

A bill to be entitled

An act relating to public records; creating s. 548.062, F.S.; providing an exemption from public records requirements for the information in the reports required to be submitted to the Florida State Boxing Commission by a promoter or obtained by the commission through an audit of the promoter's books and records; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Section 548.062, Florida Statutes, is created to read:

548.062 Public records exemption.—

(1) As used in this section, the term "proprietary confidential business information" means information that is held by the commission which is intended to be and is treated by the promoter providing such information as private in that the disclosure of the information would cause harm to the promoter or its business operations, and that has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the

27 public. The term includes:

28 (a) The number of ticket sales for a match.

29 (b) The amount of gross receipts after a match.

30 (c) Trade secrets.

31 (d) Business plans.

32 (e) Internal auditing controls and reports of internal  
 33 auditors.

34 (f) Security measures, systems, or procedures.

35 (g) Information relating to competitive interests, the  
 36 disclosure of which would impair the competitive business of the  
 37 promoter providing the information.

38 (2) Proprietary confidential business information provided  
 39 in the written report required to be filed with the commission  
 40 after a match or obtained by the commission through an audit of  
 41 the promoter's books and records pursuant to s. 548.06 is  
 42 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 43 of the State Constitution. Information made confidential and  
 44 exempt by this subsection may be disclosed to another  
 45 governmental entity in the performance of its duties and  
 46 responsibilities.

47 (3) This section is subject to the Open Government Sunset  
 48 Review Act in accordance with s. 119.15 and shall stand repealed  
 49 on October 2, 2019, unless reviewed and saved from repeal  
 50 through reenactment by the Legislature.

51 Section 2. The Legislature finds that it is a public  
 52 necessity that proprietary confidential business information be

53 protected from disclosure. The disclosure of proprietary  
54 confidential business information could injure a promoter in the  
55 marketplace by giving the promoter's competitors insights into  
56 its financial status and business plan, thereby putting the  
57 promoter at a competitive disadvantage. The Legislature also  
58 finds that the harm to a promoter in disclosing proprietary  
59 confidential business information significantly outweighs any  
60 public benefit derived from disclosure of the information. For  
61 these reasons, the Legislature declares that any proprietary  
62 confidential business information provided in the written report  
63 that is required to be filed with the commission after a match  
64 pursuant to s. 548.06, Florida Statutes, is confidential and  
65 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
66 Article I of the State Constitution.

67 Section 3. This act shall take effect on the same date  
68 that HB 773 or similar legislation takes effect, if such  
69 legislation is adopted in the same legislative session or an  
70 extension thereof and becomes law.