

By the Committees on Governmental Oversight and Accountability;
and Regulated Industries; and Senator Galvano

585-03261A-14

2014808c2

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 or obtained by the
7 commission through audit of a promoter's records;
8 providing for future legislative review and repeal of
9 the exemption; providing a statement of public
10 necessity; providing a contingent effective date.

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

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

16 548.062 Public records exemption.—

17 (1) As used in this section, the term "proprietary
18 confidential business information" means information that is
19 owned or controlled by the promoter; that is intended by the
20 promoter to be and is treated by the promoter as private in that
21 the disclosure of the information would cause harm to the
22 promoter or its business operations; that has not been disclosed
23 unless disclosed pursuant to a statutory provision, an order of
24 a court or administrative body, or a private agreement that
25 provides that the information will not be released to the
26 public; and that concerns any of the following:

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

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

29 (c) Trade secrets as defined in s. 688.002.

585-03261A-14

2014808c2

30 (d) Business plans.

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

33 (f) Reports of external auditors.

34 (2) Proprietary confidential business information provided
35 in the written report required to be filed with the commission
36 after a match or obtained by the commission through an audit of
37 the promoter's books and records pursuant to s. 548.06 is
38 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
39 of the State Constitution. Information made confidential and
40 exempt by this subsection may be disclosed to another
41 governmental entity in the performance of its duties and
42 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44 Review Act in accordance with s. 119.15 and shall stand repealed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

585-03261A-14

2014808c2

59 that is required to be filed with the commission after a match
60 or obtained by the commission through an audit of the promoter's
61 books and records pursuant to s. 548.06, Florida Statutes, is
62 confidential and exempt from s. 119.07(1), Florida Statutes, and
63 s. 24(a), Article I of the State Constitution.

64 Section 3. This act shall take effect on the same date that
65 SB 810 or similar legislation takes effect, if such legislation
66 is adopted in the same legislative session or an extension
67 thereof and becomes law.