

By Senator Galvano

26-01041-14

2014808__

1 A bill to be entitled
2 An act relating to public records; creating s.
3 548.062, F.S.; providing an exemption from public
4 records requirements for the information in the
5 reports required to be submitted to the Florida State
6 Boxing Commission by a promoter; providing for future
7 legislative review and repeal of the exemption;
8 providing a statement of public necessity; providing a
9 contingent effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 548.062, Florida Statutes, is created to
14 read:

15 548.062 Public records exemption.-

16 (1) As used in this section, the term "proprietary
17 confidential business information" means information that is
18 held by the commission which is intended to be and is treated by
19 the promoter providing such information as private in that the
20 disclosure of the information would cause harm to the promoter
21 or its business operations, and that has not been disclosed
22 unless disclosed pursuant to a statutory provision, an order of
23 a court or administrative body, or a private agreement that
24 provides that the information will not be released to the
25 public. The term includes, but is not limited to:

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

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

28 (c) Trade secrets.

29 (d) Business plans.

26-01041-14

2014808__

30 (e) Internal auditing controls and reports of internal
31 auditors.

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

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

36 (2) Proprietary confidential business information provided
37 in the written report required to be filed with the commission
38 after a match pursuant to s. 548.06 is confidential and exempt
39 from s. 119.07(1) and s. 24(a), Art. I of the State
40 Constitution. Information made confidential and exempt by this
41 subsection may be disclosed to another governmental entity in
42 the performance of its duties and responsibilities.

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44 Review Act in accordance with s. 119.15 and shall stand repealed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

47 Section 2. The Legislature finds that it is a public
48 necessity that proprietary confidential business information be
49 protected from disclosure. The disclosure of proprietary
50 confidential business information could injure a promoter in the
51 marketplace by giving the promoter's competitors insights into
52 its financial status and business plan, thereby putting the
53 promoter at a competitive disadvantage. The Legislature also
54 finds that the harm to a promoter in disclosing proprietary
55 confidential business information significantly outweighs any
56 public benefit derived from disclosure of the information. For
57 these reasons, the Legislature declares that any proprietary
58 confidential business information provided in the written report

26-01041-14

2014808__

59 that is required to be filed with the commission after a match
60 pursuant to s. 548.06, Florida Statutes, is confidential and
61 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
62 Article I of the State Constitution.

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