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585-04157-09

Proposed Committee Substitute by the Committee on Governmental
Oversight and Accountability

A bill to be entitled

An act relating to a review under the Open Government
Sunset Review Act; amending s. 1004.4472, F.S.,
relating to an exemption from the public-records law
provided for records held by the Florida Institute for
Human and Machine Cognition, Inc., or its subsidiary,
and an exemption from the public-meetings law provided
for portions of meetings of the institute or its
subsidiary at which confidential information is
presented or discussed; saving the exemptions from
repeal under the Open Government Sunset Review Act;
deleting provisions that provide for repeal of the
exemptions; providing an effective date.

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

Section 1. Section 1004.4472, Florida Statutes, is amended
to read:

1004.4472 Florida Institute for Human and Machine
Cognition, Inc.; public records exemption; public meetings
exemption.—

(1) For purposes of this section, the term:

(a) "Corporation" means the Florida Institute for Human and
Machine Cognition, Inc.

(b) "Subsidiary" means a subsidiary authorized and approved
by the corporation.

(2) The following information held by the corporation



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28 ~~Florida Institute for Human and Machine Cognition, Inc.,~~ or its
29 ~~an authorized subsidiary of the corporation,~~ is confidential and
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution:

32 (a) Material relating to methods of manufacture or
33 production, potential trade secrets, patentable material, actual
34 trade secrets as defined in s. 688.002 or proprietary
35 information received, generated, ascertained, or discovered
36 during the course of research conducted by or through the
37 corporation or a subsidiary ~~Florida Institute for Human and~~
38 ~~Machine Cognition, Inc., and its subsidiaries,~~ and business
39 transactions resulting from such research.

40 (b) Any information received by the corporation or a
41 subsidiary from a person from another state or nation or the
42 Federal Government which is otherwise exempt or confidential
43 pursuant to the laws of that state or nation or pursuant to
44 federal law.

45 (c) Any information received by the corporation or a
46 subsidiary in the performance of its duties and responsibilities
47 which is otherwise confidential and exempt by law.

48 (d) All identifying information of a donor or prospective
49 donor to the corporation or a subsidiary who wishes to remain
50 anonymous.

51 (3)~~(2)~~ The corporation or its subsidiary shall permit any
52 governmental entity to inspect or copy confidential and exempt
53 information held by the corporation or its subsidiary which is
54 necessary for that governmental entity to perform its duties and
55 responsibilities. ~~Any governmental entity that is permitted to~~
56 ~~inspect or copy confidential and exempt information held by the~~



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57 ~~corporation or a subsidiary shall maintain the confidential and~~
58 ~~exempt status of that information.~~

59 (4)~~(3)~~ That portion of a meeting of the corporation or a
60 subsidiary at which information is presented or discussed which
61 is confidential and exempt pursuant to subsection (1) is exempt
62 from s. 286.011 and s. 24(b), Art. I of the State Constitution.

63 ~~(4) This section is subject to the Open Government Sunset~~
64 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
65 ~~on October 2, 2009, unless reviewed and saved from repeal~~
66 ~~through reenactment by the Legislature.~~

67 Section 2. This act shall take effect October 1, 2009.