

1                   A bill to be entitled  
2           An act relating to public records; creating s.  
3           119.07135, F.S.; providing that certain information  
4           related to agency contracts is not confidential or  
5           exempt from public records requirements; amending s.  
6           24.105, F.S.; deleting provisions relating to  
7           exemptions from public records requirements for  
8           certain information held by the Department of the  
9           Lottery; amending s. 73.0155, F.S.; deleting  
10          provisions relating to public records exemptions for  
11          trade secrets held by governmental condemning  
12          authorities; amending s. 119.071, F.S.; deleting a  
13          provision declaring that certain data processing  
14          software exempt from public records requirements is  
15          considered a trade secret; removing the scheduled  
16          repeal of the public record exemption; amending s.  
17          119.0713, F.S.; deleting a provision exempting trade  
18          secrets held by local government agencies from public  
19          records requirements; amending s. 125.0104, F.S.;  
20          deleting a provision exempting trade secrets held by  
21          county tourism development agencies from public  
22          records requirements; amending s. 163.01, F.S.;  
23          deleting a provision exempting trade secrets held by  
24          public agencies that are electric utilities from  
25          public records requirements; amending s. 202.195,

26 F.S.; deleting a provision exempting trade secrets  
27 obtained from a telecommunications company or  
28 franchised cable company for certain purposes from  
29 public records requirements; amending s. 215.4401,  
30 F.S.; deleting provisions relating to confidentiality  
31 of trade secrets held by the State Board of  
32 Administration; amending s. 252.88, F.S.; deleting  
33 provisions exempting certain information from public  
34 records requirements under the Florida Emergency  
35 Planning and Community Right-to-Know Act; repealing s.  
36 252.943, F.S., relating to a public records exemption  
37 under the Florida Accidental Release Prevention and  
38 Risk Management Planning Act; amending s. 287.0943,  
39 F.S.; deleting provisions relating to confidentiality  
40 of certain information relating to applications for  
41 certification of minority business enterprises;  
42 amending s. 288.047, F.S.; deleting provisions  
43 exempting potential trade secrets from public records  
44 requirements; amending s. 288.075, F.S.; deleting  
45 provisions relating to a public records exemption for  
46 trade secrets held by economic development agencies;  
47 amending s. 288.1226, F.S.; deleting provisions  
48 relating to a public records exemption for trade  
49 secrets held by the Florida Tourism Industry Marketing  
50 Corporation; amending s. 288.776, F.S.; deleting

51 provisions relating to a public records exemption for  
52 trade secrets held by the Florida Export Finance  
53 Corporation; amending s. 288.9520, F.S.; deleting  
54 provisions relating to a public records exemption for  
55 trade secrets and potential trade secrets held by  
56 Enterprise Florida, Inc., and related entities;  
57 amending s. 288.9607, F.S.; deleting provisions  
58 relating to a public records exemption for trade  
59 secrets held by the Florida Development Finance  
60 Corporation; amending s. 288.9626, F.S.; deleting  
61 provisions relating to a public records exemption for  
62 trade secrets and potential trade secrets held by the  
63 Florida Opportunity Fund; conforming provisions to  
64 changes made by the act; amending s. 288.9627, F.S.;  
65 deleting provisions relating to a public records  
66 exemption for trade secrets and potential trade  
67 secrets held by the Institute for Commercialization of  
68 Public Research; conforming provisions to changes made  
69 by the act; amending s. 331.326, F.S.; deleting  
70 provisions relating to a public records exemption for  
71 trade secrets held by Space Florida; amending s.  
72 334.049, F.S.; deleting provisions relating to a  
73 public records exemption for trade secrets held by the  
74 Department of State; amending ss. 350.121 and 364.183,  
75 F.S.; deleting provisions relating to public records

76 exemptions for trade secrets held by the Florida  
77 Public Service Commission; amending 365.174, F.S.;  
78 deleting provisions relating to public records  
79 exemptions for trade secrets held by the E911 Board  
80 and the Technology Program within the Department of  
81 Management Services; amending ss. 366.093, 367.156,  
82 and 368.108, F.S.; deleting provisions relating to  
83 public records exemptions for trade secrets held by  
84 the Florida Public Service Commission; amending s.  
85 377.24075, F.S.; deleting provisions relating to a  
86 public records exemption for trade secrets held by the  
87 Department of Environmental Protection; repealing s.  
88 381.83, F.S., relating to confidentiality of certain  
89 information containing trade secrets obtained by the  
90 Department of Health; amending s. 395.3035, F.S.;  
91 deleting provisions relating to a public records  
92 exemption for trade secrets of hospitals; amending s.  
93 403.7046, F.S.; revising provisions relating to an  
94 exemption for trade secrets contained in certain  
95 reports to the Department of Environmental Protection;  
96 repealing s. 403.73, F.S., relating to confidentiality  
97 of certain information containing trade secrets  
98 obtained by the Department of Environmental  
99 Protection; amending s. 408.061, F.S.; deleting a  
100 requirement that certain trade secret information

101 submitted to the Agency for Healthcare Administration  
102 be clearly designated as such; amending s. 408.185,  
103 F.S.; deleting provisions relating to public records  
104 exemptions for certain trade secrets held by the  
105 Office of the Attorney General; amending s. 408.910,  
106 F.S.; deleting provisions relating to public records  
107 exemptions for trade secrets held by the Florida  
108 Health Choices Program; amending s. 409.91196, F.S.;  
109 deleting provisions relating to public records  
110 exemptions for trade secrets held by the Agency for  
111 Healthcare Administration; amending s. 440.108, F.S.;  
112 deleting provisions relating to public records  
113 exemptions for trade secrets held by the Department of  
114 Financial Services; amending s. 494.00125, F.S.;  
115 deleting provisions relating to public records  
116 exemptions for trade secrets held by the Office of  
117 Financial Regulation; amending s. 497.172, F.S.;  
118 deleting provisions relating to public records  
119 exemptions for trade secrets held by the Department of  
120 Financial Services or the Board of Funeral, Cemetery,  
121 and Consumer Services; amending ss. 499.012, 499.0121,  
122 499.05, and 499.051, F.S.; deleting provisions  
123 relating to public records exemptions for trade  
124 secrets held by the Department of Business and  
125 Professional Regulation; repealing s. 499.931, F.S.,

126 relating to maintenance of information held by the  
127 Department of Business and Professional Regulation  
128 that is deemed to be a trade secret; amending s.  
129 501.171, F.S.; deleting provisions relating to public  
130 records exemptions for trade secrets held by the  
131 Department of Legal Affairs; repealing s. 502.222,  
132 F.S., relating to trade secrets of a dairy business  
133 held by the Department of Agriculture and Consumer  
134 Services; amending ss. 517.2015 and 520.9965, F.S.;  
135 deleting provisions relating to public records  
136 exemptions for trade secrets held by the Office of  
137 Financial Regulation; amending s. 526.311, F.S.;  
138 deleting provisions relating to public records  
139 exemptions for trade secrets held by the Department of  
140 Agriculture and Consumer Services; amending s.  
141 548.062, F.S.; deleting provisions relating to public  
142 records exemptions for trade secrets held by the  
143 Florida State Boxing Commission; amending s. 556.113,  
144 F.S.; deleting provisions relating to public records  
145 exemptions for trade secrets held by Sunshine State  
146 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;  
147 deleting provisions relating to public records  
148 exemptions for trade secrets held by the Office of  
149 Financial Regulation; amending s. 559.9285, F.S.;  
150 revising provisions specifying that certain

151 information provided to the Department of Agriculture  
152 and Consumer Services does not constitute a trade  
153 secret; amending s. 560.129, F.S.; deleting provisions  
154 relating to public records exemptions for trade  
155 secrets held by the Office of Financial Regulation;  
156 amending s. 570.48, F.S.; deleting provisions relating  
157 to public records exemptions for trade secrets held by  
158 the Division of Fruit and Vegetables; amending ss.  
159 570.544 and 573.123, F.S.; deleting provisions  
160 relating to public records exemptions for trade  
161 secrets held by the Division of Consumer Services;  
162 repealing s. 581.199, F.S., relating to a prohibition  
163 on the use of trade secret information obtained under  
164 specified provisions for personal use or gain;  
165 amending ss. 601.10, 601.15, and 601.152, F.S.;  
166 deleting provisions relating to public records  
167 exemptions for trade secrets held by the Department of  
168 Citrus; amending s. 601.76, F.S.; deleting provisions  
169 relating to a public records exemption for certain  
170 formulas filed with the Department of Agriculture;  
171 amending ss. 607.0505 and 617.0503, F.S.; deleting  
172 provisions relating to public records exemptions for  
173 certain information that might reveal trade secrets  
174 held by the Department of Legal Affairs; amending s.  
175 624.307, F.S.; authorizing the Office of Insurance

176 Regulation to report certain information on an  
 177 aggregate basis; amending s. 624.315, F.S.;  
 178 authorizing the Office of Insurance Regulation to make  
 179 certain information available on an aggregate basis;  
 180 amending s. 624.4212, F.S.; deleting provisions  
 181 relating to public records exemptions for trade  
 182 secrets held by the Office of Insurance Regulation;  
 183 revising a cross-reference; repealing s. 624.4213,  
 184 F.S., relating to trade secret documents submitted to  
 185 the Department of Financial Services or the Office of  
 186 Insurance Regulation; amending ss. 626.84195 and  
 187 626.884, F.S.; deleting provisions relating to public  
 188 records exemptions for trade secrets held by the  
 189 Office of Insurance Regulation; amending s. 626.9936,  
 190 F.S.; revising provisions relating to a public records  
 191 exemption for trade secrets held by the Office of  
 192 Insurance Regulation; amending ss. 627.0628 and  
 193 627.3518, F.S.; deleting provisions relating to public  
 194 records exemptions for trade secrets held by the  
 195 Department of Financial Services or the Office of  
 196 Insurance Regulation; amending s. 655.057, F.S.;  
 197 revising provisions relating to a public records  
 198 exemption for trade secrets held by the Office of  
 199 Financial Regulation; repealing s. 655.0591, F.S.,  
 200 relating to trade secret documents held by the Office



201 of Financial Regulation; amending s. 663.533, F.S.;

202 revising a cross-reference; repealing s. 721.071,

203 F.S., relating to trade secret material filed with the

204 Division of Florida Condominiums, Timeshares, and

205 Mobile Homes of the Department of Business and

206 Professional Regulation; amending s. 815.04, F.S.;

207 deleting a public records exemption for certain trade

208 secret information relating to offenses against

209 intellectual property; repealing s. 815.045, F.S.,

210 relating to trade secret information; amending s.

211 1004.22, F.S.; revising provisions relating to public

212 records exemptions for trade secrets and potential

213 trade secrets received, generated, ascertained, or

214 discovered during the course of research conducted

215 within the state universities; amending s. 1004.30,

216 F.S.; revising provisions relating to public records

217 exemptions for trade secrets held by state university

218 health support organizations; amending s. 1004.43,

219 F.S.; revising provisions relating to public records

220 exemptions for trade secrets and potential trade

221 secrets held by the H. Lee Moffitt Cancer Center and

222 Research Institute; amending s. 1004.4472, F.S.;

223 revising provisions relating to public records

224 exemptions for trade secrets and potential trade

225 secrets held by the Florida Institute for Human and

226 Machine Cognition, Inc.; amending s. 1004.78, F.S.;  
227 deleting provisions relating to public records  
228 exemptions for trade secrets and potential trade  
229 secrets held by the technology transfers centers at  
230 Florida College System institutions; amending s.  
231 601.80, F.S.; correcting a cross-reference; amending  
232 ss. 663.533, 721.13, and 921.0022, F.S.; conforming  
233 provisions to changes made by the act; providing a  
234 contingent effective date.

235

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

237

238 Section 1. Section 119.07135, Florida Statutes, is created  
239 to read:

240 119.07135 Agency contracts; public records.—

241 (1) Any contract or agreement, or an addendum thereto, to  
242 which an agency or an entity subject to this chapter is a party,  
243 is a public record, except that confidential or exempt  
244 information contained therein may be redacted prior to release  
245 of the contract or agreement, or an addendum thereto, if the  
246 specific statutory exemption is identified.

247 (2) Notwithstanding any other provision of law, the  
248 following information related to any contract or agreement, or  
249 an addendum thereto, with an agency or an entity subject to this  
250 chapter is not confidential or exempt from s. 119.07(1) and s.

251 24(a), Art. I of the State Constitution:

252 (a) The parties to the contract or agreement, or an  
 253 addendum thereto.

254 (b) The amount of money paid, any payment structure or  
 255 plan, expenditures, incentives, bonuses, fees, or penalties.

256 (c) The nature or type of the commodities or services  
 257 purchased.

258 (d) Applicable contract unit prices and deliverables.

259 Section 2. Paragraph (a) of subsection (12) of section  
 260 24.105, Florida Statutes, is amended to read:

261 24.105 Powers and duties of department.—The department  
 262 shall:

263 ~~(12)(a) Determine by rule information relating to the~~  
 264 ~~operation of the lottery which is confidential and exempt from~~  
 265 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~  
 266 ~~Constitution. Such information includes trade secrets; security~~  
 267 ~~measures, systems, or procedures; security reports; information~~  
 268 ~~concerning bids or other contractual data, the disclosure of~~  
 269 ~~which would impair the efforts of the department to contract for~~  
 270 ~~goods or services on favorable terms; employee personnel~~  
 271 ~~information unrelated to compensation, duties, qualifications,~~  
 272 ~~or responsibilities; and information obtained by the Division of~~  
 273 ~~Security pursuant to its investigations which is otherwise~~  
 274 ~~confidential. To be deemed confidential, the information must be~~  
 275 ~~necessary to the security and integrity of the lottery.~~

276 ~~Confidential information may be released to other governmental~~  
277 ~~entities as needed in connection with the performance of their~~  
278 ~~duties. The receiving governmental entity shall retain the~~  
279 ~~confidentiality of such information as provided for in this~~  
280 ~~subsection.~~

281 Section 3. Paragraph (e) of subsection (1) of section  
282 73.0155, Florida Statutes, is amended to read:

283 73.0155 Confidentiality; business information provided to  
284 a governmental condemning authority.—

285 (1) The following business information provided by the  
286 owner of a business to a governmental condemning authority as  
287 part of an offer of business damages under s. 73.015 is  
288 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
289 of the State Constitution if the owner requests in writing that  
290 the business information be held confidential and exempt:

291 (e) Materials that relate to methods of manufacture or  
292 production or, ~~potential trade secrets~~, patentable material, ~~or~~  
293 ~~actual trade secrets as defined in s. 688.002.~~

294 Section 4. Paragraph (f) of subsection (1) of section  
295 119.071, Florida Statutes, is amended to read:

296 119.071 General exemptions from inspection or copying of  
297 public records.—

298 (1) AGENCY ADMINISTRATION.—

299 (f) ~~Data processing software obtained by an agency under a~~  
300 ~~licensing agreement that prohibits its disclosure and which~~

301 ~~software is a trade secret, as defined in s. 812.081, and~~  
302 Agency-produced data processing software that is sensitive is  
303 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
304 Constitution. The designation of agency-produced software as  
305 sensitive does not prohibit an agency head from sharing or  
306 exchanging such software with another public agency. ~~This~~  
307 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
308 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
309 ~~2021, unless reviewed and saved from repeal through reenactment~~  
310 ~~by the Legislature.~~

311 Section 5. Paragraph (a) of subsection (4) of section  
312 119.0713, Florida Statutes, is amended to read:

313 119.0713 Local government agency exemptions from  
314 inspection or copying of public records.—

315 (4) (a) Proprietary confidential business information means  
316 information, regardless of form or characteristics, which is  
317 held by an electric utility that is subject to chapter 119, is  
318 intended to be and is treated by the entity that provided the  
319 information to the electric utility as private in that the  
320 disclosure of the information would cause harm to the entity  
321 providing the information or its business operations, and has  
322 not been disclosed unless disclosed pursuant to a statutory  
323 provision, an order of a court or administrative body, or a  
324 private agreement that provides that the information will not be  
325 released to the public. Proprietary confidential business

326 information includes, ~~but is not limited to:~~

327 ~~1. Trade secrets.~~

328 1.2. Internal auditing controls and reports of internal  
329 auditors.

330 2.3. Security measures, systems, or procedures.

331 3.4. Information concerning bids or other contractual  
332 data, the disclosure of which would impair the efforts of the  
333 electric utility to contract for goods or services on favorable  
334 terms.

335 4.5. Information relating to competitive interests, the  
336 disclosure of which would impair the competitive business of the  
337 provider of the information.

338 Section 6. Paragraph (d) of subsection (9) of section  
339 125.0104, Florida Statutes, is amended to read:

340 125.0104 Tourist development tax; procedure for levying;  
341 authorized uses; referendum; enforcement.—

342 (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any  
343 other powers and duties provided for agencies created for the  
344 purpose of tourism promotion by a county levying the tourist  
345 development tax, such agencies are authorized and empowered to:

346 (d) Undertake marketing research and advertising research  
347 studies and provide reservations services and convention and  
348 meetings booking services consistent with the authorized uses of  
349 revenue as set forth in subsection (5).

350 1. Information given to a county tourism promotion agency

351 which, if released, would reveal the identity of persons or  
352 entities who provide data or other information as a response to  
353 a sales promotion effort, an advertisement, or a research  
354 project or whose names, addresses, meeting or convention plan  
355 information or accommodations or other visitation needs become  
356 booking or reservation list data, is exempt from s. 119.07(1)  
357 and s. 24(a), Art. I of the State Constitution.

358 2. ~~The following information,~~ When held by a county  
359 tourism promotion agency, booking business records, as defined  
360 in s. 255.047, are ~~is~~ exempt from s. 119.07(1) and s. 24(a),  
361 Art. I of the State Constitution. ~~±~~

362 a. ~~Booking business records, as defined in s. 255.047.~~

363 b. ~~Trade secrets and commercial or financial information~~  
364 ~~gathered from a person and privileged or confidential, as~~  
365 ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~  
366 ~~amendments thereto.~~

367 3. ~~A trade secret, as defined in s. 812.081, held by a~~  
368 ~~county tourism promotion agency is exempt from s. 119.07(1) and~~  
369 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
370 ~~subject to the Open Government Sunset Review Act in accordance~~  
371 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
372 ~~unless reviewed and saved from repeal through reenactment by the~~  
373 ~~Legislature.~~

374 Section 7. Paragraph (m) of subsection (15) of section  
375 163.01, Florida Statutes, is amended to read:

376 | 163.01 Florida Interlocal Cooperation Act of 1969.—

377 | (15) Notwithstanding any other provision of this section  
 378 | or of any other law except s. 361.14, any public agency of this  
 379 | state which is an electric utility, or any separate legal entity  
 380 | created pursuant to the provisions of this section, the  
 381 | membership of which consists only of electric utilities, and  
 382 | which exercises or proposes to exercise the powers granted by  
 383 | part II of chapter 361, the Joint Power Act, may exercise any or  
 384 | all of the following powers:

385 | (m) In the event that any public agency or any such legal  
 386 | entity, or both, should receive, in connection with its joint  
 387 | ownership or right to the services, output, capacity, or energy  
 388 | of an electric project, as defined in paragraph (3)(d), any  
 389 | material which is designated by the person supplying such  
 390 | material as proprietary confidential business information or  
 391 | which a court of competent jurisdiction has designated as  
 392 | confidential or secret shall be kept confidential and shall be  
 393 | exempt from the provisions of s. 119.07(1). As used in this  
 394 | paragraph, "proprietary confidential business information"  
 395 | ~~includes, but is not limited to, trade secrets;~~ internal  
 396 | auditing controls and reports of internal auditors; security  
 397 | measures, systems, or procedures; ~~information concerning bids or~~  
 398 | ~~other contractual data, the disclosure of which would impair the~~  
 399 | ~~efforts of the utility to contract for services on favorable~~  
 400 | ~~terms;~~ employee personnel information unrelated to compensation,



401 duties, qualifications, or responsibilities; and formulas,  
402 patterns, devices, combinations of devices, ~~contract costs,~~ or  
403 other information the disclosure of which would injure the  
404 affected entity in the marketplace.

405 Section 8. Subsection (2) of section 202.195, Florida  
406 Statutes, is amended to read:

407 202.195 Proprietary confidential business information;  
408 public records exemption.—

409 (2) For the purposes of this exemption, "proprietary  
410 confidential business information" includes maps, plans, billing  
411 and payment records, ~~trade secrets,~~ or other information  
412 relating to the provision of or facilities for communications  
413 service:

414 (a) That is intended to be and is treated by the company  
415 as confidential;

416 (b) The disclosure of which would be reasonably likely to  
417 be used by a competitor to harm the business interests of the  
418 company; and

419 (c) That is not otherwise readily ascertainable or  
420 publicly available by proper means by other persons from another  
421 source in the same configuration as requested by the local  
422 governmental entity.

423  
424 Proprietary confidential business information does not include  
425 schematics indicating the location of facilities for a specific

426 | site that are provided in the normal course of the local  
427 | governmental entity's permitting process.

428 |       Section 9. Paragraphs (a), (c), and (d) of subsection (3)  
429 | of section 215.4401, Florida Statutes, are amended to read:

430 |           215.4401 Board of Administration; public record  
431 | exemptions.—

432 |       (3) (a) As used in this subsection, the term:

433 |       1. "Alternative investment" means an investment by the  
434 | State Board of Administration in a private equity fund, venture  
435 | fund, hedge fund, or distress fund or a direct investment in a  
436 | portfolio company through an investment manager.

437 |       2. "Alternative investment vehicle" means the limited  
438 | partnership, limited liability company, or similar legal  
439 | structure or investment manager through which the State Board of  
440 | Administration invests in a portfolio company.

441 |       3. "Portfolio company" means a corporation or other  
442 | issuer, any of whose securities are owned by an alternative  
443 | investment vehicle or the State Board of Administration and any  
444 | subsidiary of such corporation or other issuer.

445 |       4. "Portfolio positions" means individual investments in  
446 | portfolio companies which are made by the alternative investment  
447 | vehicles, including information or specific investment terms  
448 | associated with any portfolio company investment.

449 |       5. "Proprietor" means an alternative investment vehicle, a  
450 | portfolio company in which the alternative investment vehicle is

451 | invested, or an outside consultant, including the respective  
452 | authorized officers, employees, agents, or successors in  
453 | interest, which controls or owns information provided to the  
454 | State Board of Administration.

455 |         6. "Proprietary confidential business information" means  
456 | information that has been designated by the proprietor when  
457 | provided to the State Board of Administration as information  
458 | that is owned or controlled by a proprietor; that is intended to  
459 | be and is treated by the proprietor as private, the disclosure  
460 | of which would harm the business operations of the proprietor  
461 | and has not been intentionally disclosed by the proprietor  
462 | unless pursuant to a private agreement that provides that the  
463 | information will not be released to the public except as  
464 | required by law or legal process, or pursuant to law or an order  
465 | of a court or administrative body; and that concerns:

466 |         ~~a. Trade secrets as defined in s. 688.002.~~

467 |         a.b. Information provided to the State Board of  
468 | Administration regarding a prospective investment in a private  
469 | equity fund, venture fund, hedge fund, distress fund, or  
470 | portfolio company which is proprietary to the provider of the  
471 | information.

472 |         ~~b.c.~~ Financial statements and auditor reports of an  
473 | alternative investment vehicle.

474 |         ~~c.d.~~ Meeting materials of an alternative investment  
475 | vehicle relating to financial, operating, or marketing

476 information of the alternative investment vehicle.

477 ~~d.e.~~ Information regarding the portfolio positions in  
478 which the alternative investment vehicles invest.

479 ~~e.f.~~ Capital call and distribution notices to investors of  
480 an alternative investment vehicle.

481 ~~f.g.~~ Alternative investment agreements and related  
482 records.

483 ~~g.h.~~ Information concerning investors, other than the  
484 State Board of Administration, in an alternative investment  
485 vehicle.

486 7. "Proprietary confidential business information" does  
487 not include:

488 a. The name, address, and vintage year of an alternative  
489 investment vehicle and the identity of the principals involved  
490 in the management of the alternative investment vehicle.

491 b. The dollar amount of the commitment made by the State  
492 Board of Administration to each alternative investment vehicle  
493 since inception.

494 c. The dollar amount and date of cash contributions made  
495 by the State Board of Administration to each alternative  
496 investment vehicle since inception.

497 d. The dollar amount, on a fiscal-year-end basis, of cash  
498 distributions received by the State Board of Administration from  
499 each alternative investment vehicle.

500 e. The dollar amount, on a fiscal-year-end basis, of cash

501 distributions received by the State Board of Administration plus  
502 the remaining value of alternative-vehicle assets that are  
503 attributable to the State Board of Administration's investment  
504 in each alternative investment vehicle.

505 f. The net internal rate of return of each alternative  
506 investment vehicle since inception.

507 g. The investment multiple of each alternative investment  
508 vehicle since inception.

509 h. The dollar amount of the total management fees and  
510 costs paid on an annual fiscal-year-end basis by the State Board  
511 of Administration to each alternative investment vehicle.

512 i. The dollar amount of cash profit received by the State  
513 Board of Administration from each alternative investment vehicle  
514 on a fiscal-year-end basis.

515 j. A description of any compensation, fees, or expenses,  
516 including the amount or value, paid or agreed to be paid by a  
517 proprietor to any person to solicit the board to make an  
518 alternative investment or investment through an alternative  
519 investment vehicle. This does not apply to an executive officer,  
520 general partner, managing member, or other employee of the  
521 proprietor, who is paid by the proprietor to solicit the board  
522 to make such investments.

523 (c)1. Notwithstanding the provisions of paragraph (b), a  
524 request to inspect or copy a record under s. 119.07(1) that  
525 contains proprietary confidential business information shall be

526 granted if the proprietor of the information fails, within a  
527 reasonable period of time after the request is received by the  
528 State Board of Administration, to verify the following to the  
529 State Board of Administration through a written declaration in  
530 the manner provided by s. 92.525:

531 a. That the requested record contains proprietary  
532 confidential business information and the specific location of  
533 such information within the record;

534 ~~b. If the proprietary confidential business information is~~  
535 ~~a trade secret, a verification that it is a trade secret as~~  
536 ~~defined in s. 688.002;~~

537 b.e. That the proprietary confidential business  
538 information is intended to be and is treated by the proprietor  
539 as private, is the subject of efforts of the proprietor to  
540 maintain its privacy, and is not readily ascertainable or  
541 publicly available from any other source; and

542 ~~c.d.~~ That the disclosure of the proprietary confidential  
543 business information to the public would harm the business  
544 operations of the proprietor.

545 2. The State Board of Administration shall maintain a list  
546 and a description of the records covered by any verified,  
547 written declaration made under this paragraph.

548 (d) Any person may petition a court of competent  
549 jurisdiction for an order for the public release of those  
550 portions of any record made confidential and exempt by paragraph

551 (b). Any action under this paragraph must be brought in Leon  
552 County, Florida, and the petition or other initial pleading  
553 shall be served on the State Board of Administration and, if  
554 determinable upon diligent inquiry, on the proprietor of the  
555 information sought to be released. In any order for the public  
556 release of a record under this paragraph, the court shall make a  
557 finding ~~that the record or portion thereof is not a trade secret~~  
558 ~~as defined in s. 688.002,~~ that a compelling public interest is  
559 served by the release of the record or portions thereof which  
560 exceed the public necessity for maintaining the confidentiality  
561 of such record, and that the release of the record will not  
562 cause damage to or adversely affect the interests of the  
563 proprietor of the released information, other private persons or  
564 business entities, the State Board of Administration, or any  
565 trust fund, the assets of which are invested by the State Board  
566 of Administration.

567 Section 10. Subsection (1) of section 252.88, Florida  
568 Statutes, is amended to read:

569 252.88 Public records.—

570 (1) Whenever EPCRA authorizes an employer to exclude trade  
571 secret information from its submittals, the employer shall  
572 furnish the information so excluded to the commission upon  
573 request. ~~Such information shall be confidential and exempt from~~  
574 ~~the provisions of s. 119.07(1). The commission shall not~~  
575 ~~disclose such information except pursuant to a final~~

576 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
577 ~~Environmental Protection Agency that such information is not~~  
578 ~~entitled to trade secret protection, or pursuant to an order of~~  
579 ~~court.~~

580 Section 11. Section 252.943, Florida Statutes, is  
581 repealed.

582 Section 12. Paragraph (h) of subsection (2) of section  
583 287.0943, Florida Statutes, is amended to read:

584 287.0943 Certification of minority business enterprises.—

585 (2)

586 (h) The certification procedures should allow an applicant  
587 seeking certification to designate on the application form the  
588 information the applicant considers to be proprietary,  
589 confidential business information. As used in this paragraph,  
590 "proprietary, confidential business information" includes, ~~but~~  
591 ~~is not limited to,~~ any information that would be exempt from  
592 public inspection pursuant to the provisions of chapter 119;  
593 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~  
594 ~~costs;~~ or other information the disclosure of which would injure  
595 the affected party in the marketplace or otherwise violate s.  
596 286.041. The executor in receipt of the application shall issue  
597 written and final notice of any information for which  
598 noninspection is requested but not provided for by law.

599 Section 13. Subsection (7) of section 288.047, Florida  
600 Statutes, is amended to read:



601 288.047 Quick-response training for economic development.—

602 (7) In providing instruction pursuant to this section,  
 603 materials that relate to methods of manufacture or production,  
 604 ~~potential trade secrets~~, business transactions, or proprietary  
 605 information received, produced, ascertained, or discovered by  
 606 employees of the respective departments, district school boards,  
 607 community college district boards of trustees, or other  
 608 personnel employed for the purposes of this section is  
 609 confidential and exempt from the provisions of s. 119.07(1). The  
 610 state may seek copyright protection for instructional materials  
 611 and ancillary written documents developed wholly or partially  
 612 with state funds as a result of instruction provided pursuant to  
 613 this section, except for materials that are confidential and  
 614 exempt from the provisions of s. 119.07(1).

615 Section 14. Paragraph (c) of subsection (1) and subsection  
 616 (3) of section 288.075, Florida Statutes, are amended to read:

617 288.075 Confidentiality of records.—

618 (1) DEFINITIONS.—As used in this section, the term:

619 ~~(c) "Trade secret" has the same meaning as in s. 688.002.~~

620 ~~(3) TRADE SECRETS. Trade secrets held by an economic~~  
 621 ~~development agency are confidential and exempt from s. 119.07(1)~~  
 622 ~~and s. 24(a), Art. I of the State Constitution.~~

623 Section 15. Subsection (9) of section 288.1226, Florida  
 624 Statutes, is amended to read:

625 288.1226 Florida Tourism Industry Marketing Corporation;

626 use of property; board of directors; duties; audit.—

627 (9) PUBLIC RECORDS EXEMPTION.—The identity of any person  
 628 who responds to a marketing project or advertising research  
 629 project conducted by the corporation in the performance of its  
 630 duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
 631 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
 632 ~~activities,~~ are exempt from s. 119.07(1) and s. 24(a), Art. I of  
 633 the State Constitution. ~~This subsection is subject to the Open~~  
 634 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
 635 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
 636 ~~saved from repeal through reenactment by the Legislature.~~

637 Section 16. Paragraph (d) of subsection (3) of section  
 638 288.776, Florida Statutes, is amended to read:

639 288.776 Board of directors; powers and duties.—

640 (3) The board shall:

641 (d) Adopt policies, including criteria, establishing which  
 642 exporters and export transactions shall be eligible for  
 643 insurance, coinsurance, loan guarantees, and direct, guaranteed,  
 644 or collateralized loans which may be extended by the  
 645 corporation. Pursuant to this subsection, the board shall  
 646 include the following criteria:

647 1. Any individual signing any corporation loan application  
 648 and loan or guarantee agreement shall have an equity in the  
 649 business applying for financial assistance.

650 2. Each program shall exclusively support the export of

651 goods and services by small and medium-sized businesses which  
652 are domiciled in this state. Priority shall be given to goods  
653 which have value added in this state.

654 3. Financial assistance shall only be extended when at  
655 least one of the following circumstances exists:

656 a. The assistance is required to secure the participation  
657 of small and medium-sized export businesses in federal, state,  
658 or private financing programs.

659 b. No conventional source of lender support is available  
660 for the business from public or private financing sources.

661  
662 Personal financial records, ~~trade secrets,~~ or proprietary  
663 information of applicants shall be confidential and exempt from  
664 the provisions of s. 119.07(1).

665 Section 17. Section 288.9520, Florida Statutes, is amended  
666 to read:

667 288.9520 Public records exemption.—Materials that relate  
668 to methods of manufacture or production, ~~potential trade~~  
669 ~~secrets,~~ potentially patentable material, ~~actual trade secrets,~~  
670 business transactions, financial and proprietary information,  
671 and agreements or proposals to receive funding that are  
672 received, generated, ascertained, or discovered by Enterprise  
673 Florida, Inc., including its affiliates or subsidiaries and  
674 partnership participants, such as private enterprises,  
675 educational institutions, and other organizations, are

676 confidential and exempt from the provisions of s. 119.07(1) and  
677 s. 24(a), Art. I of the State Constitution, except that a  
678 recipient of Enterprise Florida, Inc., research funds shall make  
679 available, upon request, the title and description of the  
680 research project, the name of the researcher, and the amount and  
681 source of funding provided for the project.

682 Section 18. Subsection (5) of section 288.9607, Florida  
683 Statutes, is amended to read:

684 288.9607 Guaranty of bond issues.—

685 (5) Personal financial records, ~~trade secrets,~~ or  
686 proprietary information of applicants delivered to or obtained  
687 by the corporation shall be confidential and exempt from the  
688 provisions of s. 119.07(1).

689 Section 19. Paragraph (f) of subsection (1), paragraph (a)  
690 of subsection (2), paragraph (a) of subsection (3), and  
691 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
692 Florida Statutes, are amended to read:

693 288.9626 Exemptions from public records and public  
694 meetings requirements for the Florida Opportunity Fund.—

695 (1) DEFINITIONS.—As used in this section, the term:

696 (f)1. "Proprietary confidential business information"  
697 means information that has been designated by the proprietor  
698 when provided to the Florida Opportunity Fund as information  
699 that is owned or controlled by a proprietor; that is intended to  
700 be and is treated by the proprietor as private, the disclosure

701 of which would harm the business operations of the proprietor  
702 and has not been intentionally disclosed by the proprietor  
703 unless pursuant to a private agreement that provides that the  
704 information will not be released to the public except as  
705 required by law or legal process, or pursuant to law or an order  
706 of a court or administrative body; and that concerns:

707 ~~a. Trade secrets as defined in s. 688.002.~~

708 a.b. Information provided to the Florida Opportunity Fund  
709 regarding an existing or prospective alternative investment in a  
710 private equity fund, venture capital fund, angel fund, or  
711 portfolio company that is proprietary to the provider of the  
712 information.

713 b.e. Financial statements and auditor reports of an  
714 alternative investment vehicle or portfolio company, unless  
715 publicly released by the alternative investment vehicle or  
716 portfolio company.

717 c.d. Meeting materials of an alternative investment  
718 vehicle or portfolio company relating to financial, operating,  
719 or marketing information of the alternative investment vehicle  
720 or portfolio company.

721 d.e. Information regarding the portfolio positions in  
722 which the alternative investment vehicles or Florida Opportunity  
723 Fund invest.

724 e.f. Capital call and distribution notices to investors or  
725 the Florida Opportunity Fund of an alternative investment

726 vehicle.

727 ~~f.g.~~ Alternative investment agreements and related  
728 records.

729 ~~g.h.~~ Information concerning investors, other than the  
730 Florida Opportunity Fund, in an alternative investment vehicle  
731 or portfolio company.

732 2. "Proprietary confidential business information" does  
733 not include:

734 a. The name, address, and vintage year of an alternative  
735 investment vehicle or Florida Opportunity Fund and the identity  
736 of the principals involved in the management of the alternative  
737 investment vehicle or Florida Opportunity Fund.

738 b. The dollar amount of the commitment made by the Florida  
739 Opportunity Fund to each alternative investment vehicle since  
740 inception, if any.

741 c. The dollar amount and date of cash contributions made  
742 by the Florida Opportunity Fund to each alternative investment  
743 vehicle since inception, if any.

744 d. The dollar amount, on a fiscal-year-end basis, of cash  
745 or other fungible distributions received by the Florida  
746 Opportunity Fund from each alternative investment vehicle.

747 e. The dollar amount, on a fiscal-year-end basis, of cash  
748 or other fungible distributions received by the Florida  
749 Opportunity Fund plus the remaining value of alternative-vehicle  
750 assets that are attributable to the Florida Opportunity Fund's

751 investment in each alternative investment vehicle.

752 f. The net internal rate of return of each alternative  
753 investment vehicle since inception.

754 g. The investment multiple of each alternative investment  
755 vehicle since inception.

756 h. The dollar amount of the total management fees and  
757 costs paid on an annual fiscal-year-end basis by the Florida  
758 Opportunity Fund to each alternative investment vehicle.

759 i. The dollar amount of cash profit received by the  
760 Florida Opportunity Fund from each alternative investment  
761 vehicle on a fiscal-year-end basis.

762 (2) PUBLIC RECORDS EXEMPTION.—

763 (a) The following records held by the Florida Opportunity  
764 Fund are confidential and exempt from s. 119.07(1) and s. 24(a),  
765 Art. I of the State Constitution:

766 1. Materials that relate to methods of manufacture or  
767 production, ~~potential trade secrets~~, or patentable material  
768 received, generated, ascertained, or discovered during the  
769 course of research or through research projects and that are  
770 provided by a proprietor.

771 2. Information that would identify an investor or  
772 potential investor who desires to remain anonymous in projects  
773 reviewed by the Florida Opportunity Fund.

774 3. Proprietary confidential business information regarding  
775 alternative investments for 7 years after the termination of the

776 alternative investment.

777 (3) PUBLIC MEETINGS EXEMPTION.—

778 (a) That portion of a meeting of the board of directors  
 779 of the Florida Opportunity Fund at which information is  
 780 discussed which is confidential and exempt under subsection (2)  
 781 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of  
 782 the State Constitution.

783 (4) REQUEST TO INSPECT OR COPY A RECORD.—

784 (b) Notwithstanding the provisions of paragraph (2)(a), a  
 785 request to inspect or copy a public record that contains  
 786 proprietary confidential business information shall be granted  
 787 if the proprietor of the information fails, within a reasonable  
 788 period of time after the request is received by the Florida  
 789 Opportunity Fund, to verify the following to the Florida  
 790 Opportunity Fund through a written declaration in the manner  
 791 provided by s. 92.525:

792 1. That the requested record contains proprietary  
 793 confidential business information and the specific location of  
 794 such information within the record;

795 ~~2. If the proprietary confidential business information is~~  
 796 ~~a trade secret, a verification that it is a trade secret as~~  
 797 ~~defined in s. 688.002;~~

798 2.3. That the proprietary confidential business  
 799 information is intended to be and is treated by the proprietor  
 800 as private, is the subject of efforts of the proprietor to



801 maintain its privacy, and is not readily ascertainable or  
802 publicly available from any other source; and

803 ~~3.4.~~ That the disclosure of the proprietary confidential  
804 business information to the public would harm the business  
805 operations of the proprietor.

806 (c)1. Any person may petition a court of competent  
807 jurisdiction for an order for the public release of those  
808 portions of any record made confidential and exempt by  
809 subsection (2).

810 2. Any action under this subsection must be brought in  
811 Orange County, and the petition or other initial pleading shall  
812 be served on the Florida Opportunity Fund and, if determinable  
813 upon diligent inquiry, on the proprietor of the information  
814 sought to be released.

815 3. In any order for the public release of a record under  
816 this subsection, the court shall make a finding that:

817 ~~a. The record or portion thereof is not a trade secret as~~  
818 ~~defined in s. 688.002;~~

819 a. b. A compelling public interest is served by the  
820 release of the record or portions thereof which exceed the  
821 public necessity for maintaining the confidentiality of such  
822 record; and

823 b. e. The release of the record will not cause damage to  
824 or adversely affect the interests of the proprietor of the  
825 released information, other private persons or business

826 entities, or the Florida Opportunity Fund.

827 Section 20. Paragraph (b) of subsection (1), paragraph (a)  
 828 of subsection (2), paragraph (a) of subsection (3), and  
 829 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
 830 Florida Statutes, are amended to read:

831 288.9627 Exemptions from public records and public  
 832 meetings requirements for the Institute for the  
 833 Commercialization of Public Research.—

834 (1) DEFINITIONS.—As used in this section, the term:

835 (b)1. "Proprietary confidential business information"  
 836 means information that has been designated by the proprietor  
 837 when provided to the institute as information that is owned or  
 838 controlled by a proprietor; that is intended to be and is  
 839 treated by the proprietor as private, the disclosure of which  
 840 would harm the business operations of the proprietor and has not  
 841 been intentionally disclosed by the proprietor unless pursuant  
 842 to a private agreement that provides that the information will  
 843 not be released to the public except as required by law or legal  
 844 process, or pursuant to law or an order of a court or  
 845 administrative body; and that concerns:

846 ~~a. Trade secrets as defined in s. 688.002.~~

847 a.b. Financial statements and internal or external auditor  
 848 reports of a proprietor corporation, partnership, or person  
 849 requesting confidentiality under this statute, unless publicly  
 850 released by the proprietor.

851            b.e. Meeting materials related to financial, operating,  
 852 investment, or marketing information of the proprietor  
 853 corporation, partnership, or person.

854            c.d. Information concerning private investors in the  
 855 proprietor corporation, partnership, or person.

856            2. "Proprietary confidential business information" does  
 857 not include:

858            a. The identity and primary address of the proprietor's  
 859 principals.

860            b. The dollar amount and date of the financial commitment  
 861 or contribution made by the institute.

862            c. The dollar amount, on a fiscal-year-end basis, of cash  
 863 repayments or other fungible distributions received by the  
 864 institute from each proprietor.

865            d. The dollar amount, if any, of the total management fees  
 866 and costs paid on an annual fiscal-year-end basis by the  
 867 institute.

868            (2) PUBLIC RECORDS EXEMPTION.—

869            (a) The following records held by the institute are  
 870 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 871 of the State Constitution:

872            1. Materials that relate to methods of manufacture or  
 873 production, ~~potential trade secrets,~~ or patentable material  
 874 received, generated, ascertained, or discovered during the  
 875 course of research or through research projects conducted by

876 | universities and other publicly supported organizations in this  
 877 | state and that are provided to the institute by a proprietor.

878 |         2. Information that would identify an investor or  
 879 | potential investor who desires to remain anonymous in projects  
 880 | reviewed by the institute for assistance.

881 |         3. Any information received from a person from another  
 882 | state or nation or the Federal Government which is otherwise  
 883 | confidential or exempt pursuant to the laws of that state or  
 884 | nation or pursuant to federal law.

885 |         4. Proprietary confidential business information for 7  
 886 | years after the termination of the institute's financial  
 887 | commitment to the company.

888 |         (3) PUBLIC MEETINGS EXEMPTION.—

889 |         (a) That portion of a meeting of the institute's board of  
 890 | directors at which information is discussed which is  
 891 | confidential and exempt under subsection (2) or s. 688.01 is  
 892 | exempt from s. 286.011 and s. 24(b), Art. I of the State  
 893 | Constitution.

894 |         (4) REQUEST TO INSPECT OR COPY A RECORD.—

895 |         (b) Notwithstanding the provisions of paragraph (2)(a), a  
 896 | request to inspect or copy a public record that contains  
 897 | proprietary confidential business information shall be granted  
 898 | if the proprietor of the information fails, within a reasonable  
 899 | period of time after the request is received by the institute,  
 900 | to verify the following to the institute through a written

901 declaration in the manner provided by s. 92.525:

902 1. That the requested record contains proprietary  
903 confidential business information and the specific location of  
904 such information within the record;

905 ~~2. If the proprietary confidential business information is~~  
906 ~~a trade secret, a verification that it is a trade secret as~~  
907 ~~defined in s. 688.002;~~

908 2.3. That the proprietary confidential business  
909 information is intended to be and is treated by the proprietor  
910 as private, is the subject of efforts of the proprietor to  
911 maintain its privacy, and is not readily ascertainable or  
912 publicly available from any other source; and

913 3.4. That the disclosure of the proprietary confidential  
914 business information to the public would harm the business  
915 operations of the proprietor.

916 (c)1. Any person may petition a court of competent  
917 jurisdiction for an order for the public release of those  
918 portions of any record made confidential and exempt by  
919 subsection (2).

920 2. Any action under this subsection must be brought in  
921 Palm Beach County or Alachua County, and the petition or other  
922 initial pleading shall be served on the institute and, if  
923 determinable upon diligent inquiry, on the proprietor of the  
924 information sought to be released.

925 3. In any order for the public release of a record under

926 | this subsection, the court shall make a finding that:

927 |       ~~a.~~ The record or portion thereof is not a trade secret as  
 928 | defined in s. ~~688.002~~;

929 |       a.b. A compelling public interest is served by the release  
 930 | of the record or portions thereof which exceed the public  
 931 | necessity for maintaining the confidentiality of such record;  
 932 | and

933 |       b.e. The release of the record will not cause damage to or  
 934 | adversely affect the interests of the proprietor of the released  
 935 | information, other private persons or business entities, or the  
 936 | institute.

937 |       Section 21. Section 331.326, Florida Statutes, is amended  
 938 | to read:

939 |       331.326 Information relating to trade secrets  
 940 | confidential.—The records of Space Florida regarding matters  
 941 | encompassed by this act are public records subject to chapter  
 942 | 119. ~~Any information held by Space Florida which is a trade~~  
 943 | ~~secret, as defined in s. 812.081, including trade secrets of~~  
 944 | ~~Space Florida, any spaceport user, or the space industry~~  
 945 | ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
 946 | ~~24(a), Art. I of the State Constitution and may not be~~  
 947 | ~~disclosed. If Space Florida determines that any information~~  
 948 | ~~requested by the public will reveal a trade secret, it shall, in~~  
 949 | ~~writing, inform the person making the request of that~~  
 950 | ~~determination. The determination is a final order as defined in~~

951 ~~s. 120.52.~~ Any meeting or portion of a meeting of Space  
952 Florida's board is exempt from s. 286.011 and s. 24(b), Art. I  
953 of the State Constitution when the board is discussing trade  
954 secrets as defined in s. 688.01. Any public record generated  
955 during the closed portions of the meetings, such as minutes,  
956 tape recordings, and notes, is confidential and exempt from s.  
957 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~  
958 ~~section is subject to the Open Government Sunset Review Act in~~  
959 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
960 ~~2021, unless reviewed and saved from repeal through reenactment~~  
961 ~~by the Legislature.~~

962 Section 22. Subsection (4) of section 334.049, Florida  
963 Statutes, is amended to read:

964 334.049 Patents, copyrights, trademarks; notice to  
965 Department of State; ~~confidentiality of trade secrets.~~

966 ~~(4) Any information obtained by the department as a result~~  
967 ~~of research and development projects and revealing a method of~~  
968 ~~process, production, or manufacture which is a trade secret as~~  
969 ~~defined in s. 688.002, is confidential and exempt from the~~  
970 ~~provisions of s. 119.07(1).~~

971 Section 23. Section 350.121, Florida Statutes, is amended  
972 to read:

973 350.121 Commission inquiries; confidentiality of business  
974 material.—If the commission undertakes an inquiry, any records,  
975 documents, papers, maps, books, tapes, photographs, files, sound

976 recordings, or other business material, regardless of form or  
977 characteristics, obtained by the commission incident to the  
978 inquiry are considered confidential and exempt from s. 119.07(1)  
979 while the inquiry is pending. If at the conclusion of an inquiry  
980 the commission undertakes a formal proceeding, any matter  
981 determined by the commission or by a judicial or administrative  
982 body, federal or state, to be ~~trade secrets or~~ proprietary  
983 confidential business information coming into its possession  
984 pursuant to such inquiry shall be considered confidential and  
985 exempt from s. 119.07(1). Such material may be used in any  
986 administrative or judicial proceeding so long as the  
987 confidential or proprietary nature of the material is  
988 maintained.

989 Section 24. Paragraph (a) of subsection (3) of section  
990 364.183, Florida Statutes, is amended to read:

991 364.183 Access to company records.—

992 (3) The term "proprietary confidential business  
993 information" means information, regardless of form or  
994 characteristics, which is owned or controlled by the person or  
995 company, is intended to be and is treated by the person or  
996 company as private in that the disclosure of the information  
997 would cause harm to the ratepayers or the person's or company's  
998 business operations, and has not been disclosed unless disclosed  
999 pursuant to a statutory provision, an order of a court or  
1000 administrative body, or private agreement that provides that the



1001 information will not be released to the public. The term  
 1002 includes, ~~but is not limited to:~~

1003 ~~(a) Trade secrets.~~

1004 Section 25. Subsection (3) of section 365.174, Florida  
 1005 Statutes, is amended to read:

1006 365.174 Proprietary confidential business information.—

1007 (3) As used in this section, the term "proprietary  
 1008 confidential business information" means customer lists,  
 1009 customer numbers, individual or aggregate customer data by  
 1010 location, usage and capacity data, network facilities used to  
 1011 serve subscribers, technology descriptions, or technical  
 1012 information, ~~or trade secrets, including trade secrets as~~  
 1013 ~~defined in s. 812.081,~~ and the actual or developmental costs of  
 1014 E911 systems that are developed, produced, or received  
 1015 internally by a provider or by a provider's employees,  
 1016 directors, officers, or agents.

1017 Section 26. Paragraph (a) of subsection (3) of section  
 1018 366.093, Florida Statutes, is amended to read:

1019 366.093 Public utility records; confidentiality.—

1020 (3) Proprietary confidential business information means  
 1021 information, regardless of form or characteristics, which is  
 1022 owned or controlled by the person or company, is intended to be  
 1023 and is treated by the person or company as private in that the  
 1024 disclosure of the information would cause harm to the ratepayers  
 1025 or the person's or company's business operations, and has not

1026 | been disclosed unless disclosed pursuant to a statutory  
 1027 | provision, an order of a court or administrative body, or  
 1028 | private agreement that provides that the information will not be  
 1029 | released to the public. Proprietary confidential business  
 1030 | information includes, ~~but is not limited to:~~

1031 |       ~~(a) Trade secrets.~~

1032 |       Section 27. Paragraph (a) of subsection (3) of section  
 1033 | 367.156, Florida Statutes, is amended to read:

1034 |       367.156 Public utility records; confidentiality.—

1035 |       (3) Proprietary confidential business information means  
 1036 | information, regardless of form or characteristics, which is  
 1037 | owned or controlled by the person or company, is intended to be  
 1038 | and is treated by the person or company as private in that the  
 1039 | disclosure of the information would cause harm to the ratepayers  
 1040 | or the person's or company's business operations, and has not  
 1041 | been disclosed unless disclosed pursuant to a statutory  
 1042 | provision, an order of a court or administrative body, or a  
 1043 | private agreement that provides that the information will not be  
 1044 | released to the public. Proprietary business information  
 1045 | includes, ~~but is not limited to:~~

1046 |       ~~(a) Trade secrets.~~

1047 |       Section 28. Paragraph (a) of subsection (3) of section  
 1048 | 368.108, Florida Statutes, is amended to read:

1049 |       368.108 Confidentiality; discovery.—

1050 |       (3) "Proprietary confidential business information" means

1051 information, regardless of form or characteristics, which is  
 1052 owned or controlled by the person or company, is intended to be  
 1053 and is treated by the person or company as private in that the  
 1054 disclosure of the information would cause harm to the ratepayers  
 1055 or the person's or company's business operations, and has not  
 1056 been disclosed unless disclosed pursuant to a statutory  
 1057 provision, an order of a court or administrative body, or a  
 1058 private agreement that provides that the information will not be  
 1059 released to the public. "Proprietary confidential business  
 1060 information" includes, ~~but is not limited to:~~

1061 ~~(a) Trade secrets.~~

1062 Section 29. Paragraph (e) of subsection (1) of section  
 1063 377.24075, Florida Statutes, is amended to read:

1064 377.24075 Exemption from public records requirements.—  
 1065 Proprietary business information held by the Department of  
 1066 Environmental Protection in accordance with its statutory duties  
 1067 with respect to an application for a natural gas storage  
 1068 facility permit is confidential and exempt from s. 119.07(1) and  
 1069 s. 24(a), Art. I of the State Constitution.

1070 (1) As used in this section, the term "proprietary  
 1071 business information" means information that:

1072 (e) Includes, ~~but is not limited to:~~

1073 ~~1. Trade secrets as defined in s. 688.002.~~

1074 1.2. Leasing plans, real property acquisition plans,  
 1075 exploration budgets, or marketing studies, the disclosure of

1076 | which would impair the efforts of the applicant or its  
1077 | affiliates to contract for goods or services or to acquire real  
1078 | property interests on favorable terms.

1079 |       ~~2.3.~~ Competitive interests, which may include well design  
1080 | or completion plans, geological or engineering studies related  
1081 | to storage reservoir performance characteristics, or field  
1082 | utilization strategies or operating plans, the disclosure of  
1083 | which would impair the competitive business of the applicant  
1084 | providing the information.

1085 |       Section 30. Section 381.83, Florida Statutes, is repealed.

1086 |       Section 31. Paragraph (c) of subsection (2) of section  
1087 | 395.3035, Florida Statutes, is amended to read:

1088 |       395.3035 Confidentiality of hospital records and  
1089 | meetings.—

1090 |       (2) The following records and information of any hospital  
1091 | that is subject to chapter 119 and s. 24(a), Art. I of the State  
1092 | Constitution are confidential and exempt from the provisions of  
1093 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1094 |       (c) ~~Trade secrets, as defined in s. 688.002, including~~  
1095 | Reimbursement methodologies and rates.

1096 |       Section 32. Subsection (2) and paragraph (b) of subsection  
1097 | (3) of section 403.7046, Florida Statutes, are amended to read:

1098 |       403.7046 Regulation of recovered materials.—

1099 |       (2) Notwithstanding s. 688.01, information reported  
1100 | pursuant to this section or any rule adopted pursuant to this

1101 section which, if disclosed, would reveal a trade secret, as  
 1102 defined in s. 688.01, may be provided by the department ~~§12.081,~~  
 1103 ~~is confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~  
 1104 ~~I of the State Constitution. For reporting or information~~  
 1105 ~~purposes, however, the department may provide this information~~  
 1106 in such form that the names of the persons reporting such  
 1107 information and the specific information reported are not  
 1108 revealed. ~~This subsection is subject to the Open Government~~  
 1109 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1110 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
 1111 ~~repeal through reenactment by the Legislature.~~

1112 (3) Except as otherwise provided in this section or  
 1113 pursuant to a special act in effect on or before January 1,  
 1114 1993, a local government may not require a commercial  
 1115 establishment that generates source-separated recovered  
 1116 materials to sell or otherwise convey its recovered materials to  
 1117 the local government or to a facility designated by the local  
 1118 government, nor may the local government restrict such a  
 1119 generator's right to sell or otherwise convey such recovered  
 1120 materials to any properly certified recovered materials dealer  
 1121 who has satisfied the requirements of this section. A local  
 1122 government may not enact any ordinance that prevents such a  
 1123 dealer from entering into a contract with a commercial  
 1124 establishment to purchase, collect, transport, process, or  
 1125 receive source-separated recovered materials.

1126           (b)~~1~~. Before engaging in business within the jurisdiction  
1127 of the local government, a recovered materials dealer or  
1128 pyrolysis facility must provide the local government with a copy  
1129 of the certification provided for in this section. In addition,  
1130 the local government may establish a registration process  
1131 whereby a recovered materials dealer or pyrolysis facility must  
1132 register with the local government before engaging in business  
1133 within the jurisdiction of the local government. Such  
1134 registration process is limited to requiring the dealer or  
1135 pyrolysis facility to register its name, including the owner or  
1136 operator of the dealer or pyrolysis facility, and, if the dealer  
1137 or pyrolysis facility is a business entity, its general or  
1138 limited partners, its corporate officers and directors, its  
1139 permanent place of business, evidence of its certification under  
1140 this section, and a certification that the recovered materials  
1141 or post-use polymers will be processed at a recovered materials  
1142 processing facility or pyrolysis facility satisfying the  
1143 requirements of this section. The local government may not use  
1144 the information provided in the registration application to  
1145 compete unfairly with the recovered materials dealer until 90  
1146 days after receipt of the application. All counties, and  
1147 municipalities whose population exceeds 35,000 according to the  
1148 population estimates determined pursuant to s. 186.901, may  
1149 establish a reporting process that must be limited to the  
1150 regulations, reporting format, and reporting frequency

1151 established by the department pursuant to this section, which  
1152 must, at a minimum, include requiring the dealer or pyrolysis  
1153 facility to identify the types and approximate amount of  
1154 recovered materials or post-use polymers collected, recycled, or  
1155 reused during the reporting period; the approximate percentage  
1156 of recovered materials or post-use polymers reused, stored, or  
1157 delivered to a recovered materials processing facility or  
1158 pyrolysis facility or disposed of in a solid waste disposal  
1159 facility; and the locations where any recovered materials or  
1160 post-use polymers were disposed of as solid waste. The local  
1161 government may charge the dealer or pyrolysis facility a  
1162 registration fee commensurate with and no greater than the cost  
1163 incurred by the local government in operating its registration  
1164 program. Registration program costs are limited to those costs  
1165 associated with the activities described in this paragraph  
1166 ~~subparagraph~~. Any reporting or registration process established  
1167 by a local government with regard to recovered materials or  
1168 post-use polymers is governed by this section and department  
1169 rules adopted pursuant thereto.

1170 ~~2. Information reported under this subsection which, if~~  
1171 ~~disclosed, would reveal a trade secret, as defined in s.~~  
1172 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
1173 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
1174 ~~subject to the Open Government Sunset Review Act in accordance~~  
1175 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~

1176 ~~unless reviewed and saved from repeal through reenactment by the~~  
1177 ~~Legislature.~~

1178 Section 33. Section 403.73, Florida Statutes, is repealed.

1179 Section 34. Paragraph (c) of subsection (1) of section  
1180 408.061, Florida Statutes, is amended to read:

1181 408.061 Data collection; uniform systems of financial  
1182 reporting; information relating to physician charges;  
1183 confidential information; immunity.—

1184 (1) The agency shall require the submission by health care  
1185 facilities, health care providers, and health insurers of data  
1186 necessary to carry out the agency's duties and to facilitate  
1187 transparency in health care pricing data and quality measures.  
1188 Specifications for data to be collected under this section shall  
1189 be developed by the agency and applicable contract vendors, with  
1190 the assistance of technical advisory panels including  
1191 representatives of affected entities, consumers, purchasers, and  
1192 such other interested parties as may be determined by the  
1193 agency.

1194 (c) Data to be submitted by health insurers may include,  
1195 but are not limited to: claims, payments to health care  
1196 facilities and health care providers as specified by rule,  
1197 premium, administration, and financial information. Data  
1198 submitted shall be certified by the chief financial officer, an  
1199 appropriate and duly authorized representative, or an employee  
1200 of the insurer that the information submitted is true and



1201 accurate. ~~Information that is considered a trade secret under s.~~  
 1202 ~~812.081 shall be clearly designated.~~

1203 Section 35. Subsection (1) of section 408.185, Florida  
 1204 Statutes, is amended to read:

1205 408.185 Information submitted for review of antitrust  
 1206 issues; confidentiality.—The following information held by the  
 1207 Office of the Attorney General, which is submitted by a member  
 1208 of the health care community pursuant to a request for an  
 1209 antitrust no-action letter shall be confidential and exempt from  
 1210 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 1211 Constitution for 1 year after the date of submission.

1212 ~~(1) Documents that reveal trade secrets as defined in s.~~  
 1213 ~~688.002.~~

1214 Section 36. Paragraph (a) of subsection (14) of section  
 1215 408.910, Florida Statutes, is amended to read:

1216 408.910 Florida Health Choices Program.—

1217 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1218 (a) Definitions.—For purposes of this subsection, the  
 1219 term:

1220 1. "Buyer's representative" means a participating  
 1221 insurance agent as described in paragraph (4) (g).

1222 2. "Enrollee" means an employer who is eligible to enroll  
 1223 in the program pursuant to paragraph (4) (a).

1224 3. "Participant" means an individual who is eligible to  
 1225 participate in the program pursuant to paragraph (4) (b).

1226 4. "Proprietary confidential business information" means  
 1227 information, regardless of form or characteristics, that is  
 1228 owned or controlled by a vendor requesting confidentiality under  
 1229 this section; that is intended to be and is treated by the  
 1230 vendor as private in that the disclosure of the information  
 1231 would cause harm to the business operations of the vendor; that  
 1232 has not been disclosed unless disclosed pursuant to a statutory  
 1233 provision, an order of a court or administrative body, or a  
 1234 private agreement providing that the information may be released  
 1235 to the public; and that is information concerning:

- 1236 a. Business plans.
- 1237 b. Internal auditing controls and reports of internal  
 1238 auditors.
- 1239 c. Reports of external auditors for privately held  
 1240 companies.
- 1241 d. Client and customer lists.
- 1242 e. Potentially patentable material.
- 1243 ~~f. A trade secret as defined in s. 688.002.~~

1244 5. "Vendor" means a participating insurer or other  
 1245 provider of services as described in paragraph (4) (d).

1246 Section 37. Section 409.91196, Florida Statutes, is amended  
 1247 to read:

1248 409.91196 Supplemental rebate agreements; public records  
 1249 and public meetings exemption.—

1250 (1) The rebate amount, percent of rebate, manufacturer's

1251 pricing, and supplemental rebate, ~~and other trade secrets as~~  
1252 ~~defined in s. 688.002 that the agency has identified for use in~~  
1253 ~~negotiations,~~ held by the Agency for Health Care Administration  
1254 under s. 409.912(5)(a)7. are confidential and exempt from s.  
1255 119.07(1) and s. 24(a), Art. I of the State Constitution.

1256 (2) That portion of a meeting of the Medicaid  
1257 Pharmaceutical and Therapeutics Committee at which the rebate  
1258 amount, percent of rebate, manufacturer's pricing, or  
1259 supplemental rebate, or confidential and exempt ~~other~~ trade  
1260 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
1261 the agency has identified for use in negotiations, are discussed  
1262 is exempt from s. 286.011 and s. 24(b), Art. I of the State  
1263 Constitution. A record shall be made of each exempt portion of a  
1264 meeting. Such record must include the times of commencement and  
1265 termination, all discussions and proceedings, the names of all  
1266 persons present at any time, and the names of all persons  
1267 speaking. No exempt portion of a meeting may be held off the  
1268 record.

1269 Section 38. Paragraph (b) of subsection (2) of section  
1270 440.108, Florida Statutes, is amended to read:

1271 440.108 Investigatory records relating to workers'  
1272 compensation employer compliance; confidentiality.—

1273 (2) After an investigation is completed or ceases to be  
1274 active, information in records relating to the investigation  
1275 remains confidential and exempt from the provisions of s.

1276 119.07(1) and s. 24(a), Art. I of the State Constitution if  
 1277 disclosure of that information would:  
 1278 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~  
 1279 Section 39. Paragraph (c) of subsection (1) of section  
 1280 494.00125, Florida Statutes, is amended to read:  
 1281 494.00125 Public records exemptions.—  
 1282 (1) INVESTIGATIONS OR EXAMINATIONS.—  
 1283 (c) Except as necessary for the office to enforce the  
 1284 provisions of this chapter, a consumer complaint and other  
 1285 information relative to an investigation or examination shall  
 1286 remain confidential and exempt from s. 119.07(1) after the  
 1287 investigation or examination is completed or ceases to be active  
 1288 to the extent disclosure would:  
 1289 1. Jeopardize the integrity of another active  
 1290 investigation or examination.  
 1291 2. Reveal the name, address, telephone number, social  
 1292 security number, or any other identifying number or information  
 1293 of any complainant, customer, or account holder.  
 1294 3. Disclose the identity of a confidential source.  
 1295 4. Disclose investigative techniques or procedures.  
 1296 ~~5. Reveal a trade secret as defined in s. 688.002.~~  
 1297 Section 40. Subsection (4) of section 497.172, Florida  
 1298 Statutes, is amended to read:  
 1299 497.172 Public records exemptions; public meetings  
 1300 exemptions.—

1301 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~  
 1302 ~~688.002, held by the department or board, are confidential and~~  
 1303 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
 1304 ~~Constitution.~~

1305 Section 41. Paragraph (c) of subsection (3) of section  
 1306 499.012, Florida Statutes, is amended to read:

1307 499.012 Permit application requirements.—

1308 (3)

1309 ~~(c) Information submitted by an applicant on an~~  
 1310 ~~application required pursuant to this subsection which is a~~  
 1311 ~~trade secret, as defined in s. 812.081, shall be maintained by~~  
 1312 ~~the department as trade secret information pursuant to s.~~  
 1313 ~~499.051(7).~~

1314 Section 42. Paragraph (b) of subsection (7) of section  
 1315 499.0121, Florida Statutes, is amended to read:

1316 499.0121 Storage and handling of prescription drugs;  
 1317 recordkeeping.—The department shall adopt rules to implement  
 1318 this section as necessary to protect the public health, safety,  
 1319 and welfare. Such rules shall include, but not be limited to,  
 1320 requirements for the storage and handling of prescription drugs  
 1321 and for the establishment and maintenance of prescription drug  
 1322 distribution records.

1323 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1324 ~~(b) Such portions of the information required pursuant to~~  
 1325 ~~this subsection which are a trade secret, as defined in s.~~

1326 ~~812.081, shall be maintained by the department as trade secret~~  
1327 ~~information is required to be maintained under s. 499.051. This~~  
1328 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
1329 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1330 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1331 ~~by the Legislature.~~

1332 Section 43. Paragraph (g) of subsection (1) of section  
1333 499.05, Florida Statutes, is amended to read:

1334 499.05 Rules.—

1335 (1) The department shall adopt rules to implement and  
1336 enforce this chapter with respect to:

1337 (g) Inspections and investigations conducted under s.  
1338 499.051 or s. 499.93, ~~and the identification of information~~  
1339 ~~claimed to be a trade secret and exempt from the public records~~  
1340 ~~law as provided in s. 499.051(7).~~

1341 Section 44. Paragraph (b) of subsection (7) of section  
1342 499.051, Florida Statutes, is amended to read:

1343 499.051 Inspections and investigations.—

1344 (7)

1345 ~~(b) Information that constitutes a trade secret, as~~  
1346 ~~defined in s. 812.081, contained in the complaint or obtained by~~  
1347 ~~the department pursuant to the investigation must remain~~  
1348 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1349 ~~of the State Constitution as long as the information is held by~~  
1350 ~~the department. This paragraph is subject to the Open Government~~

1351 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1352 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
 1353 ~~repeal through reenactment by the Legislature.~~

1354 Section 45. Section 499.931, Florida Statutes, is  
 1355 repealed.

1356 Section 46. Paragraph (d) of subsection (11) of section  
 1357 501.171, Florida Statutes, is amended to read:

1358 501.171 Security of confidential personal information.—

1359 (11) PUBLIC RECORDS EXEMPTION.—

1360 (d) For purposes of this subsection, the term "proprietary  
 1361 information" means information that:

1362 1. Is owned or controlled by the covered entity.

1363 2. Is intended to be private and is treated by the covered  
 1364 entity as private because disclosure would harm the covered  
 1365 entity or its business operations.

1366 3. Has not been disclosed except as required by law or a  
 1367 private agreement that provides that the information will not be  
 1368 released to the public.

1369 4. Is not publicly available or otherwise readily  
 1370 ascertainable through proper means from another source in the  
 1371 same configuration as received by the department.

1372 5. Includes:

1373 ~~a. Trade secrets as defined in s. 688.002.~~

1374 ~~b.~~ competitive interests, the disclosure of which would  
 1375 impair the competitive business of the covered entity who is the

1376 subject of the information.

1377 Section 47. Section 502.222, Florida Statutes, is  
 1378 repealed.

1379 Section 48. Paragraph (b) of subsection (1) of section  
 1380 517.2015, Florida Statutes, is amended to read:

1381 517.2015 Confidentiality of information relating to  
 1382 investigations and examinations.—

1383 (1)

1384 (b) Except as necessary for the office to enforce the  
 1385 provisions of this chapter, a consumer complaint and other  
 1386 information relative to an investigation or examination shall  
 1387 remain confidential and exempt from s. 119.07(1) after the  
 1388 investigation or examination is completed or ceases to be active  
 1389 to the extent disclosure would:

1390 1. Jeopardize the integrity of another active  
 1391 investigation or examination.

1392 2. Reveal the name, address, telephone number, social  
 1393 security number, or any other identifying number or information  
 1394 of any complainant, customer, or account holder.

1395 3. Disclose the identity of a confidential source.

1396 4. Disclose investigative techniques or procedures.

1397 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1398 Section 49. Paragraph (b) of subsection (1) of section  
 1399 520.9965, Florida Statutes, is amended to read:

1400 520.9965 Confidentiality of information relating to



1401 investigations and examinations.-

1402 (1)

1403 (b) Except as necessary for the office to enforce the  
 1404 provisions of this chapter, a consumer complaint and other  
 1405 information relative to an investigation or examination shall  
 1406 remain confidential and exempt from s. 119.07(1) after the  
 1407 investigation or examination is completed or ceases to be active  
 1408 to the extent disclosure would:

1409 1. Jeopardize the integrity of another active  
 1410 investigation or examination.

1411 2. Reveal the name, address, telephone number, social  
 1412 security number, or any other identifying number or information  
 1413 of any complainant, customer, or account holder.

1414 3. Disclose the identity of a confidential source.

1415 4. Disclose investigative techniques or procedures.

1416 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1417 Section 50. Subsection (2) of section 526.311, Florida  
 1418 Statutes, is amended to read:

1419 526.311 Enforcement; civil penalties; injunctive relief.-

1420 (2) The Department of Agriculture and Consumer Services  
 1421 shall investigate any complaints regarding violations of this  
 1422 act and may request in writing the production of documents and  
 1423 records as part of its investigation of a complaint. If the  
 1424 person upon whom such request was made fails to produce the  
 1425 documents or records within 30 days after the date of the

1426 request, the department, through the department's office of  
1427 general counsel, may issue and serve a subpoena to compel the  
1428 production of such documents and records. If any person shall  
1429 refuse to comply with a subpoena issued under this section, the  
1430 department may petition a court of competent jurisdiction to  
1431 enforce the subpoena and assess such sanctions as the court may  
1432 direct. Refiners shall afford the department reasonable access  
1433 to the refiners' posted terminal price. Any records, documents,  
1434 papers, maps, books, tapes, photographs, files, sound  
1435 recordings, or other business material, regardless of form or  
1436 characteristics, obtained by the department are confidential and  
1437 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1438 of the State Constitution while the investigation is pending. At  
1439 the conclusion of an investigation, any matter determined by the  
1440 department or by a judicial or administrative body, federal or  
1441 state, to be ~~a trade secret or~~ proprietary confidential business  
1442 information held by the department pursuant to such  
1443 investigation shall be considered confidential and exempt from  
1444 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1445 Constitution. Such materials may be used in any administrative  
1446 or judicial proceeding so long as the confidential or  
1447 proprietary nature of the material is maintained.

1448 Section 51. Paragraph (e) of subsection (1) of section  
1449 548.062, Florida Statutes, is amended to read:

1450 548.062 Public records exemption.—

1451 (1) As used in this section, the term "proprietary  
1452 confidential business information" means information that:

1453 (e) Concerns any of the following:

1454 1. The number of ticket sales for a match;

1455 2. The amount of gross receipts after a match;

1456 ~~3. A trade secret, as defined in s. 688.002;~~

1457 3.4. Business plans;

1458 ~~4.5.~~ Internal auditing controls and reports of internal  
1459 auditors; or

1460 ~~5.6.~~ Reports of external auditors.

1461 Section 52. Paragraph (a) of subsection (1) of section  
1462 556.113, Florida Statutes, is amended to read:

1463 556.113 Sunshine State One-Call of Florida, Inc.; public  
1464 records exemption.—

1465 (1) As used in this section, the term "proprietary  
1466 confidential business information" means information provided  
1467 by:

1468 (a) A member operator which is a map, plan, facility  
1469 location diagram, internal damage investigation report or  
1470 analysis, or dispatch methodology, ~~or trade secret as defined in~~  
1471 ~~s. 688.002,~~ or which describes the exact location of a utility  
1472 underground facility or the protection, repair, or restoration  
1473 thereof, and:

1474 1. Is intended to be and is treated by the member operator  
1475 as confidential;

1476           2. The disclosure of which would likely be used by a  
1477 competitor to harm the business interests of the member operator  
1478 or could be used for the purpose of inflicting damage on  
1479 underground facilities; and

1480           3. Is not otherwise readily ascertainable or publicly  
1481 available by proper means by other persons from another source  
1482 in the same configuration as provided to Sunshine State One-Call  
1483 of Florida, Inc.

1484           Section 53. Paragraph (b) of subsection (2) of section  
1485 559.5558, Florida Statutes, is amended to read:

1486           559.5558 Public records exemption; investigations and  
1487 examinations.—

1488           (2)

1489           (b) Information made confidential and exempt pursuant to  
1490 this section is no longer confidential and exempt once the  
1491 investigation or examination is completed or ceases to be active  
1492 unless disclosure of the information would:

1493           1. Jeopardize the integrity of another active  
1494 investigation or examination.

1495           2. Reveal the personal identifying information of a  
1496 consumer, unless the consumer is also the complainant. A  
1497 complainant's personal identifying information is subject to  
1498 disclosure after the investigation or examination is completed  
1499 or ceases to be active. However, a complainant's personal  
1500 financial and health information remains confidential and

1501 exempt.

1502 3. Reveal the identity of a confidential source.

1503 4. Reveal investigative or examination techniques or

1504 procedures.

1505 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1506 Section 54. Paragraph (c) of subsection (3) of section

1507 559.9285, Florida Statutes, is amended to read:

1508 559.9285 Certification of business activities.—

1509 (3) The department shall specify by rule the form of each

1510 certification under this section which shall include the

1511 following information:

1512 (c) The legal name, any trade names or fictitious names,

1513 mailing address, physical address, telephone number or numbers,

1514 facsimile number or numbers, and all Internet and electronic

1515 contact information of every other commercial entity with which

1516 the certifying party engages in business or commerce that is

1517 related in any way to the certifying party's business or

1518 commerce with any terrorist state. The information disclosed

1519 pursuant to this paragraph does not constitute customer lists

1520 or ~~customer names, or trade secrets~~ protected under s.

1521 570.544(8) or trade secrets protected under s. 688.01.

1522 Section 55. Subsection (2) of section 560.129, Florida

1523 Statutes, is amended to read:

1524 560.129 Confidentiality.—

1525 (2) All information obtained by the office in the course

1526 of its investigation or examination ~~which is a trade secret, as~~  
 1527 ~~defined in s. 688.002, or~~ which is personal financial  
 1528 information shall remain confidential and exempt from s.  
 1529 119.07(1) and s. 24(a), Art. I of the State Constitution. If any  
 1530 administrative, civil, or criminal proceeding against a money  
 1531 services business, its authorized vendor, or an affiliated party  
 1532 is initiated and the office seeks to use matter that a licensee  
 1533 believes to be ~~a trade secret or~~ personal financial information,  
 1534 such records shall be subject to an in camera review by the  
 1535 administrative law judge, if the matter is before the Division  
 1536 of Administrative Hearings, or a judge of any court of this  
 1537 state, any other state, or the United States, as appropriate,  
 1538 for the purpose of determining if the matter is ~~a trade secret~~  
 1539 ~~or is~~ personal financial information. ~~If it is determined that~~  
 1540 ~~the matter is a trade secret, the matter shall remain~~  
 1541 ~~confidential.~~ If it is determined that the matter is personal  
 1542 financial information, the matter shall remain confidential  
 1543 unless the administrative law judge or judge determines that, in  
 1544 the interests of justice, the matter should become public.

1545 Section 56. Subsection (3) of section 570.48, Florida  
 1546 Statutes, is amended to read:

1547 570.48 Division of Fruit and Vegetables; powers and  
 1548 duties; records.—The duties of the Division of Fruit and  
 1549 Vegetables include, but are not limited to:

1550 (3) Maintaining the records of the division. The records

1551 of the division are public records. ~~however, trade secrets as~~  
1552 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1553 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
1554 ~~subsection is subject to the Open Government Sunset Review Act~~  
1555 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
1556 ~~2, 2021, unless reviewed and saved from repeal through~~  
1557 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
1558 ~~construed to prohibit:~~

1559 ~~(a) A disclosure necessary to enforcement procedures.~~

1560 ~~(b) The department from releasing information to other~~  
1561 ~~governmental agencies. Other governmental agencies that receive~~  
1562 ~~confidential information from the department under this~~  
1563 ~~subsection shall maintain the confidentiality of that~~  
1564 ~~information.~~

1565 ~~(c) the department or other agencies from compiling and~~  
1566 ~~publishing appropriate data regarding procedures, yield,~~  
1567 ~~recovery, quality, and related matters, provided such released~~  
1568 ~~data do not reveal by whom the activity to which the data relate~~  
1569 ~~was conducted.~~

1570 Section 57. Subsection (8) of section 570.544, Florida  
1571 Statutes, is amended to read:

1572 570.544 Division of Consumer Services; director; powers;  
1573 processing of complaints; records.—

1574 (8) The records of the Division of Consumer Services are  
1575 public records. However, customer lists and, customer names, ~~and~~

1576 ~~trade secrets~~ are confidential and exempt from the provisions of  
1577 s. 119.07(1). Disclosure necessary to enforcement procedures  
1578 does not violate this prohibition.

1579 Section 58. Subsection (2) of section 573.123, Florida  
1580 Statutes, is amended to read:

1581 573.123 Maintenance and production of records.—

1582 ~~(2) Information that, if disclosed, would reveal a trade~~  
1583 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1584 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1585 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
1586 ~~disclosed except to an attorney who provides legal advice to the~~  
1587 ~~division about enforcing a marketing order or by court order. A~~  
1588 ~~person who receives confidential information under this~~  
1589 ~~subsection shall maintain the confidentiality of that~~  
1590 ~~information. This subsection is subject to the Open Government~~  
1591 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1592 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1593 ~~repeal through reenactment by the Legislature.~~

1594 Section 59. Section 581.199, Florida Statutes, is  
1595 repealed.

1596 Section 60. Paragraph (b) of subsection (8) of section  
1597 601.10, Florida Statutes, is amended to read:

1598 601.10 Powers of the Department of Citrus.—The department  
1599 shall have and shall exercise such general and specific powers  
1600 as are delegated to it by this chapter and other statutes of the



1601 state, which powers shall include, but are not limited to, the  
 1602 following:

1603 (8)

1604 ~~(b) Any information provided to the department which~~  
 1605 ~~constitutes a trade secret as defined in s. 812.081 is~~  
 1606 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
 1607 ~~of the State Constitution. This paragraph is subject to the Open~~  
 1608 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
 1609 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
 1610 ~~saved from repeal through reenactment by the Legislature.~~

1611 Section 61. Paragraph (d) of subsection (7) of section  
 1612 601.15, Florida Statutes, is amended to read:

1613 601.15 Advertising campaign; methods of conducting;  
 1614 assessments; emergency reserve fund; citrus research.—

1615 (7) All assessments levied and collected under this  
 1616 chapter shall be paid into the State Treasury on or before the  
 1617 15th day of each month. Such moneys shall be accounted for in a  
 1618 special fund to be designated as the Florida Citrus Advertising  
 1619 Trust Fund, and all moneys in such fund are appropriated to the  
 1620 department for the following purposes:

1621 (d)1. The pro rata portion of moneys allocated to each  
 1622 type of citrus product in noncommodity programs shall be used by  
 1623 the department to encourage substantial increases in the  
 1624 effectiveness, frequency, and volume of noncommodity  
 1625 advertising, merchandising, publicity, and sales promotion of

1626 such citrus products through rebates and incentive payments to  
1627 handlers and trade customers for these activities. The  
1628 department shall adopt rules providing for the use of such  
1629 moneys. The rules shall establish alternate incentive programs,  
1630 including at least one incentive program for product sold under  
1631 advertised brands, one incentive program for product sold under  
1632 private label brands, and one incentive program for product sold  
1633 in bulk. For each incentive program, the rules must establish  
1634 eligibility and performance requirements and must provide  
1635 appropriate limitations on amounts payable to a handler or trade  
1636 customer for a particular season. Such limitations may relate to  
1637 the amount of citrus assessments levied and collected on the  
1638 citrus product handled by such handler or trade customer during  
1639 a 12-month representative period.

1640 2. The department may require from participants in  
1641 noncommodity advertising and promotional programs commercial  
1642 information necessary to determine eligibility for and  
1643 performance in such programs. ~~Any information required which~~  
1644 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1645 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1646 ~~of the State Constitution. This subparagraph is subject to the~~  
1647 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1648 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
1649 ~~saved from repeal through reenactment by the Legislature.~~

1650 Section 62. Paragraph (c) of subsection (8) of section

1651 601.152, Florida Statutes, is amended to read:

1652 601.152 Special marketing orders.—

1653 (8)

1654 (c)~~1~~. Every handler shall, at such times as the department  
 1655 may require, file with the department a return, not under oath,  
 1656 on forms to be prescribed and furnished by the department,  
 1657 certified as true and correct, stating the quantity of the type,  
 1658 variety, and form of citrus fruit or citrus product specified in  
 1659 the marketing order first handled in the primary channels of  
 1660 trade in the state by such handler during the period of time  
 1661 specified in the marketing order. Such returns must contain any  
 1662 further information deemed by the department to be reasonably  
 1663 necessary to properly administer or enforce this section or any  
 1664 marketing order implemented under this section.

1665 ~~2. Information that, if disclosed, would reveal a trade~~  
 1666 ~~secret, as defined in s. 812.081, of any person subject to a~~  
 1667 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
 1668 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
 1669 ~~subject to the Open Government Sunset Review Act in accordance~~  
 1670 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
 1671 ~~unless reviewed and saved from repeal through reenactment by the~~  
 1672 ~~Legislature.~~

1673 Section 63. Section 601.76, Florida Statutes, is amended  
 1674 to read:

1675 601.76 Manufacturer to furnish formula and other

1676 information.—Any formula required to be filed with the  
1677 Department of Agriculture ~~shall be deemed a trade secret as~~  
1678 ~~defined in s. 812.081,~~ is confidential and exempt from s.  
1679 119.07(1) and s. 24(a), Art. I of the State Constitution, and  
1680 may be divulged only to the Department of Agriculture or to its  
1681 duly authorized representatives or upon court order when  
1682 necessary in the enforcement of this law. A person who receives  
1683 such a formula from the Department of Agriculture under this  
1684 section shall maintain the confidentiality of the formula. ~~This~~  
1685 ~~section is subject to the Open Government Sunset Review Act in~~  
1686 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1687 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1688 ~~by the Legislature.~~

1689 Section 64. Subsection (6) of section 607.0505, Florida  
1690 Statutes, is amended to read:

1691 607.0505 Registered agent; duties.—

1692 (6) Information provided to, and records and  
1693 transcriptions of testimony obtained by, the Department of Legal  
1694 Affairs pursuant to this section are confidential and exempt  
1695 from the provisions of s. 119.07(1) while the investigation is  
1696 active. For purposes of this section, an investigation shall be  
1697 considered "active" while such investigation is being conducted  
1698 with a reasonable, good faith belief that it may lead to the  
1699 filing of an administrative, civil, or criminal proceeding. An  
1700 investigation does not cease to be active so long as the

1701 department is proceeding with reasonable dispatch and there is a  
1702 good faith belief that action may be initiated by the department  
1703 or other administrative or law enforcement agency. Except for  
1704 active criminal intelligence or criminal investigative  
1705 information, as defined in s. 119.011, and information which, if  
1706 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1707 ~~688.002,~~ or would jeopardize the safety of an individual, all  
1708 information, records, and transcriptions become public record  
1709 when the investigation is completed or ceases to be active. The  
1710 department shall not disclose confidential information, records,  
1711 or transcriptions of testimony except pursuant to the  
1712 authorization by the Attorney General in any of the following  
1713 circumstances:

1714 (a) To a law enforcement agency participating in or  
1715 conducting a civil investigation under chapter 895, or  
1716 participating in or conducting a criminal investigation.

1717 (b) In the course of filing, participating in, or  
1718 conducting a judicial proceeding instituted pursuant to this  
1719 section or chapter 895.

1720 (c) In the course of filing, participating in, or  
1721 conducting a judicial proceeding to enforce an order or judgment  
1722 entered pursuant to this section or chapter 895.

1723 (d) In the course of a criminal or civil proceeding.

1724

1725 A person or law enforcement agency which receives any

1726 information, record, or transcription of testimony that has been  
1727 made confidential by this subsection shall maintain the  
1728 confidentiality of such material and shall not disclose such  
1729 information, record, or transcription of testimony except as  
1730 provided for herein. Any person who willfully discloses any  
1731 information, record, or transcription of testimony that has been  
1732 made confidential by this subsection, except as provided for  
1733 herein, is guilty of a misdemeanor of the first degree,  
1734 punishable as provided in s. 775.082 or s. 775.083. If any  
1735 information, record, or testimony obtained pursuant to  
1736 subsection (2) is offered in evidence in any judicial  
1737 proceeding, the court may, in its discretion, seal that portion  
1738 of the record to further the policies of confidentiality set  
1739 forth herein.

1740 Section 65. Subsection (6) of section 617.0503, Florida  
1741 Statutes, is amended to read:

1742 617.0503 Registered agent; duties; confidentiality of  
1743 investigation records.—

1744 (6) Information provided to, and records and  
1745 transcriptions of testimony obtained by, the Department of Legal  
1746 Affairs pursuant to this section are confidential and exempt  
1747 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the  
1748 State Constitution while the investigation is active. For  
1749 purposes of this section, an investigation shall be considered  
1750 "active" while such investigation is being conducted with a

1751 reasonable, good faith belief that it may lead to the filing of  
1752 an administrative, civil, or criminal proceeding. An  
1753 investigation does not cease to be active so long as the  
1754 department is proceeding with reasonable dispatch and there is a  
1755 good faith belief that action may be initiated by the department  
1756 or other administrative or law enforcement agency. Except for  
1757 active criminal intelligence or criminal investigative  
1758 information, as defined in s. 119.011, and information which, if  
1759 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1760 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1761 information, records, and transcriptions become available to the  
1762 public when the investigation is completed or ceases to be  
1763 active. The department shall not disclose confidential  
1764 information, records, or transcriptions of testimony except  
1765 pursuant to authorization by the Attorney General in any of the  
1766 following circumstances:

1767       (a) To a law enforcement agency participating in or  
1768 conducting a civil investigation under chapter 895, or  
1769 participating in or conducting a criminal investigation.

1770       (b) In the course of filing, participating in, or  
1771 conducting a judicial proceeding instituted pursuant to this  
1772 section or chapter 895.

1773       (c) In the course of filing, participating in, or  
1774 conducting a judicial proceeding to enforce an order or judgment  
1775 entered pursuant to this section or chapter 895.

1776 (d) In the course of a criminal proceeding.

1777  
1778 A person or law enforcement agency that receives any  
1779 information, record, or transcription of testimony that has been  
1780 made confidential by this subsection shall maintain the  
1781 confidentiality of such material and shall not disclose such  
1782 information, record, or transcription of testimony except as  
1783 provided for herein. Any person who willfully discloses any  
1784 information, record, or transcription of testimony that has been  
1785 made confidential by this subsection, except as provided for in  
1786 this subsection, commits a misdemeanor of the first degree,  
1787 punishable as provided in s. 775.082 or s. 775.083. If any  
1788 information, record, or testimony obtained pursuant to  
1789 subsection (2) is offered in evidence in any judicial  
1790 proceeding, the court may, in its discretion, seal that portion  
1791 of the record to further the policies of confidentiality set  
1792 forth in this subsection.

1793 Section 66. Subsection (4) of section 624.307, Florida  
1794 Statutes, is amended to read:

1795 624.307 General powers; duties.—

1796 (4) The department and office may each collect, propose,  
1797 publish, and disseminate information relating to the subject  
1798 matter of any duties imposed upon it by law. Notwithstanding any  
1799 other provision of law, information reported to and collected by  
1800 the office may be made available on an aggregate basis. The



1801 office may report, publish, or otherwise make available such  
1802 information from all insurers on an aggregate basis by line of  
1803 business and by county, even if marked trade secret pursuant to  
1804 s. 688.01, but shall otherwise maintain trade secret  
1805 confidentiality in accordance with s. 688.01.

1806 Section 67. Subsection (4) is added to section 624.315,  
1807 Florida Statutes, to read:

1808 624.315 Department; annual report.—

1809 (4) Notwithstanding any other provision of law, the office  
1810 may make the information in subsection (2) available on an  
1811 aggregate basis. The office may include such statistical  
1812 information from all insurers on an aggregate basis by line of  
1813 business and by county, even if marked trade secret pursuant to  
1814 s. 688.01, but shall otherwise maintain trade secret  
1815 confidentiality in accordance with s. 688.01.

1816 Section 68. Paragraph (c) of subsection (1) and subsection  
1817 (5) of section 624.4212, Florida Statutes, are amended to read:

1818 624.4212 Confidentiality of proprietary business and other  
1819 information.—

1820 (1) As used in this section, the term "proprietary  
1821 business information" means information, regardless of form or  
1822 characteristics, which is owned or controlled by an insurer, or  
1823 a person or an affiliated person who seeks acquisition of  
1824 controlling stock in a domestic stock insurer or controlling  
1825 company, and which:

1826 (c) Includes:

1827 ~~1. Trade secrets as defined in s. 688.002 which comply~~

1828 ~~with s. 624.4213.~~

1829 1.2. Information relating to competitive interests, the

1830 disclosure of which would impair the competitive business of the

1831 provider of the information.

1832 ~~2.3.~~ The source, nature, and amount of the consideration

1833 used or to be used in carrying out a merger or other acquisition

1834 of control in the ordinary course of business, including the

1835 identity of the lender, if the person filing a statement

1836 regarding consideration so requests.

1837 ~~3.4.~~ Information relating to bids or other contractual

1838 data, the disclosure of which would impair the efforts of the

1839 insurer or its affiliates to contract for goods or services on

1840 favorable terms.

1841 ~~4.5.~~ Internal auditing controls and reports of internal

1842 auditors.

1843 (5) The office may disclose information made confidential

1844 and exempt under this section or s. 688.01:

1845 (a) If the insurer to which it pertains gives prior

1846 written consent;

1847 (b) Pursuant to a court order;

1848 (c) To the Actuarial Board for Counseling and Discipline

1849 upon a request stating that the information is for the purpose

1850 of professional disciplinary proceedings and specifying

1851 | procedures satisfactory to the office for preserving the  
 1852 | confidentiality of the information;

1853 |       (d) To other states, federal and international agencies,  
 1854 | the National Association of Insurance Commissioners and its  
 1855 | affiliates and subsidiaries, and state, federal, and  
 1856 | international law enforcement authorities, including members of  
 1857 | a supervisory college described in s. 628.805 if the recipient  
 1858 | agrees in writing to maintain the confidential and exempt status  
 1859 | of the document, material, or other information and has  
 1860 | certified in writing its legal authority to maintain such  
 1861 | confidentiality; or

1862 |       (e) For the purpose of aggregating information on an  
 1863 | industrywide basis and disclosing the information to the public  
 1864 | only if the specific identities of the insurers, or persons or  
 1865 | affiliated persons, are not revealed.

1866 |       Section 69. Section 624.4213, Florida Statutes, is  
 1867 | repealed.

1868 |       Section 70. Paragraph (d) of subsection (1) of section  
 1869 | 626.84195, Florida Statutes, is amended to read:

1870 |       626.84195 Confidentiality of information supplied by title  
 1871 | insurance agencies and insurers.—

1872 |       (1) As used in this section, the term "proprietary  
 1873 | business information" means information that:

1874 |       (d) Concerns:

1875 |       1. Business plans;

1876           2. Internal auditing controls and reports of internal  
1877 auditors;

1878           3. Reports of external auditors for privately held  
1879 companies;

1880           ~~4. Trade secrets, as defined in s. 688.002, or~~  
1881           4.5. Financial information, including revenue data, loss  
1882 expense data, gross receipts, taxes paid, capital investment,  
1883 and employee wages.

1884           Section 71. Subsection (2) of section 626.884, Florida  
1885 Statutes, is amended to read:

1886           626.884 Maintenance of records by administrator; access;  
1887 confidentiality.—

1888           (2) The office shall have access to books and records  
1889 maintained by the administrator for the purpose of examination,  
1890 audit, and inspection. ~~Information contained in such books and~~  
1891 ~~records is confidential and exempt from the provisions of s.~~  
1892 ~~119.07(1) if the disclosure of such information would reveal a~~  
1893 ~~trade secret as defined in s. 688.002. However,~~ The office may  
1894 use such information in any proceeding instituted against the  
1895 administrator.

1896           Section 72. Paragraph (a) of subsection (1) of section  
1897 626.9936, Florida Statutes, is amended to read:

1898           626.9936 Access to records.—

1899           (1) Notwithstanding subsections (1) and (2) of Article  
1900 VIII, subsection (2) of Article X, and subsection (6) of Article

1901 XII of the Interstate Insurance Product Regulation Compact, a  
 1902 request by a resident of this state for public inspection and  
 1903 copying of information, data, or official records that includes:

1904 (a) An insurer's trade secrets shall be referred to the  
 1905 commissioner who shall respond to the request, with the  
 1906 cooperation and assistance of the commission, in accordance with  
 1907 s. 688.01 ~~s. 624.4213~~; or

1908 Section 73. Paragraph (g) of subsection (3) of section  
 1909 627.0628, Florida Statutes, is amended to read:

1910 627.0628 Florida Commission on Hurricane Loss Projection  
 1911 Methodology; public records exemption; public meetings  
 1912 exemption.—

1913 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1914 (g)1. ~~A trade secret, as defined in s. 688.002, which is  
 1915 used in designing and constructing a hurricane or flood loss  
 1916 model and which is provided pursuant to this section, by a  
 1917 private company, to the commission, office, or consumer advocate  
 1918 appointed pursuant to s. 627.0613 is confidential and exempt  
 1919 from s. 119.07(1) and s. 24(a), Art. I of the State  
 1920 Constitution.~~

1921 1.2.a. That portion of a meeting of the commission or of a  
 1922 rate proceeding on an insurer's rate filing at which a trade  
 1923 secret made confidential and exempt pursuant to s. 688.01 ~~by  
 1924 this paragraph~~ is discussed is exempt from s. 286.011 and s.  
 1925 24(b), Art. I of the State Constitution. The closed meeting must

1926 | be recorded, and no portion of the closed meeting may be off the  
 1927 | record.

1928 |     ~~2.b.~~ The recording of a closed portion of a meeting is  
 1929 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1930 | Constitution.

1931 |     ~~e. This paragraph is subject to the Open Government Sunset~~  
 1932 | ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
 1933 | ~~on October 2, 2019, unless reviewed and saved from repeal~~  
 1934 | ~~through reenactment by the Legislature.~~

1935 |     Section 74. Paragraphs (a) and (c) of subsection (11) of  
 1936 | section 627.3518, Florida Statutes, are amended to read:

1937 |     627.3518 Citizens Property Insurance Corporation  
 1938 | policyholder eligibility clearinghouse program.—The purpose of  
 1939 | this section is to provide a framework for the corporation to  
 1940 | implement a clearinghouse program by January 1, 2014.

1941 |     (11) Proprietary business information provided to the  
 1942 | corporation's clearinghouse by insurers with respect to  
 1943 | identifying and selecting risks for an offer of coverage is  
 1944 | confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 1945 | of the State Constitution.

1946 |     (a) As used in this subsection, the term "proprietary  
 1947 | business information" means information, regardless of form or  
 1948 | characteristics, which is owned or controlled by an insurer and:

1949 |     1. Is identified by the insurer as proprietary business  
 1950 | information and is intended to be and is treated by the insurer

1951 as private in that the disclosure of the information would cause  
 1952 harm to the insurer, an individual, or the company's business  
 1953 operations and has not been disclosed unless disclosed pursuant  
 1954 to a statutory requirement, an order of a court or  
 1955 administrative body, or a private agreement that provides that  
 1956 the information will not be released to the public;

1957 2. Is not otherwise readily ascertainable or publicly  
 1958 available by proper means by other persons from another source  
 1959 in the same configuration as provided to the clearinghouse; and

1960 3. ~~Includes, but is not limited to:~~

1961 ~~a. Trade secrets.~~

1962 ~~b.~~ information relating to competitive interests, the  
 1963 disclosure of which would impair the competitive business of the  
 1964 provider of the information.

1965  
 1966 Proprietary business information may be found in underwriting  
 1967 criteria or instructions which are used to identify and select  
 1968 risks through the program for an offer of coverage and are  
 1969 shared with the clearinghouse to facilitate the shopping of  
 1970 risks with the insurer.

1971 ~~(c) This subsection is subject to the Open Government~~  
 1972 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1973 ~~repealed on October 2, 2018, unless reviewed and saved from~~  
 1974 ~~repeal through reenactment by the Legislature.~~

1975 Section 75. Subsections (4), (5), (14), and (15) of

1976 section 655.057, Florida Statutes, are amended to read:  
 1977       655.057 Records; limited restrictions upon public access.—  
 1978       ~~(4) Except as otherwise provided in this section and~~  
 1979 ~~except for those portions that are otherwise public record,~~  
 1980 ~~trade secrets as defined in s. 688.002 which comply with s.~~  
 1981 ~~655.0591 and which are held by the office in accordance with its~~  
 1982 ~~statutory duties with respect to the financial institutions~~  
 1983 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
 1984 ~~24(a), Art. I of the State Constitution.~~  
 1985       (4)(5) Neither this section nor s. 688.01 prevents ~~does~~  
 1986 ~~not prevent~~ or restricts ~~restrict~~:  
 1987       (a) Publishing reports that are required to be submitted  
 1988 to the office pursuant to s. 655.045(2) or required by  
 1989 applicable federal statutes or regulations to be published.  
 1990       (b) Furnishing records or information to any other state,  
 1991 federal, or foreign agency responsible for the regulation or  
 1992 supervision of financial institutions.  
 1993       (c) Disclosing or publishing summaries of the condition  
 1994 of financial institutions and general economic and similar  
 1995 statistics and data, provided that the identity of a particular  
 1996 financial institution is not disclosed.  
 1997       (d) Reporting any suspected criminal activity, with  
 1998 supporting documents and information, to appropriate law  
 1999 enforcement and prosecutorial agencies.  
 2000       (e) Furnishing information upon request to the Chief



2001 Financial Officer or the Division of Treasury of the Department  
 2002 of Financial Services regarding the financial condition of any  
 2003 financial institution that is, or has applied to be, designated  
 2004 as a qualified public depository pursuant to chapter 280.

2005 (f) Furnishing information to Federal Home Loan Banks  
 2006 regarding its member institutions pursuant to an information  
 2007 sharing agreement between the Federal Home Loan Banks and the  
 2008 office.

2009  
 2010 Any confidential information or records obtained from the office  
 2011 pursuant to this subsection shall be maintained as confidential  
 2012 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2013 Constitution.

2014 (14) This section is ~~Subsections (3) and (4) are subject~~  
 2015 ~~to the Open Government Sunset Review Act in accordance with s.~~  
 2016 ~~119.15 and are repealed on October 2, 2019, unless reviewed and~~  
 2017 ~~saved from repeal through reenactment by the Legislature.~~

2018 ~~(15) Subsections (1), (2), (5), and (9) are subject to the~~  
 2019 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
 2020 ~~and is are repealed on October 2, 2022, unless reviewed and~~  
 2021 ~~saved from repeal through reenactment by the Legislature.~~

2022 Section 76. Section 655.0591, Florida Statutes, is  
 2023 repealed.

2024 Section 77. Subsection (11) of section 663.533, Florida  
 2025 Statutes, is amended to read:

2026           663.533 Applicability of the financial institutions  
 2027 codes.—A qualified limited service affiliate is subject to the  
 2028 financial institutions codes. Without limiting the foregoing,  
 2029 the following provisions are applicable to a qualified limited  
 2030 service affiliate:

2031           (11) Section 688.01 ~~655.0591~~, relating to trade secret  
 2032 documents.

2033  
 2034 This section does not prohibit the office from investigating or  
 2035 examining an entity to ensure that it is not in violation of  
 2036 this chapter or applicable provisions of the financial  
 2037 institutions codes.

2038           Section 78. Section 721.071, Florida Statutes, is  
 2039 repealed.

2040           Section 79. Subsections (3) and (4) of section 815.04,  
 2041 Florida Statutes, are amended to read:

2042           815.04 Offenses against intellectual property; ~~public~~  
 2043 ~~records exemption.~~—

2044           ~~(3) Data, programs, or supporting documentation that is a~~  
 2045 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
 2046 ~~as defined in chapter 119, and that resides or exists internal~~  
 2047 ~~or external to a computer, computer system, computer network, or~~  
 2048 ~~electronic device is confidential and exempt from the provisions~~  
 2049 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
 2050 ~~This subsection is subject to the Open Government Sunset Review~~

2051 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
2052 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
2053 ~~reenactment by the Legislature.~~

2054 (3)~~(4)~~ A person who willfully, knowingly, and without  
2055 authorization discloses or takes data, programs, or supporting  
2056 documentation that is a trade secret as defined in s. 812.081 ~~or~~  
2057 ~~is confidential as provided by law~~ residing or existing internal  
2058 or external to a computer, computer system, computer network, or  
2059 electronic device commits an offense against intellectual  
2060 property.

2061 Section 80. Section 815.045, Florida Statutes, is  
2062 repealed.

2063 Section 81. Subsection (2) of section 1004.22, Florida  
2064 Statutes, is amended to read:

2065 1004.22 Divisions of sponsored research at state  
2066 universities.—

2067 (2) The university shall set such policies to regulate the  
2068 activities of the divisions of sponsored research as it may  
2069 consider necessary to administer the research programs in a  
2070 manner which assures efficiency and effectiveness, producing the  
2071 maximum benefit for the educational programs and maximum service  
2072 to the state. To this end, materials that relate to methods of  
2073 manufacture or production, ~~potential trade secrets,~~ potentially  
2074 patentable material, ~~actual~~ trade secrets, as defined in s.  
2075 688.01, business transactions, or proprietary information

2076 received, generated, ascertained, or discovered during the  
2077 course of research conducted within the state universities shall  
2078 be confidential and exempt from the provisions of s. 119.07(1),  
2079 except that a division of sponsored research shall make  
2080 available upon request the title and description of a research  
2081 project, the name of the researcher, and the amount and source  
2082 of funding provided for such project.

2083 Section 82. Paragraph (c) of subsection (2) and  
2084 subsections (3), (4), and (7) of section 1004.30, Florida  
2085 Statutes, are amended to read:

2086 1004.30 University health services support organization;  
2087 confidentiality of information.—

2088 (2) The following university health services support  
2089 organization's records and information are confidential and  
2090 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
2091 of the State Constitution:

2092 ~~(c) Trade secrets, as defined in s. 688.002, including~~  
2093 ~~reimbursement methodologies and rates.~~

2094 (3) Any portion of a governing board or peer review panel  
2095 or committee meeting during which a confidential and exempt  
2096 contract, document, record, or marketing plan, ~~or trade secret,~~  
2097 as provided for in subsection (2), or a confidential and exempt  
2098 trade secret, as provided for in s. 688.01, is discussed is  
2099 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of  
2100 the State Constitution.

2101 (4) Those portions of any public record, such as a tape  
2102 recording, minutes, and notes, generated during that portion of  
2103 a governing board or peer review panel or committee meeting  
2104 which is closed to the public pursuant to this section, ~~which~~  
2105 ~~contain information relating to contracts, documents, records,~~  
2106 ~~marketing plans, or trade secrets which are made confidential~~  
2107 ~~and exempt by this section,~~ are confidential and exempt from the  
2108 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
2109 Constitution.

2110 (7) Those portions of any public record, such as a tape  
2111 recording, minutes, or notes, generated during that portion of a  
2112 governing board meeting at which negotiations for contracts for  
2113 managed-care arrangements occur, are reported on, or are acted  
2114 on by the governing board, which record is made confidential and  
2115 exempt by subsection (4), shall become public records 2 years  
2116 after the termination or completion of the term of the contract  
2117 to which such negotiations relate or, if no contract was  
2118 executed, 2 years after the termination of the negotiations.  
2119 Notwithstanding paragraph (2)(a) and subsection (4), a  
2120 university health services support organization must make  
2121 available, upon request, the title and general description of a  
2122 contract for managed-care arrangements, the names of the  
2123 contracting parties, and the duration of the contract term. All  
2124 contracts for managed-care arrangements which are made  
2125 confidential and exempt by paragraph (2)(a), except those

2126 portions of any contract containing trade secrets which are made  
 2127 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall  
 2128 become public 2 years after the termination or completion of the  
 2129 term of the contract.

2130 Section 83. Paragraph (b) of subsection (8) of section  
 2131 1004.43, Florida Statutes, is amended to read:

2132 1004.43 H. Lee Moffitt Cancer Center and Research  
 2133 Institute.—There is established the H. Lee Moffitt Cancer Center  
 2134 and Research Institute, a statewide resource for basic and  
 2135 clinical research and multidisciplinary approaches to patient  
 2136 care.

2137 (8)

2138 (b) Proprietary confidential business information is  
 2139 confidential and exempt from the provisions of s. 119.07(1) and  
 2140 s. 24(a), Art. I of the State Constitution. However, the Auditor  
 2141 General, the Office of Program Policy Analysis and Government  
 2142 Accountability, and the Board of Governors, pursuant to their  
 2143 oversight and auditing functions, must be given access to all  
 2144 proprietary confidential business information upon request and  
 2145 without subpoena and must maintain the confidentiality of  
 2146 information so received. As used in this paragraph, the term  
 2147 "proprietary confidential business information" means  
 2148 information, regardless of its form or characteristics, which is  
 2149 owned or controlled by the not-for-profit corporation or its  
 2150 subsidiaries; is intended to be and is treated by the not-for-

2151 profit corporation or its subsidiaries as private and the  
2152 disclosure of which would harm the business operations of the  
2153 not-for-profit corporation or its subsidiaries; has not been  
2154 intentionally disclosed by the corporation or its subsidiaries  
2155 unless pursuant to law, an order of a court or administrative  
2156 body, a legislative proceeding pursuant to s. 5, Art. III of the  
2157 State Constitution, or a private agreement that provides that  
2158 the information may be released to the public; and which is  
2159 information concerning:

2160 1. Internal auditing controls and reports of internal  
2161 auditors;

2162 2. Matters reasonably encompassed in privileged attorney-  
2163 client communications;

2164 3. Contracts for managed-care arrangements, including  
2165 preferred provider organization contracts, health maintenance  
2166 organization contracts, and exclusive provider organization  
2167 contracts, and any documents directly relating to the  
2168 negotiation, performance, and implementation of any such  
2169 contracts for managed-care arrangements;

2170 4. Bids or other contractual data, banking records, and  
2171 credit agreements the disclosure of which would impair the  
2172 efforts of the not-for-profit corporation or its subsidiaries to  
2173 contract for goods or services on favorable terms;

2174 5. Information relating to private contractual data, the  
2175 disclosure of which would impair the competitive interest of the

2176 provider of the information;

2177         6. Corporate officer and employee personnel information;

2178         7. Information relating to the proceedings and records of

2179 credentialing panels and committees and of the governing board

2180 of the not-for-profit corporation or its subsidiaries relating

2181 to credentialing;

2182         8. Minutes of meetings of the governing board of the not-

2183 for-profit corporation and its subsidiaries, except minutes of

2184 meetings open to the public pursuant to subsection (9);

2185         9. Information that reveals plans for marketing services

2186 that the corporation or its subsidiaries reasonably expect to be

2187 provided by competitors;

2188         10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,

2189 including:

2190             a. Information relating to methods of manufacture or

2191 production, ~~potential trade secrets~~, potentially patentable

2192 materials, or proprietary information received, generated,

2193 ascertained, or discovered during the course of research

2194 conducted by the not-for-profit corporation or its subsidiaries;

2195 and

2196             b. Reimbursement methodologies or rates;

2197         11. The identity of donors or prospective donors of

2198 property who wish to remain anonymous or any information

2199 identifying such donors or prospective donors. The anonymity of

2200 these donors or prospective donors must be maintained in the



2201 auditor's report; or

2202 12. Any information received by the not-for-profit  
 2203 corporation or its subsidiaries from an agency in this or  
 2204 another state or nation or the Federal Government which is  
 2205 otherwise exempt or confidential pursuant to the laws of this or  
 2206 another state or nation or pursuant to federal law.

2207  
 2208 As used in this paragraph, the term "managed care" means systems  
 2209 or techniques generally used by third-party payors or their  
 2210 agents to affect access to and control payment for health care  
 2211 services. Managed-care techniques most often include one or more  
 2212 of the following: prior, concurrent, and retrospective review of  
 2213 the medical necessity and appropriateness of services or site of  
 2214 services; contracts with selected health care providers;  
 2215 financial incentives or disincentives related to the use of  
 2216 specific providers, services, or service sites; controlled  
 2217 access to and coordination of services by a case manager; and  
 2218 payor efforts to identify treatment alternatives and modify  
 2219 benefit restrictions for high-cost patient care.

2220 Section 84. Paragraph (a) of subsection (2) of section  
 2221 1004.4472, Florida Statutes, is amended to read:

2222 1004.4472 Florida Institute for Human and Machine  
 2223 Cognition, Inc.; public records exemption; public meetings  
 2224 exemption.—

2225 (2) The following information held by the corporation or

2226 | its subsidiary is confidential and exempt from s. 119.07(1) and  
 2227 | s. 24(a), Art. I of the State Constitution:

2228 |       (a) Material relating to methods of manufacture or  
 2229 | production, ~~potential trade secrets~~, patentable material, ~~actual~~  
 2230 | trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary  
 2231 | information received, generated, ascertained, or discovered  
 2232 | during the course of research conducted by or through the  
 2233 | corporation or a subsidiary, and business transactions resulting  
 2234 | from such research.

2235 |       Section 85. Subsection (2) of section 1004.78, Florida  
 2236 | Statutes, is amended to read:

2237 |       1004.78 Technology transfer centers at Florida College  
 2238 | System institutions.—

2239 |       (2) The Florida College System institution board of  
 2240 | trustees shall set such policies to regulate the activities of  
 2241 | the technology transfer center as it may consider necessary to  
 2242 | effectuate the purposes of this section and to administer the  
 2243 | programs of the center in a manner which assures efficiency and  
 2244 | effectiveness, producing the maximum benefit for the educational  
 2245 | programs and maximum service to the state. To this end,  
 2246 | materials that relate to methods of manufacture or production,  
 2247 | ~~potential trade secrets~~, potentially patentable material, ~~actual~~  
 2248 | ~~trade secrets~~, business transactions, or proprietary information  
 2249 | received, generated, ascertained, or discovered during the  
 2250 | course of activities conducted within the Florida College System

2251 institutions shall be confidential and exempt from the  
 2252 provisions of s. 119.07(1), except that a Florida College System  
 2253 institution shall make available upon request the title and  
 2254 description of a project, the name of the investigator, and the  
 2255 amount and source of funding provided for such project.

2256 Section 86. Section 601.80, Florida Statutes, is amended  
 2257 to read:

2258 601.80 Unlawful to use uncertified coloring matter.—It is  
 2259 unlawful for any person to use on oranges or citrus hybrids any  
 2260 coloring matter which has not first received the approval of the  
 2261 Department of Agriculture ~~as provided under s. 601.76.~~

2262 Section 87. Subsection (11) of section 663.533, Florida  
 2263 Statutes, is amended to read:

2264 663.533 Applicability of the financial institutions  
 2265 codes.—A qualified limited service affiliate is subject to the  
 2266 financial institutions codes. Without limiting the foregoing,  
 2267 the following provisions are applicable to a qualified limited  
 2268 service affiliate:

2269 ~~(11) Section 655.0591, relating to trade secret documents.~~

2270  
 2271 This section does not prohibit the office from investigating or  
 2272 examining an entity to ensure that it is not in violation of  
 2273 this chapter or applicable provisions of the financial  
 2274 institutions codes.

2275 Section 88. Paragraph (c) of subsection (12) of section

2276 721.13, Florida Statutes, is amended to read:

2277 721.13 Management.—

2278 (12)

2279 (c) The managing entity shall maintain copies of all  
 2280 records, data, and information supporting the processes,  
 2281 analyses, procedures, and methods utilized by the managing  
 2282 entity in its determination to reserve accommodations of the  
 2283 timeshare plan pursuant to this subsection for a period of 5  
 2284 years from the date of such determination. In the event of an  
 2285 investigation by the division for failure of a managing entity  
 2286 to comply with this subsection, the managing entity shall make  
 2287 all such records, data, and information available to the  
 2288 division for inspection, ~~provided that if the managing entity~~  
 2289 ~~complies with the provisions of s. 721.071, any such records,~~  
 2290 ~~data, and information provided to the division shall constitute~~  
 2291 ~~a trade secret pursuant to that section.~~

2292 Section 89. Paragraphs (a) and (c) of subsection (3) of  
 2293 section 921.0022, Florida Statutes, are amended to read:

2294 921.0022 Criminal Punishment Code; offense severity  
 2295 ranking chart.—

2296 (3) OFFENSE SEVERITY RANKING CHART

2297 (a) LEVEL 1

2298

|         |        |             |
|---------|--------|-------------|
| Florida | Felony |             |
| Statute | Degree | Description |

|      |                 |     |   |
|------|-----------------|-----|---|
| 2299 | 24.118 (3) (a)  | 3rd | Counterfeit or altered state lottery ticket.  |
| 2300 | 212.054 (2) (b) | 3rd | Discretionary sales surtax; limitations, administration, and collection.              |
| 2301 | 212.15 (2) (b)  | 3rd | Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.       |
| 2302 | 316.1935 (1)    | 3rd | Fleeing or attempting to elude law enforcement officer.                               |
| 2303 | 319.30 (5)      | 3rd | Sell, exchange, give away certificate of title or identification number plate.        |
| 2304 | 319.35 (1) (a)  | 3rd | Tamper, adjust, change, etc., an odometer.  |
| 2305 | 320.26 (1) (a)  | 3rd | Counterfeit, manufacture, or sell registration license plates or validation stickers. |

|      |                          |     |   |
|------|--------------------------|-----|---|
| 2306 | 322.212<br>(1) (a) - (c) | 3rd | Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification. |
| 2307 | 322.212 (4)              | 3rd | Supply or aid in supplying unauthorized driver license or identification card.  |
| 2308 | 322.212 (5) (a)          | 3rd | False application for driver license or identification card.  |
| 2309 | 414.39 (3) (a)           | 3rd | Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.                     |
| 2310 | 443.071 (1)              | 3rd | False statement or representation to obtain or increase reemployment assistance benefits.                               |
| 2311 | 509.151 (1)              | 3rd | Defraud an innkeeper, food or   |

|      |  |     |  |
|------|--|-----|--|
|      |  |     | lodging value greater than \$300.  |
| 2312 | 517.302 (1)  | 3rd | Violation of the Florida Securities and Investor Protection Act.                     |
| 2313 | 562.27 (1)   | 3rd | Possess still or still apparatus.  |
| 2314 | 713.69   | 3rd | Tenant removes property upon which lien has accrued, value more than \$50.           |
| 2315 | 812.014 (3) (c)                                    | 3rd | Petit theft (3rd conviction); theft of any property not specified in subsection (2). |
| 2316 | 812.081 (2)  | 3rd | Unlawfully makes or causes to be made a reproduction of a trade secret.              |
| 2317 | <u>815.04 (4) (a)</u><br><del>815.04 (5) (a)</del> | 3rd | Offense against intellectual property (i.e., computer programs, data).               |

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|      |                |     |   |
|------|----------------|-----|---|
| 2318 | 817.52 (2)     | 3rd | Hiring with intent to defraud,<br>motor vehicle services.   |
| 2319 | 817.569 (2)    | 3rd | Use of public record or public<br>records information or<br>providing false information to<br>facilitate commission of a<br>felony. |
| 2320 | 826.01         | 3rd | Bigamy.   |
| 2321 | 828.122 (3)    | 3rd | Fighting or baiting animals.  |
| 2322 | 831.04 (1)     | 3rd | Any erasure, alteration, etc.,<br>of any replacement deed, map,<br>plat, or other document listed<br>in s. 92.28.                   |
| 2323 | 831.31 (1) (a) | 3rd | Sell, deliver, or possess<br>counterfeit controlled<br>substances, all but s.<br>893.03 (5) drugs.                                  |
| 2324 | 832.041 (1)    | 3rd | Stopping payment with intent to   |



|      |                             |     |  |
|------|-----------------------------|-----|--|
|      |                             |     | defraud \$150 or more.   |
| 2325 | 832.05 (2) (b) &<br>(4) (c) | 3rd | Knowing, making, issuing<br>worthless checks \$150 or more<br>or obtaining property in return<br>for worthless check \$150 or<br>more. |
| 2326 | 838.15 (2)                  | 3rd | Commercial bribe receiving.  |
| 2327 | 838.16                      | 3rd | Commercial bribery.  |
| 2328 | 843.18                      | 3rd | Fleeing by boat to elude a law<br>enforcement officer.   |
| 2329 | 847.011 (1) (a)             | 3rd | Sell, distribute, etc.,<br>obscene, lewd, etc., material<br>(2nd conviction).  |
| 2330 | 849.01                      | 3rd | Keeping gambling house.  |
| 2331 | 849.09 (1) (a) - (d)        | 3rd | Lottery; set up, promote, etc.,<br>or assist therein, conduct or<br>advertise drawing for prizes,<br>or dispose of property or money   |

|      |                   |         |  |
|------|-------------------|---------|--|
| 2332 |                   |         | by means of lottery.   |
|      | 849.23            | 3rd     | Gambling-related machines;<br>"common offender" as to<br>property rights.                    |
| 2333 |                   |         |  |
|      | 849.25 (2)        | 3rd     | Engaging in bookmaking.  |
| 2334 |                   |         |  |
|      | 860.08            | 3rd     | Interfere with a railroad<br>signal.   |
| 2335 |                   |         |  |
|      | 860.13 (1) (a)    | 3rd     | Operate aircraft while under<br>the influence.   |
| 2336 |                   |         |  |
|      | 893.13 (2) (a) 2. | 3rd     | Purchase of cannabis.  |
| 2337 |                   |         |  |
|      | 893.13 (6) (a)    | 3rd     | Possession of cannabis (more<br>than 20 grams).  |
| 2338 |                   |         |  |
|      | 934.03 (1) (a)    | 3rd     | Intercepts, or procures any<br>other person to intercept, any<br>wire or oral communication. |
| 2339 |                   |         |  |
| 2340 | (c)               | LEVEL 3 |  |
| 2341 |                   |         |  |

|      | Florida Statute          | Felony Degree | Description   |
|------|--------------------------|---------------|---|
| 2342 | 119.10 (2) (b)           | 3rd           | Unlawful use of confidential information from police reports.   |
| 2343 | 316.066<br>(3) (b) - (d) | 3rd           | Unlawfully obtaining or using confidential crash reports.   |
| 2344 | 316.193 (2) (b)          | 3rd           | Felony DUI, 3rd conviction.   |
| 2345 | 316.1935 (2)             | 3rd           | Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated. |
| 2346 | 319.30 (4)               | 3rd           | Possession by junkyard of motor vehicle with identification number plate removed.                         |
| 2347 | 319.33 (1) (a)           | 3rd           | Alter or forge any certificate of title to a motor vehicle or mobile home.                                |
| 2348 |                          |               |   |

|      |                        |     |   |
|------|------------------------|-----|---|
| 2349 | 319.33 (1) (c)         | 3rd | Procure or pass title on stolen vehicle.  |
| 2350 | 319.33 (4)             | 3rd | With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration. |
| 2351 | 327.35 (2) (b)         | 3rd | Felony BUI.   |
| 2352 | 328.05 (2)             | 3rd | Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.         |
| 2353 | 328.07 (4)             | 3rd | Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.                               |
| 2354 | 376.302 (5)            | 3rd | Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.                 |
|      | 379.2431<br>(1) (e) 5. | 3rd | Taking, disturbing, mutilating, destroying, causing to be   |

|      |                            |     |  |
|------|----------------------------|-----|--|
| 2355 | 379.2431<br>(1) (e) 6.     | 3rd | destroyed, transferring,<br>selling, offering to sell,<br>molesting, or harassing marine<br>turtles, marine turtle eggs, or<br>marine turtle nests in<br>violation of the Marine Turtle<br>Protection Act. |
| 2356 | 379.2431<br>(1) (e) 7.     | 3rd | Possessing any marine turtle<br>species or hatchling, or parts<br>thereof, or the nest of any<br>marine turtle species described<br>in the Marine Turtle Protection<br>Act.                                |
| 2357 | 400.9935 (4) (a)<br>or (b) | 3rd | Soliciting to commit or<br>conspiring to commit a<br>violation of the Marine Turtle<br>Protection Act.   |
| 2358 | 400.9935 (4) (e)           | 3rd | Operating a clinic, or offering<br>services requiring licensure,<br>without a license.   |
|      |                            |     | Filing a false license   |

|      |                        |     |   |
|------|------------------------|-----|---|
|      |                        |     | application or other required information or failing to report information.                     |
| 2359 | 440.1051(3)            | 3rd | False report of workers' compensation fraud or retaliation for making such a report.            |
| 2360 | 501.001(2)(b)          | 2nd | Tampers with a consumer product or the container using materially false/misleading information. |
| 2361 | 624.401(4)(a)          | 3rd | Transacting insurance without a certificate of authority.                                       |
| 2362 | 624.401(4)(b)1.        | 3rd | Transacting insurance without a certificate of authority; premium collected less than \$20,000. |
| 2363 | 626.902(1)(a) &<br>(b) | 3rd | Representing an unauthorized insurer.   |
| 2364 |                        |     |   |

|      |                    |     |   |
|------|--------------------|-----|---|
| 2365 | 697.08             | 3rd | Equity skimming.  |
| 2366 | 790.15 (3)         | 3rd | Person directs another to discharge firearm from a vehicle.                                     |
| 2367 | 806.10 (1)         | 3rd | Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.      |
| 2368 | 806.10 (2)         | 3rd | Interferes with or assaults firefighter in performance of duty.                                 |
| 2369 | 810.09 (2) (c)     | 3rd | Trespass on property other than structure or conveyance armed with firearm or dangerous weapon. |
| 2370 | 812.014 (2) (c) 2. | 3rd | Grand theft; \$5,000 or more but less than \$10,000.  |
|      | 812.0145 (2) (c)   | 3rd | Theft from person 65 years of age or older; \$300 or more but less than \$10,000.               |

|      |                           |     |   |
|------|---------------------------|-----|---|
| 2371 | <u>815.04 (4) (b)</u>     | 2nd | Computer offense devised to defraud or obtain property.   |
|      | <del>815.04 (5) (b)</del> |     |   |
| 2372 | 817.034 (4) (a) 3.        | 3rd | Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000. |
| 2373 | 817.233                   | 3rd | Burning to defraud insurer.   |
| 2374 | 817.234<br>(8) (b) & (c)  | 3rd | Unlawful solicitation of persons involved in motor vehicle accidents.                                   |
| 2375 | 817.234 (11) (a)          | 3rd | Insurance fraud; property value less than \$20,000.   |
| 2376 | 817.236                   | 3rd | Filing a false motor vehicle insurance application.   |
| 2377 | 817.2361                  | 3rd | Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.                  |



|      |                 |     |  |
|------|-----------------|-----|--|
| 2378 | 817.413 (2)     | 3rd | Sale of used goods as new.   |
| 2379 | 828.12 (2)      | 3rd | Tortures any animal with intent to inflict intense pain, serious physical injury, or death.                |
| 2380 | 831.28 (2) (a)  | 3rd | Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument. |
| 2381 | 831.29          | 2nd | Possession of instruments for counterfeiting driver licenses or identification cards.                      |
| 2382 | 838.021 (3) (b) | 3rd | Threatens unlawful harm to public servant.   |
| 2383 | 843.19          | 3rd | Injure, disable, or kill police dog or horse.  |
| 2384 | 860.15 (3)      | 3rd | Overcharging for repairs and parts.  |

|      |                   |     |  |
|------|-------------------|-----|--|
| 2385 | 870.01 (2)        | 3rd | Riot; inciting or encouraging.   |
| 2386 | 893.13 (1) (a) 2. | 3rd | Sell, manufacture, or deliver<br>cannabis (or other s.<br>893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 5.,<br>(2) (c) 6., (2) (c) 7., (2) (c) 8.,<br>(2) (c) 9., (3), or (4) drugs).                             |
| 2387 | 893.13 (1) (d) 2. | 2nd | Sell, manufacture, or deliver<br>s. 893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 5.,<br>(2) (c) 6., (2) (c) 7., (2) (c) 8.,<br>(2) (c) 9., (3), or (4) drugs<br>within 1,000 feet of<br>university.              |
| 2388 | 893.13 (1) (f) 2. | 2nd | Sell, manufacture, or deliver<br>s. 893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 5.,<br>(2) (c) 6., (2) (c) 7., (2) (c) 8.,<br>(2) (c) 9., (3), or (4) drugs<br>within 1,000 feet of public<br>housing facility. |

|      |                 |     |  |
|------|-----------------|-----|--|
| 2389 | 893.13(4)(c)    | 3rd | Use or hire of minor; deliver to minor other controlled substances.  |
| 2390 | 893.13(6)(a)    | 3rd | Possession of any controlled substance other than felony possession of cannabis.                                 |
| 2391 | 893.13(7)(a)8.  | 3rd | Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance. |
| 2392 | 893.13(7)(a)9.  | 3rd | Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.                      |
| 2393 | 893.13(7)(a)10. | 3rd | Affix false or forged label to package of controlled substance.  |
| 2394 | 893.13(7)(a)11. | 3rd | Furnish false or fraudulent material information on any  |

|      |                   |     |  |
|------|-------------------|-----|--|
| 2395 | 893.13 (8) (a) 1. | 3rd | <p>document or record required by chapter 893.</p> <p>Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.</p> |
| 2396 | 893.13 (8) (a) 2. | 3rd | <p>Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.</p>   |
| 2397 | 893.13 (8) (a) 3. | 3rd | <p>Knowingly write a prescription for a controlled substance for a fictitious person.</p>  |
| 2398 | 893.13 (8) (a) 4. | 3rd | <p>Write a prescription for a controlled substance for a</p>   |

|      |   |     |   |
|------|---|-----|---|
| 2399 | 918.13(1)(a)  | 3rd | patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner. |
| 2400 | 944.47<br>(1)(a)1. & 2.                                       | 3rd | Alter, destroy, or conceal investigation evidence.<br><br>Introduce contraband to correctional facility.                        |
| 2401 | 944.47(1)(c)  | 2nd | Possess contraband while upon the grounds of a correctional institution.  |
| 2402 | 985.721   | 3rd | Escapes from a juvenile facility (secure detention or residential commitment facility).   |
| 2403 | Section 90. This act shall take effect upon becoming a law    |     |   |
| 2404 | if CS/CS/HB 461 or similar legislation is adopted in the same |     |   |
| 2405 | legislative session or an extension thereof and becomes law.  |     |   |