



644500

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2014	.	
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The Committee on Governmental Oversight and Accountability  
(Bean) recommended the following:

**Senate Amendment**

Delete lines 28 - 59  
and insert:

(b) Whoever willfully, knowingly, and without authorization discloses or takes data, programs, or supporting documentation which is a trade secret as defined in s. 812.081 or is confidential as provided by law residing or existing internal or external to a computer, computer system, or computer network commits an offense against intellectual property.



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11           (c) This subsection is subject to the Open Government  
12 Sunset Review Act in accordance with s. 119.15, and shall stand  
13 repealed on October 2, 2019, unless reviewed and saved from  
14 repeal through reenactment by the Legislature.

15           Section 2. The Legislature finds that it is a public  
16 necessity that data, programs, or supporting documentation that  
17 is a trade secret as defined in s. 812.081, Florida Statutes,  
18 that is held by an agency as defined in chapter 119, Florida  
19 Statutes, and that resides or exists internal or external to an  
20 electronic device be made confidential and exempt from s.  
21 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
22 State Constitution. The public release of such data, programs,  
23 and supporting documentation would negatively impact the  
24 business interests of those providing an agency such trade  
25 secrets by damaging the business in the marketplace. Without the  
26 public records exemption, those entities and individuals  
27 disclosing such trade secrets would hesitate to cooperate with  
28 that agency, which would impair the effective and efficient  
29 administration of governmental functions. Thus, the public and  
30 private harm in disclosing data, programs, or supporting  
31 documentation that is a trade secret, and that resides or exists  
32 internal or external to an electronic device, significantly  
33 outweighs any public benefit derived from disclosure, and the  
34 public's ability to scrutinize and monitor agency action is not  
35 diminished by the nondisclosure of such trade secrets.

36           Section 3. This act shall take effect on the same date that  
37 SB 364 or similar legislation takes effect, if such