

ENROLLED  
 HB 7041

2009 Legislature

1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act regarding the Florida Institute for  
 4           Human and Machine Cognition, Inc.; amending s. 1004.4472,  
 5           F.S., which provides an exemption from public records  
 6           requirements for information held by the Florida Institute  
 7           for Human and Machine Cognition, Inc., or its subsidiary  
 8           and an exemption from public meeting requirements for  
 9           portions of meetings of the corporation or a subsidiary at  
 10          which confidential and exempt information is presented or  
 11          discussed; providing definitions; reorganizing and  
 12          conforming provisions; removing superfluous language;  
 13          removing the scheduled repeal of the exemption; providing  
 14          an effective date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

17  
 18           Section 1.   Section 1004.4472, Florida Statutes, is amended  
 19   to read:

20           1004.4472   Florida Institute for Human and Machine  
 21   Cognition, Inc.; public records exemption; public meetings  
 22   exemption.--

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

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

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

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

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

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

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

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

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

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56 | responsibilities. ~~Any governmental entity that is permitted to~~  
57 | ~~inspect or copy confidential and exempt information held by the~~  
58 | ~~corporation or a subsidiary shall maintain the confidential and~~  
59 | ~~exempt status of that information.~~

60 |       (4)~~(3)~~ That portion of a meeting of the corporation or a  
61 | subsidiary at which information is presented or discussed which  
62 | is confidential and exempt pursuant to subsection (2) ~~(1)~~ is  
63 | exempt from s. 286.011 and s. 24(b), Art. I of the State  
64 | Constitution.

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

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