as created by HB ____, 2008 Regular Session, is
21 renumbered as subsection (9), and a new subsection (8) is added
22 to that section to read:

23 377.707 Florida Advanced Combustion Center, Inc.--

24 (8) PUBLIC-RECORDS EXEMPTION.--

25 (a) Materials that relate to methods of manufacture or
26 production, potential trade secrets, potentially patentable
27 material, actual trade secrets, business transactions, financial
28 and proprietary information, and agreements or proposals to
29 receive funding that are received, generated, ascertained, or

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30 discovered by the Florida Advanced Combustion Center, Inc.,
31 including its affiliates or subsidiaries and partnership
32 participants, such as private enterprises, educational
33 institutions, and other organizations, are confidential and
34 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
35 of the State Constitution.

36 (b) This subsection is subject to the Open Government
37 Sunset Review Act in accordance with s. 119.15 and shall stand
38 repealed on October 2, 2013, unless reviewed and saved from
39 repeal through reenactment by the Legislature.

40 Section 2. The Legislature finds that it is a public
41 necessity that materials that relate to methods of manufacture or
42 production, potential trade secrets, potentially patentable
43 material, actual trade secrets, business transactions, financial
44 and proprietary information, and agreements or proposals to
45 receive funding that are received, generated, ascertained, or
46 discovered by the Florida Advanced Combustion Center, Inc.,
47 including its affiliates or subsidiaries and partnership
48 participants, such as private enterprises, educational
49 institutions, and other organizations, be held confidential and
50 exempt from public records requirements. Technology
51 commercialization and manufacturing programs must utilize
52 materials that relate to methods of manufacture or production,
53 potential trade secrets, potentially patentable material, actual
54 trade secrets, business transactions, financial and proprietary
55 information, and agreements or proposals to be effective. If
56 competitors were privy to such information, they could take
57 advantage of that information to the financial detriment of the
58 corporation submitting the information or proposal, which would

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59 chill participation in programs of the Florida Advanced
60 Combustion Energy Center, Inc., and impede the effectiveness of
61 the corporation.

62 Section 3. This act shall take effect on the same date that
63 Senate Bill ___ or similar legislation takes effect, if such
64 legislation is adopted in the same legislative session or an
65 extension thereof and becomes law.