

By Senator Mayfield

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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; amending s. 119.0713, F.S.;
16 deleting a provision exempting trade secrets held by
17 local government agencies from public records
18 requirements; amending s. 125.0104, F.S.; deleting a
19 provision exempting trade secrets held by county
20 tourism development agencies from public records
21 requirements; amending s. 163.01, F.S.; deleting a
22 provision exempting trade secrets held by public
23 agencies that are electric utilities from public
24 records requirements; amending s. 202.195, F.S.;
25 deleting a provision exempting trade secrets that are
26 obtained for certain purposes from a
27 telecommunications company or franchised cable company
28 from public records requirements; amending s.
29 215.4401, F.S.; deleting provisions relating to

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30 confidentiality of trade secrets held by the State
31 Board of Administration; amending s. 252.88, F.S.;
32 deleting provisions exempting certain information from
33 public records requirements under the Florida
34 Emergency Planning and Community Right-to-Know Act;
35 repealing s. 252.943, F.S., relating to a public
36 records exemption under the Florida Accidental Release
37 Prevention and Risk Management Planning Act; amending
38 s. 287.0943, F.S.; deleting provisions relating to
39 confidentiality of certain information relating to
40 applications for certification of minority business
41 enterprises; amending s. 288.047, F.S.; deleting
42 provisions exempting potential trade secrets held for
43 the Quick-Response Training Program from public
44 records requirements; amending s. 288.075, F.S.;
45 deleting provisions relating to a public records
46 exemption for trade secrets held by economic
47 development agencies; amending s. 288.1226, F.S.;
48 deleting provisions relating to a public records
49 exemption for trade secrets held by the Florida
50 Tourism Industry Marketing Corporation; amending s.
51 288.776, F.S.; deleting provisions relating to a
52 public records exemption for trade secrets held by the
53 Florida Export Finance Corporation; amending s.
54 288.9520, F.S.; deleting provisions relating to a
55 public records exemption for trade secrets and
56 potential trade secrets held by Enterprise Florida,
57 Inc., and related entities; amending s. 288.9607,
58 F.S.; deleting provisions relating to a public records

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59 exemption for trade secrets held by the Florida
60 Development Finance Corporation; amending s. 288.9626,
61 F.S.; deleting provisions relating to a public records
62 exemption for trade secrets and potential trade
63 secrets held by the Florida Opportunity Fund; amending
64 s. 288.9627, F.S.; deleting provisions relating to a
65 public records exemption for trade secrets and
66 potential trade secrets held by the Institute for the
67 Commercialization of Public Research; amending s.
68 331.326, F.S.; deleting provisions relating to a
69 public records exemption for trade secrets held by
70 Space Florida; amending s. 334.049, F.S.; deleting
71 provisions relating to a public records exemption for
72 trade secrets held by the Department of State for
73 certain purposes; amending ss. 350.121 and 364.183,
74 F.S.; deleting provisions relating to public records
75 exemptions for trade secrets held by the Florida
76 Public Service Commission; amending s. 365.174, F.S.;
77 deleting provisions relating to public records
78 exemptions for trade secrets held by the E911 Board,
79 the Department of Revenue, and the Technology Program
80 within the Department of Management Services; amending
81 ss. 366.093, 367.156, and 368.108, F.S.; deleting
82 provisions relating to public records exemptions for
83 trade secrets held by the Florida Public Service
84 Commission; amending s. 377.24075, F.S.; deleting
85 provisions relating to a public records exemption for
86 trade secrets held by the Department of Environmental
87 Protection; repealing s. 381.83, F.S., relating to

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88 confidentiality of certain information containing
89 trade secrets obtained by the Department of Health;
90 amending s. 395.3035, F.S.; deleting provisions
91 relating to a public records exemption for trade
92 secrets of hospitals; amending s. 403.7046, F.S.;
93 revising provisions relating to an exemption for trade
94 secrets contained in certain reports to the Department
95 of Environmental Protection; repealing s. 403.73,
96 F.S., relating to confidentiality of certain
97 information containing trade secrets obtained by the
98 Department of Environmental Protection; amending s.
99 408.061, F.S.; deleting a requirement that certain
100 trade secret information submitted to the Agency for
101 Health Care Administration be clearly designated as
102 such; amending s. 408.185, F.S.; deleting provisions
103 relating to public records exemptions for certain
104 trade secrets held by the Office of the Attorney
105 General; amending s. 408.910, F.S.; deleting
106 provisions relating to public records exemptions for
107 trade secrets held by the Florida Health Choices
108 Program; amending s. 409.91196, F.S.; deleting
109 provisions relating to public records exemptions for
110 trade secrets held by the Agency for Health Care
111 Administration; amending s. 440.108, F.S.; deleting
112 provisions relating to public records exemptions for
113 trade secrets held by the Department of Financial
114 Services; amending s. 494.00125, F.S.; deleting
115 provisions relating to public records exemptions for
116 trade secrets held by the Office of Financial

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117 Regulation; amending s. 497.172, F.S.; deleting
118 provisions relating to public records exemptions for
119 trade secrets held by the Department of Financial
120 Services or the Board of Funeral, Cemetery, and
121 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 pursuant to the Florida Drug
126 and Cosmetic Act; repealing s. 499.931, F.S., relating
127 to maintenance of information held by the Department
128 of Business and Professional Regulation which is
129 deemed to be a trade secret; amending s. 501.171,
130 F.S.; deleting provisions relating to public records
131 exemptions for trade secrets held by the Department of
132 Legal Affairs; repealing s. 502.222, F.S., relating to
133 trade secrets of a dairy industry business held by the
134 Department of Agriculture and Consumer Services;
135 amending ss. 517.2015 and 520.9965, F.S.; deleting
136 provisions relating to public records exemptions for
137 trade secrets held by the Office of Financial
138 Regulation; amending s. 526.311, F.S.; deleting
139 provisions relating to public records exemptions for
140 trade secrets held by the Department of Agriculture
141 and Consumer Services; amending s. 548.062, F.S.;
142 deleting provisions relating to public records
143 exemptions for trade secrets held by the Florida State
144 Boxing Commission; amending s. 556.113, F.S.; deleting
145 provisions relating to public records exemptions for

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146 trade secrets held by Sunshine State One-Call of
147 Florida, Inc.; amending s. 559.5558, F.S.; deleting
148 provisions relating to public records exemptions for
149 trade secrets held by the Office of Financial
150 Regulation; amending s. 559.9285, F.S.; revising
151 provisions specifying that certain information
152 provided to the Department of Agriculture and Consumer
153 Services does not constitute a trade secret; amending
154 s. 560.129, F.S.; deleting provisions relating to
155 public records exemptions for trade secrets held by
156 the Office of Financial Regulation; amending s.
157 569.215, F.S.; deleting provisions relating to public
158 records exemptions for trade secrets held by specified
159 entities relating to a tobacco settlement agreement;
160 amending s. 570.48, F.S.; deleting provisions relating
161 to public records exemptions for trade secrets held by
162 the Division of Fruit and Vegetables; amending ss.
163 570.544 and 573.123, F.S.; deleting provisions
164 relating to public records exemptions for trade
165 secrets held by the Division of Consumer Services;
166 repealing s. 581.199, F.S., relating to a prohibition
167 on the use of trade secret information obtained under
168 specified provisions for personal use or gain;
169 amending ss. 601.10, 601.15, and 601.152, F.S.;
170 deleting provisions relating to public records
171 exemptions for trade secrets held by the Department of
172 Citrus; repealing s. 601.76, F.S., relating to a
173 public records exemption for certain formulas filed
174 with the Department of Agriculture; amending ss.

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175 607.0505 and 617.0503, F.S.; deleting provisions
176 relating to public records exemptions for certain
177 information that might reveal trade secrets held by
178 the Department of Legal Affairs; amending s. 624.4212,
179 F.S.; deleting provisions relating to public records
180 exemptions for trade secrets held by the Office of
181 Insurance Regulation; repealing s. 624.4213, F.S.,
182 relating to trade secret documents submitted to the
183 Department of Financial Services or the Office of
184 Insurance Regulation; amending ss. 626.84195, 626.884,
185 626.9936, 627.0628, and 627.3518, F.S.; deleting
186 provisions relating to public records exemptions for
187 trade secrets held by the Department of Financial
188 Services or the Office of Insurance Regulation;
189 amending s. 655.057, F.S.; revising provisions
190 relating to a public records exemption for trade
191 secrets held by the Office of Financial Regulation;
192 repealing s. 655.0591, F.S., relating to trade secret
193 documents held by the Office of Financial Regulation;
194 amending s. 663.533, F.S.; revising a cross-reference;
195 repealing s. 721.071, F.S., relating to trade secret
196 material filed with the Division of Florida
197 Condominiums, Timeshares, and Mobile Homes of the
198 Department of Business and Professional Regulation;
199 amending s. 815.04, F.S.; deleting a public records
200 exemption for certain trade secret information
201 relating to offenses against intellectual property;
202 repealing s. 815.045, F.S., relating to trade secret
203 information; amending s. 1004.22, F.S.; deleting

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204 provisions relating to public records exemptions for
205 trade secrets and potential trade secrets received,
206 generated, ascertained, or discovered during the
207 course of research conducted within the state
208 universities; amending s. 1004.30, F.S.; revising
209 provisions relating to public records exemptions for
210 trade secrets held by state university health services
211 support organizations; amending s. 1004.43, F.S.;
212 deleting provisions relating to public records
213 exemptions for trade secrets and potential trade
214 secrets held by the H. Lee Moffitt Cancer Center and
215 Research Institute; amending s. 1004.4472, F.S.;
216 deleting provisions relating to public records
217 exemptions for trade secrets and potential trade
218 secrets held by the Florida Institute for Human and
219 Machine Cognition, Inc.; amending s. 1004.78, F.S.;
220 deleting provisions relating to public records
221 exemptions for trade secrets and potential trade
222 secrets held by the technology transfers centers at
223 Florida College System institutions; amending ss.
224 601.80, 663.533, 721.13, and 921.0022, F.S.;
225 conforming provisions to changes made by the act;
226 providing a contingent effective date.

227

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

229

230 Section 1. Section 119.07135, Florida Statutes, is created
231 to read:

232 119.07135 Agency contracts; public records.—Notwithstanding

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233 any other provision of law, the following information is a
234 public record and is not confidential or exempt from s.
235 119.07(1) and s. 24(a), Art. I of the State Constitution:

236 (1) Any contract or agreement, or an addendum thereto, to
237 which an agency or an entity subject to this chapter is a party;
238 and

239 (2) Financial information related to any contract or
240 agreement, or an addendum thereto, with an agency or an entity
241 subject to this chapter, including, but not limited to, the
242 amount of money paid, any payment structure or plan,
243 expenditures, incentives, fees, or penalties.

244 Section 2. Paragraph (a) of subsection (12) of section
245 24.105, Florida Statutes, is amended, and present paragraphs (b)
246 and (c) of that subsection are redesignated as paragraphs (a)
247 and (b), respectively, to read:

248 24.105 Powers and duties of department.—The department
249 shall:

250 ~~(12)(a) Determine by rule information relating to the~~
251 ~~operation of the lottery which is confidential and exempt from~~
252 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~
253 ~~Constitution. Such information includes trade secrets; security~~
254 ~~measures, systems, or procedures; security reports; information~~
255 ~~concerning bids or other contractual data, the disclosure of~~
256 ~~which would impair the efforts of the department to contract for~~
257 ~~goods or services on favorable terms; employee personnel~~
258 ~~information unrelated to compensation, duties, qualifications,~~
259 ~~or responsibilities; and information obtained by the Division of~~
260 ~~Security pursuant to its investigations which is otherwise~~
261 ~~confidential. To be deemed confidential, the information must be~~

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262 ~~necessary to the security and integrity of the lottery.~~
263 ~~Confidential information may be released to other governmental~~
264 ~~entities as needed in connection with the performance of their~~
265 ~~duties. The receiving governmental entity shall retain the~~
266 ~~confidentiality of such information as provided for in this~~
267 ~~subsection.~~

268 Section 3. Paragraph (e) of subsection (1) of section
269 73.0155, Florida Statutes, is amended to read:

270 73.0155 Confidentiality; business information provided to a
271 governmental condemning authority.—

272 (1) The following business information provided by the
273 owner of a business to a governmental condemning authority as
274 part of an offer of business damages under s. 73.015 is
275 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
276 of the State Constitution if the owner requests in writing that
277 the business information be held confidential and exempt:

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

281 Section 4. Paragraph (f) of subsection (1) of section
282 119.071, Florida Statutes, is amended to read:

283 119.071 General exemptions from inspection or copying of
284 public records.—

285 (1) AGENCY ADMINISTRATION.—

286 (f) ~~Data processing software obtained by an agency under a~~
287 ~~licensing agreement that prohibits its disclosure and which~~
288 ~~software is a trade secret, as defined in s. 812.081, and~~
289 Agency-produced data processing software that is sensitive is
290 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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291 Constitution. The designation of agency-produced software as
292 sensitive does not prohibit an agency head from sharing or
293 exchanging such software with another public agency. This
294 paragraph is subject to the Open Government Sunset Review Act in
295 accordance with s. 119.15 and shall stand repealed on October 2,
296 2021, unless reviewed and saved from repeal through reenactment
297 by the Legislature.

298 Section 5. Paragraph (a) of subsection (4) of section
299 119.0713, Florida Statutes, is amended to read:

300 119.0713 Local government agency exemptions from inspection
301 or copying of public records.—

302 (4) (a) Proprietary confidential business information means
303 information, regardless of form or characteristics, which is
304 held by an electric utility that is subject to chapter 119, is
305 intended to be and is treated by the entity that provided the
306 information to the electric utility as private in that the
307 disclosure of the information would cause harm to the entity
308 providing the information or its business operations, and has
309 not been disclosed unless disclosed pursuant to a statutory
310 provision, an order of a court or administrative body, or a
311 private agreement that provides that the information will not be
312 released to the public. Proprietary confidential business
313 information includes, ~~but is not limited to:~~

314 ~~1. Trade secrets.~~

315 ~~1.2.~~ Internal auditing controls and reports of internal
316 auditors.

317 ~~2.3.~~ Security measures, systems, or procedures.

318 ~~3.4.~~ Information concerning bids or other contractual data,
319 the disclosure of which would impair the efforts of the electric

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320 utility to contract for goods or services on favorable terms.

321 ~~4.5-~~ Information relating to competitive interests, the
322 disclosure of which would impair the competitive business of the
323 provider of the information.

324 Section 6. Paragraph (d) of subsection (9) of section
325 125.0104, Florida Statutes, is amended to read:

326 125.0104 Tourist development tax; procedure for levying;
327 authorized uses; referendum; enforcement.-

328 (9) COUNTY TOURISM PROMOTION AGENCIES.-In addition to any
329 other powers and duties provided for agencies created for the
330 purpose of tourism promotion by a county levying the tourist
331 development tax, such agencies are authorized and empowered to:

332 (d) Undertake marketing research and advertising research
333 studies and provide reservations services and convention and
334 meetings booking services consistent with the authorized uses of
335 revenue as set forth in subsection (5).

336 1. Information given to a county tourism promotion agency
337 which, if released, would reveal the identity of persons or
338 entities who provide data or other information as a response to
339 a sales promotion effort, an advertisement, or a research
340 project or whose names, addresses, meeting or convention plan
341 information or accommodations or other visitation needs become
342 booking or reservation list data, is exempt from s. 119.07(1)
343 and s. 24(a), Art. I of the State Constitution.

344 2. ~~The following information,~~ When held by a county tourism
345 promotion agency, booking business records, as defined in s.
346 255.047, are is exempt from s. 119.07(1) and s. 24(a), Art. I of
347 the State Constitution.÷

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

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

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

360 Section 7. Paragraph (m) of subsection (15) of section
361 163.01, Florida Statutes, is amended to read:

362 163.01 Florida Interlocal Cooperation Act of 1969.—

363 (15) Notwithstanding any other provision of this section or
364 of any other law except s. 361.14, any public agency of this
365 state which is an electric utility, or any separate legal entity
366 created pursuant to the provisions of this section, the
367 membership of which consists only of electric utilities, and
368 which exercises or proposes to exercise the powers granted by
369 part II of chapter 361, the Joint Power Act, may exercise any or
370 all of the following powers:

371 (m) In the event that any public agency or any such legal
372 entity, or both, should receive, in connection with its joint
373 ownership or right to the services, output, capacity, or energy
374 of an electric project, as defined in paragraph (3)(d), any
375 material which is designated by the person supplying such
376 material as proprietary confidential business information or
377 which a court of competent jurisdiction has designated as

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378 confidential or secret shall be kept confidential and shall be
379 exempt from the provisions of s. 119.07(1). As used in this
380 paragraph, "proprietary confidential business information"
381 includes, ~~but is not limited to, trade secrets;~~ internal
382 auditing controls and reports of internal auditors; security
383 measures, systems, or procedures; ~~information concerning bids or~~
384 ~~other contractual data, the disclosure of which would impair the~~
385 ~~efforts of the utility to contract for services on favorable~~
386 ~~terms;~~ employee personnel information unrelated to compensation,
387 duties, qualifications, or responsibilities; and formulas,
388 patterns, devices, combinations of devices, ~~contract costs,~~ or
389 other information the disclosure of which would injure the
390 affected entity in the marketplace.

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

393 202.195 Proprietary confidential business information;
394 public records exemption.-

395 (2) For the purposes of this exemption, "proprietary
396 confidential business information" includes maps, plans, billing
397 and payment records, ~~trade secrets,~~ or other information
398 relating to the provision of or facilities for communications
399 service:

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

402 (b) The disclosure of which would be reasonably likely to
403 be used by a competitor to harm the business interests of the
404 company; and

405 (c) That is not otherwise readily ascertainable or publicly
406 available by proper means by other persons from another source

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407 in the same configuration as requested by the local governmental
408 entity.

409
410 Proprietary confidential business information does not include
411 schematics indicating the location of facilities for a specific
412 site that are provided in the normal course of the local
413 governmental entity's permitting process.

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

416 215.4401 Board of Administration; public record
417 exemptions.-

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

419 1. "Alternative investment" means an investment by the
420 State Board of Administration in a private equity fund, venture
421 fund, hedge fund, or distress fund or a direct investment in a
422 portfolio company through an investment manager.

423 2. "Alternative investment vehicle" means the limited
424 partnership, limited liability company, or similar legal
425 structure or investment manager through which the State Board of
426 Administration invests in a portfolio company.

427 3. "Portfolio company" means a corporation or other issuer,
428 any of whose securities are owned by an alternative investment
429 vehicle or the State Board of Administration and any subsidiary
430 of such corporation or other issuer.

431 4. "Portfolio positions" means individual investments in
432 portfolio companies which are made by the alternative investment
433 vehicles, including information or specific investment terms
434 associated with any portfolio company investment.

435 5. "Proprietor" means an alternative investment vehicle, a

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436 portfolio company in which the alternative investment vehicle is
437 invested, or an outside consultant, including the respective
438 authorized officers, employees, agents, or successors in
439 interest, which controls or owns information provided to the
440 State Board of Administration.

441 6. "Proprietary confidential business information" means
442 information that has been designated by the proprietor when
443 provided to the State Board of Administration as information
444 that is owned or controlled by a proprietor; that is intended to
445 be and is treated by the proprietor as private, the disclosure
446 of which would harm the business operations of the proprietor
447 and has not been intentionally disclosed by the proprietor
448 unless pursuant to a private agreement that provides that the
449 information will not be released to the public except as
450 required by law or legal process, or pursuant to law or an order
451 of a court or administrative body; and that concerns:

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

453 a.b. Information provided to the State Board of
454 Administration regarding a prospective investment in a private
455 equity fund, venture fund, hedge fund, distress fund, or
456 portfolio company which is proprietary to the provider of the
457 information.

458 ~~b.e.~~ Financial statements and auditor reports of an
459 alternative investment vehicle.

460 ~~c.d.~~ Meeting materials of an alternative investment vehicle
461 relating to financial, operating, or marketing information of
462 the alternative investment vehicle.

463 d.e. Information regarding the portfolio positions in which
464 the alternative investment vehicles invest.

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

467 ~~f.g.~~ Alternative investment agreements and related records.

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

470 7. "Proprietary confidential business information" does not
471 include:

472 a. The name, address, and vintage year of an alternative
473 investment vehicle and the identity of the principals involved
474 in the management of the alternative investment vehicle.

475 b. The dollar amount of the commitment made by the State
476 Board of Administration to each alternative investment vehicle
477 since inception.

478 c. The dollar amount and date of cash contributions made by
479 the State Board of Administration to each alternative investment
480 vehicle since inception.

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

484 e. The dollar amount, on a fiscal-year-end basis, of cash
485 distributions received by the State Board of Administration plus
486 the remaining value of alternative-vehicle assets that are
487 attributable to the State Board of Administration's investment
488 in each alternative investment vehicle.

489 f. The net internal rate of return of each alternative
490 investment vehicle since inception.

491 g. The investment multiple of each alternative investment
492 vehicle since inception.

493 h. The dollar amount of the total management fees and costs

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494 paid on an annual fiscal-year-end basis by the State Board of
495 Administration to each alternative investment vehicle.

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

499 j. A description of any compensation, fees, or expenses,
500 including the amount or value, paid or agreed to be paid by a
501 proprietor to any person to solicit the board to make an
502 alternative investment or investment through an alternative
503 investment vehicle. This does not apply to an executive officer,
504 general partner, managing member, or other employee of the
505 proprietor, who is paid by the proprietor to solicit the board
506 to make such investments.

507 (c)1. Notwithstanding the provisions of paragraph (b), a
508 request to inspect or copy a record under s. 119.07(1) that
509 contains proprietary confidential business information shall be
510 granted if the proprietor of the information fails, within a
511 reasonable period of time after the request is received by the
512 State Board of Administration, to verify the following to the
513 State Board of Administration through a written declaration in
514 the manner provided by s. 92.525:

515 a. That the requested record contains proprietary
516 confidential business information and the specific location of
517 such information within the record;

518 ~~b. If the proprietary confidential business information is~~
519 ~~a trade secret, a verification that it is a trade secret as~~
520 ~~defined in s. 688.002;~~

521 b.e. That the proprietary confidential business information
522 is intended to be and is treated by the proprietor as private,

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523 is the subject of efforts of the proprietor to maintain its
524 privacy, and is not readily ascertainable or publicly available
525 from any other source; and

526 c.d. That the disclosure of the proprietary confidential
527 business information to the public would harm the business
528 operations of the proprietor.

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

532 (d) Any person may petition a court of competent
533 jurisdiction for an order for the public release of those
534 portions of any record made confidential and exempt by paragraph
535 (b). Any action under this paragraph must be brought in Leon
536 County, Florida, and the petition or other initial pleading
537 shall be served on the State Board of Administration and, if
538 determinable upon diligent inquiry, on the proprietor of the
539 information sought to be released. In any order for the public
540 release of a record under this paragraph, the court shall make a
541 finding ~~that the record or portion thereof is not a trade secret~~
542 ~~as defined in s. 688.002,~~ that a compelling public interest is
543 served by the release of the record or portions thereof which
544 exceed the public necessity for maintaining the confidentiality
545 of such record, and that the release of the record will not
546 cause damage to or adversely affect the interests of the
547 proprietor of the released information, other private persons or
548 business entities, the State Board of Administration, or any
549 trust fund, the assets of which are invested by the State Board
550 of Administration.

551 Section 10. Subsection (1) of section 252.88, Florida

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552 Statutes, is amended to read:

553 252.88 Public records.—

554 (1) Whenever EPCRA authorizes an employer to exclude trade
555 secret information from its submittals, the employer shall
556 furnish the information so excluded to the commission upon
557 request. ~~Such information shall be confidential and exempt from~~
558 ~~the provisions of s. 119.07(1). The commission shall not~~
559 ~~disclose such information except pursuant to a final~~
560 ~~determination under s. 322 of EPCRA by the Administrator of the~~
561 ~~Environmental Protection Agency that such information is not~~
562 ~~entitled to trade secret protection, or pursuant to an order of~~
563 ~~court.~~

564 Section 11. Section 252.943, Florida Statutes, is repealed.

565 Section 12. Paragraph (h) of subsection (2) of section
566 287.0943, Florida Statutes, is amended to read:

567 287.0943 Certification of minority business enterprises.—

568 (2)

569 (h) The certification procedures should allow an applicant
570 seeking certification to designate on the application form the
571 information the applicant considers to be proprietary,
572 confidential business information. As used in this paragraph,
573 "proprietary, confidential business information" includes, ~~but~~
574 ~~is not limited to,~~ any information that would be exempt from
575 public inspection pursuant to the provisions of chapter 119;
576 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~
577 ~~costs;~~ or other information the disclosure of which would injure
578 the affected party in the marketplace or otherwise violate s.
579 286.041. The executor in receipt of the application shall issue
580 written and final notice of any information for which

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581 noninspection is requested but not provided for by law.

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

584 288.047 Quick-response training for economic development.-

585 (7) In providing instruction pursuant to this section,
586 materials that relate to methods of manufacture or production,
587 ~~potential trade secrets~~, business transactions, or proprietary
588 information received, produced, ascertained, or discovered by
589 employees of the respective departments, district school boards,
590 community college district boards of trustees, or other
591 personnel employed for the purposes of this section is
592 confidential and exempt from the provisions of s. 119.07(1). The
593 state may seek copyright protection for instructional materials
594 and ancillary written documents developed wholly or partially
595 with state funds as a result of instruction provided pursuant to
596 this section, except for materials that are confidential and
597 exempt from the provisions of s. 119.07(1).

598 Section 14. Paragraph (c) of subsection (1) and subsection
599 (3) of section 288.075, Florida Statutes, are amended, and
600 present subsections (4) through (7) are renumbered as
601 subsections (3) through (6), respectively, to read:

602 288.075 Confidentiality of records.-

603 (1) DEFINITIONS.-As used in this section, the term:

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

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

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

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610 288.1226 Florida Tourism Industry Marketing Corporation;
611 use of property; board of directors; duties; audit.—

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

622 Section 16. Paragraph (d) of subsection (3) of section
623 288.776, Florida Statutes, is amended to read:

624 288.776 Board of directors; powers and duties.—

625 (3) The board shall:

626 (d) Adopt policies, including criteria, establishing which
627 exporters and export transactions shall be eligible for
628 insurance, coinsurance, loan guarantees, and direct, guaranteed,
629 or collateralized loans which may be extended by the
630 corporation. Pursuant to this subsection, the board shall
631 include the following criteria:

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

635 2. Each program shall exclusively support the export of
636 goods and services by small and medium-sized businesses which
637 are domiciled in this state. Priority shall be given to goods
638 which have value added in this state.

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

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

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

646

647 Personal financial records, ~~trade secrets~~, or proprietary
648 information of applicants shall be confidential and exempt from
649 the provisions of s. 119.07(1).

650 Section 17. Section 288.9520, Florida Statutes, is amended
651 to read:

652 288.9520 Public records exemption.—Materials that relate to
653 methods of manufacture or production, ~~potential trade secrets~~,
654 potentially patentable material, ~~actual trade secrets~~, business
655 transactions, financial and proprietary information, and
656 agreements or proposals to receive funding that are received,
657 generated, ascertained, or discovered by Enterprise Florida,
658 Inc., including its affiliates or subsidiaries and partnership
659 participants, such as private enterprises, educational
660 institutions, and other organizations, are confidential and
661 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
662 of the State Constitution, except that a recipient of Enterprise
663 Florida, Inc., research funds shall make available, upon
664 request, the title and description of the research project, the
665 name of the researcher, and the amount and source of funding
666 provided for the project.

667 Section 18. Subsection (5) of section 288.9607, Florida

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668 Statutes, is amended to read:

669 288.9607 Guaranty of bond issues.—

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

674 Section 19. Paragraph (f) of subsection (1), paragraph (a)
675 of subsection (2), and paragraphs (b) and (c) of subsection (4)
676 of section 288.9626, Florida Statutes, are amended to read:

677 288.9626 Exemptions from public records and public meetings
678 requirements for the Florida Opportunity Fund.—

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

680 (f)1. "Proprietary confidential business information" means
681 information that has been designated by the proprietor when
682 provided to the Florida Opportunity Fund as information that is
683 owned or controlled by a proprietor; that is intended to be and
684 is treated by the proprietor as private, the disclosure of which
685 would harm the business operations of the proprietor and has not
686 been intentionally disclosed by the proprietor unless pursuant
687 to a private agreement that provides that the information will
688 not be released to the public except as required by law or legal
689 process, or pursuant to law or an order of a court or
690 administrative body; and that concerns:

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

692 ~~a.b.~~ Information provided to the Florida Opportunity Fund
693 regarding an existing or prospective alternative investment in a
694 private equity fund, venture capital fund, angel fund, or
695 portfolio company that is proprietary to the provider of the
696 information.

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697 ~~b.e.~~ Financial statements and auditor reports of an
698 alternative investment vehicle or portfolio company, unless
699 publicly released by the alternative investment vehicle or
700 portfolio company.

701 ~~c.d.~~ Meeting materials of an alternative investment vehicle
702 or portfolio company relating to financial, operating, or
703 marketing information of the alternative investment vehicle or
704 portfolio company.

705 ~~d.e.~~ Information regarding the portfolio positions in which
706 the alternative investment vehicles or Florida Opportunity Fund
707 invest.

708 ~~e.f.~~ Capital call and distribution notices to investors or
709 the Florida Opportunity Fund of an alternative investment
710 vehicle.

711 ~~f.g.~~ Alternative investment agreements and related records.

712 ~~g.h.~~ Information concerning investors, other than the
713 Florida Opportunity Fund, in an alternative investment vehicle
714 or portfolio company.

715 2. "Proprietary confidential business information" does not
716 include:

717 a. The name, address, and vintage year of an alternative
718 investment vehicle or Florida Opportunity Fund and the identity
719 of the principals involved in the management of the alternative
720 investment vehicle or Florida Opportunity Fund.

721 b. The dollar amount of the commitment made by the Florida
722 Opportunity Fund to each alternative investment vehicle since
723 inception, if any.

724 c. The dollar amount and date of cash contributions made by
725 the Florida Opportunity Fund to each alternative investment

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726 vehicle since inception, if any.

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

730 e. The dollar amount, on a fiscal-year-end basis, of cash
731 or other fungible distributions received by the Florida
732 Opportunity Fund plus the remaining value of alternative-vehicle
733 assets that are attributable to the Florida Opportunity Fund's
734 investment in each alternative investment vehicle.

735 f. The net internal rate of return of each alternative
736 investment vehicle since inception.

737 g. The investment multiple of each alternative investment
738 vehicle since inception.

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

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

745 (2) PUBLIC RECORDS EXEMPTION.—

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

749 1. Materials that relate to methods of manufacture or
750 production, ~~potential trade secrets~~, or patentable material
751 received, generated, ascertained, or discovered during the
752 course of research or through research projects and that are
753 provided by a proprietor.

754 2. Information that would identify an investor or potential

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755 investor who desires to remain anonymous in projects reviewed by
756 the Florida Opportunity Fund.

757 3. Proprietary confidential business information regarding
758 alternative investments for 7 years after the termination of the
759 alternative investment.

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

761 (b) Notwithstanding the provisions of paragraph (2)(a), a
762 request to inspect or copy a public record that contains
763 proprietary confidential business information shall be granted
764 if the proprietor of the information fails, within a reasonable
765 period of time after the request is received by the Florida
766 Opportunity Fund, to verify the following to the Florida
767 Opportunity Fund through a written declaration in the manner
768 provided by s. 92.525:

769 1. That the requested record contains proprietary
770 confidential business information and the specific location of
771 such information within the record;

772 ~~2. If the proprietary confidential business information is~~
773 ~~a trade secret, a verification that it is a trade secret as~~
774 ~~defined in s. 688.002;~~

775 2.3. That the proprietary confidential business information
776 is intended to be and is treated by the proprietor as private,
777 is the subject of efforts of the proprietor to maintain its
778 privacy, and is not readily ascertainable or publicly available
779 from any other source; and

780 3.4. That the disclosure of the proprietary confidential
781 business information to the public would harm the business
782 operations of the proprietor.

783 (c)1. Any person may petition a court of competent

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784 jurisdiction for an order for the public release of those
785 portions of any record made confidential and exempt by
786 subsection (2).

787 2. Any action under this subsection must be brought in
788 Orange County, and the petition or other initial pleading shall
789 be served on the Florida Opportunity Fund and, if determinable
790 upon diligent inquiry, on the proprietor of the information
791 sought to be released.

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

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

796 a.b. A compelling public interest is served by the release
797 of the record or portions thereof which exceed the public
798 necessity for maintaining the confidentiality of such record;
799 and

800 b.e. The release of the record will not cause damage to or
801 adversely affect the interests of the proprietor of the released
802 information, other private persons or business entities, or the
803 Florida Opportunity Fund.

804 Section 20. Paragraph (b) of subsection (1), paragraph (a)
805 of subsection (2), and paragraphs (b) and (c) of subsection (4)
806 of section 288.9627, Florida Statutes, are amended to read:

807 288.9627 Exemptions from public records and public meetings
808 requirements for the Institute for the Commercialization of
809 Public Research.—

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

811 (b)1. "Proprietary confidential business information" means
812 information that has been designated by the proprietor when

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813 provided to the institute as information that is owned or
814 controlled by a proprietor; that is intended to be and is
815 treated by the proprietor as private, the disclosure of which
816 would harm the business operations of the proprietor and has not
817 been intentionally disclosed by the proprietor unless pursuant
818 to a private agreement that provides that the information will
819 not be released to the public except as required by law or legal
820 process, or pursuant to law or an order of a court or
821 administrative body; and that concerns:

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

823 ~~a.b.~~ Financial statements and internal or external auditor
824 reports of a proprietor corporation, partnership, or person
825 requesting confidentiality under this statute, unless publicly
826 released by the proprietor.

827 ~~b.e.~~ Meeting materials related to financial, operating,
828 investment, or marketing information of the proprietor
829 corporation, partnership, or person.

830 ~~c.d.~~ Information concerning private investors in the
831 proprietor corporation, partnership, or person.

832 2. "Proprietary confidential business information" does not
833 include:

834 a. The identity and primary address of the proprietor's
835 principals.

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

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

841 d. The dollar amount, if any, of the total management fees

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842 and costs paid on an annual fiscal-year-end basis by the
843 institute.

844 (2) PUBLIC RECORDS EXEMPTION.—

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

848 1. Materials that relate to methods of manufacture or
849 production, ~~potential trade secrets~~, or patentable material
850 received, generated, ascertained, or discovered during the
851 course of research or through research projects conducted by
852 universities and other publicly supported organizations in this
853 state and that are provided to the institute by a proprietor.

854 2. Information that would identify an investor or potential
855 investor who desires to remain anonymous in projects reviewed by
856 the institute for assistance.

857 3. Any information received from a person from another
858 state or nation or the Federal Government which is otherwise
859 confidential or exempt pursuant to the laws of that state or
860 nation or pursuant to federal law.

861 4. Proprietary confidential business information for 7
862 years after the termination of the institute's financial
863 commitment to the company.

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

865 (b) Notwithstanding the provisions of paragraph (2)(a), a
866 request to inspect or copy a public record that contains
867 proprietary confidential business information shall be granted
868 if the proprietor of the information fails, within a reasonable
869 period of time after the request is received by the institute,
870 to verify the following to the institute through a written

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871 declaration in the manner provided by s. 92.525:

872 1. That the requested record contains proprietary
873 confidential business information and the specific location of
874 such information within the record;

875 ~~2. If the proprietary confidential business information is~~
876 ~~a trade secret, a verification that it is a trade secret as~~
877 ~~defined in s. 688.002;~~

878 2.3. That the proprietary confidential business information
879 is intended to be and is treated by the proprietor as private,
880 is the subject of efforts of the proprietor to maintain its
881 privacy, and is not readily ascertainable or publicly available
882 from any other source; and

883 ~~3.4.~~ That the disclosure of the proprietary confidential
884 business information to the public would harm the business
885 operations of the proprietor.

886 (c)1. Any person may petition a court of competent
887 jurisdiction for an order for the public release of those
888 portions of any record made confidential and exempt by
889 subsection (2).

890 2. Any action under this subsection must be brought in Palm
891 Beach County or Alachua County, and the petition or other
892 initial pleading shall be served on the institute and, if
893 determinable upon diligent inquiry, on the proprietor of the
894 information sought to be released.

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

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

899 a.b. A compelling public interest is served by the release

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900 of the record or portions thereof which exceed the public
901 necessity for maintaining the confidentiality of such record;
902 and

903 ~~b.e.~~ The release of the record will not cause damage to or
904 adversely affect the interests of the proprietor of the released
905 information, other private persons or business entities, or the
906 institute.

907 Section 21. Section 331.326, Florida Statutes, is amended
908 to read:

909 331.326 Information relating to trade secrets
910 confidential.—The records of Space Florida regarding matters
911 encompassed by this act are public records subject to chapter
912 119. ~~Any information held by Space Florida which is a trade~~
913 ~~secret, as defined in s. 812.081, including trade secrets of~~
914 ~~Space Florida, any spaceport user, or the space industry~~
915 ~~business, is confidential and exempt from s. 119.07(1) and s.~~
916 ~~24(a), Art. I of the State Constitution and may not be~~
917 ~~disclosed. If Space Florida determines that any information~~
918 ~~requested by the public will reveal a trade secret, it shall, in~~
919 ~~writing, inform the person making the request of that~~
920 ~~determination. The determination is a final order as defined in~~
921 ~~s. 120.52.~~ Any meeting or portion of a meeting of Space
922 Florida's board is exempt from s. 286.011 and s. 24(b), Art. I
923 of the State Constitution when the board is discussing trade
924 secrets as defined in s. 688.01. Any public record generated
925 during the closed portions of the meetings, such as minutes,
926 tape recordings, and notes, is confidential and exempt from s.
927 119.07(1) and s. 24(a), Art. I of the State Constitution. This
928 section is subject to the Open Government Sunset Review Act in

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929 accordance with s. 119.15 and shall stand repealed on October 2,
930 2021, unless reviewed and saved from repeal through reenactment
931 by the Legislature.

932 Section 22. Subsection (4) of section 334.049, Florida
933 Statutes, is amended, and present subsection (5) of that section
934 is renumbered as subsection (4), to read:

935 334.049 Patents, copyrights, trademarks; notice to
936 Department of State; ~~confidentiality of trade secrets.~~

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

942 Section 23. Section 350.121, Florida Statutes, is amended
943 to read:

944 350.121 Commission inquiries; confidentiality of business
945 material.—If the commission undertakes an inquiry, any records,
946 documents, papers, maps, books, tapes, photographs, files, sound
947 recordings, or other business material, regardless of form or
948 characteristics, obtained by the commission incident to the
949 inquiry are considered confidential and exempt from s. 119.07(1)
950 while the inquiry is pending. If at the conclusion of an inquiry
951 the commission undertakes a formal proceeding, any matter
952 determined by the commission or by a judicial or administrative
953 body, federal or state, to be ~~trade secrets~~ or proprietary
954 confidential business information coming into its possession
955 pursuant to such inquiry shall be considered confidential and
956 exempt from s. 119.07(1). Such material may be used in any
957 administrative or judicial proceeding so long as the

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958 confidential or proprietary nature of the material is
959 maintained.

960 Section 24. Subsection (3) of section 364.183, Florida
961 Statutes, is amended to read:

962 364.183 Access to company records.—

963 (3) The term "proprietary confidential business
964 information" means information, regardless of form or
965 characteristics, which is owned or controlled by the person or
966 company, is intended to be and is treated by the person or
967 company as private in that the disclosure of the information
968 would cause harm to the ratepayers or the person's or company's
969 business operations, and has not been disclosed unless disclosed
970 pursuant to a statutory provision, an order of a court or
971 administrative body, or private agreement that provides that the
972 information will not be released to the public. The term
973 includes, ~~but is not limited to:~~

974 ~~(a) Trade secrets.~~

975 (a) ~~(b)~~ Internal auditing controls and reports of internal
976 auditors.

977 (b) ~~(e)~~ Security measures, systems, or procedures.

978 (c) ~~(d)~~ Information concerning bids or other contractual
979 data, the disclosure of which would impair the efforts of the
980 company or its affiliates to contract for goods or services on
981 favorable terms.

982 (d) ~~(e)~~ Information relating to competitive interests, the
983 disclosure of which would impair the competitive business of the
984 provider of information.

985 (e) ~~(f)~~ Employee personnel information unrelated to
986 compensation, duties, qualifications, or responsibilities.

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

989 365.174 Proprietary confidential business information.—

990 (3) As used in this section, the term "proprietary
991 confidential business information" means customer lists,
992 customer numbers, individual or aggregate customer data by
993 location, usage and capacity data, network facilities used to
994 serve subscribers, technology descriptions, or technical
995 information, ~~or trade secrets, including trade secrets as~~
996 ~~defined in s. 812.081~~, and the actual or developmental costs of
997 E911 systems that are developed, produced, or received
998 internally by a provider or by a provider's employees,
999 directors, officers, or agents.

1000 Section 26. Subsection (3) of section 366.093, Florida
1001 Statutes, is amended to read:

1002 366.093 Public utility records; confidentiality.—

1003 (3) Proprietary confidential business information means
1004 information, regardless of form or characteristics, which is
1005 owned or controlled by the person or company, is intended to be
1006 and is treated by the person or company as private in that the
1007 disclosure of the information would cause harm to the ratepayers
1008 or the person's or company's business operations, and has not
1009 been disclosed unless disclosed pursuant to a statutory
1010 provision, an order of a court or administrative body, or
1011 private agreement that provides that the information will not be
1012 released to the public. Proprietary confidential business
1013 information includes, ~~but is not limited to:~~

1014 ~~(a) Trade secrets.~~

1015 (a) ~~(b)~~ Internal auditing controls and reports of internal

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1016 auditors.

1017 (b)~~(e)~~ Security measures, systems, or procedures.

1018 (c)~~(d)~~ Information concerning bids or other contractual
1019 data, the disclosure of which would impair the efforts of the
1020 public utility or its affiliates to contract for goods or
1021 services on favorable terms.

1022 (d)~~(e)~~ Information relating to competitive interests, the
1023 disclosure of which would impair the competitive business of the
1024 provider of the information.

1025 (e)~~(f)~~ Employee personnel information unrelated to
1026 compensation, duties, qualifications, or responsibilities.

1027 Section 27. Subsection (3) of section 367.156, Florida
1028 Statutes, is amended to read:

1029 367.156 Public utility records; confidentiality.-

1030 (3) Proprietary confidential business information means
1031 information, regardless of form or characteristics, which is
1032 owned or controlled by the person or company, is intended to be
1033 and is treated by the person or company as private in that the
1034 disclosure of the information would cause harm to the ratepayers
1035 or the person's or company's business operations, and has not
1036 been disclosed unless disclosed pursuant to a statutory
1037 provision, an order of a court or administrative body, or a
1038 private agreement that provides that the information will not be
1039 released to the public. Proprietary business information
1040 includes, ~~but is not limited to:~~

1041 ~~(a) Trade secrets.~~

1042 (a)~~(b)~~ Internal auditing controls and reports of internal
1043 auditors.

1044 (b)~~(e)~~ Security measures, systems, or procedures.

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1045 (c)~~(d)~~ Information concerning bids or other contractual
 1046 data, the disclosure of which would impair the efforts of the
 1047 utility or its affiliates to contract for goods or services on
 1048 favorable terms.

1049 (d)~~(e)~~ Information relating to competitive interests, the
 1050 disclosure of which would impair the competitive businesses of
 1051 the provider of the information.

1052 (e)~~(f)~~ Employee personnel information unrelated to
 1053 compensation, duties, qualifications, or responsibilities.

1054 Section 28. Subsection (3) of section 368.108, Florida
 1055 Statutes, is amended to read:

1056 368.108 Confidentiality; discovery.—

1057 (3) "Proprietary confidential business information" means
 1058 information, regardless of form or characteristics, which is
 1059 owned or controlled by the person or company, is intended to be
 1060 and is treated by the person or company as private in that the
 1061 disclosure of the information would cause harm to the ratepayers
 1062 or the person's or company's business operations, and has not
 1063 been disclosed unless disclosed pursuant to a statutory
 1064 provision, an order of a court or administrative body, or a
 1065 private agreement that provides that the information will not be
 1066 released to the public. The term "Proprietary confidential
 1067 ~~business information"~~ includes, ~~but is not limited to:~~

1068 ~~(a) Trade secrets.~~

1069 (a)~~(b)~~ Internal auditing controls and reports of internal
 1070 auditors.

1071 (b)~~(e)~~ Security measures, systems, or procedures.

1072 (c)~~(d)~~ Information concerning bids or other contractual
 1073 data, the disclosure of which would impair the efforts of the

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1074 natural gas transmission company or its affiliates to contract
1075 for goods or services on favorable terms.

1076 ~~(d)~~(e) Information relating to competitive interests, the
1077 disclosure of which would impair the competitive business of the
1078 provider of the information.

1079 ~~(e)~~(f) Employee personnel information unrelated to
1080 compensation, duties, qualifications, or responsibilities.

1081 Section 29. Paragraph (e) of subsection (1) of section
1082 377.24075, Florida Statutes, is amended to read:

1083 377.24075 Exemption from public records requirements.—
1084 Proprietary business information held by the Department of
1085 Environmental Protection in accordance with its statutory duties
1086 with respect to an application for a natural gas storage
1087 facility permit is confidential and exempt from s. 119.07(1) and
1088 s. 24(a), Art. I of the State Constitution.

1089 (1) As used in this section, the term "proprietary business
1090 information" means information that:

1091 (e) Includes, ~~but is not limited to:~~

1092 ~~1. Trade secrets as defined in s. 688.002.~~

1093 1.2. Leasing plans, real property acquisition plans,
1094 exploration budgets, or marketing studies, the disclosure of
1095 which would impair the efforts of the applicant or its
1096 affiliates to contract for goods or services or to acquire real
1097 property interests on favorable terms.

1098 ~~2.3.~~ Competitive interests, which may include well design
1099 or completion plans, geological or engineering studies related
1100 to storage reservoir performance characteristics, or field
1101 utilization strategies or operating plans, the disclosure of
1102 which would impair the competitive business of the applicant

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1103 providing the information.

1104 Section 30. Section 381.83, Florida Statutes, is repealed.

1105 Section 31. Paragraph (c) of subsection (2) of section
1106 395.3035, Florida Statutes, is amended to read:

1107 395.3035 Confidentiality of hospital records and meetings.-

1108 (2) The following records and information of any hospital
1109 that is subject to chapter 119 and s. 24(a), Art. I of the State
1110 Constitution are confidential and exempt from the provisions of
1111 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1112 (c) ~~Trade secrets, as defined in s. 688.002, including~~
1113 Reimbursement methodologies and rates.

1114 Section 32. Subsection (2) and paragraph (b) of subsection
1115 (3) of section 403.7046, Florida Statutes, are amended to read:

1116 403.7046 Regulation of recovered materials.-

1117 (2) Notwithstanding s. 688.01, information reported
1118 pursuant to this section or any rule adopted pursuant to this
1119 section which, if disclosed, would reveal a trade secret, as
1120 defined in s. 688.01, may be provided by the department s.
1121 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
1122 ~~24(a), Art. I of the State Constitution. For reporting or~~
1123 ~~information purposes, however, the department may provide this~~
1124 ~~information~~ in such form that the names of the persons reporting
1125 such information and the specific information reported are not
1126 revealed. ~~This subsection is subject to the Open Government~~
1127 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1128 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1129 ~~repeal through reenactment by the Legislature.~~

1130 (3) Except as otherwise provided in this section or
1131 pursuant to a special act in effect on or before January 1,

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1132 1993, a local government may not require a commercial
1133 establishment that generates source-separated recovered
1134 materials to sell or otherwise convey its recovered materials to
1135 the local government or to a facility designated by the local
1136 government, nor may the local government restrict such a
1137 generator's right to sell or otherwise convey such recovered
1138 materials to any properly certified recovered materials dealer
1139 who has satisfied the requirements of this section. A local
1140 government may not enact any ordinance that prevents such a
1141 dealer from entering into a contract with a commercial
1142 establishment to purchase, collect, transport, process, or
1143 receive source-separated recovered materials.

1144 (b)~~1~~. Before engaging in business within the jurisdiction
1145 of the local government, a recovered materials dealer or
1146 pyrolysis facility must provide the local government with a copy
1147 of the certification provided for in this section. In addition,
1148 the local government may establish a registration process
1149 whereby a recovered materials dealer or pyrolysis facility must
1150 register with the local government before engaging in business
1151 within the jurisdiction of the local government. Such
1152 registration process is limited to requiring the dealer or
1153 pyrolysis facility to register its name, including the owner or
1154 operator of the dealer or pyrolysis facility, and, if the dealer
1155 or pyrolysis facility is a business entity, its general or
1156 limited partners, its corporate officers and directors, its
1157 permanent place of business, evidence of its certification under
1158 this section, and a certification that the recovered materials
1159 or post-use polymers will be processed at a recovered materials
1160 processing facility or pyrolysis facility satisfying the

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1161 requirements of this section. The local government may not use
1162 the information provided in the registration application to
1163 compete unfairly with the recovered materials dealer until 90
1164 days after receipt of the application. All counties, and
1165 municipalities whose population exceeds 35,000 according to the
1166 population estimates determined pursuant to s. 186.901, may
1167 establish a reporting process that must be limited to the
1168 regulations, reporting format, and reporting frequency
1169 established by the department pursuant to this section, which
1170 must, at a minimum, include requiring the dealer or pyrolysis
1171 facility to identify the types and approximate amount of
1172 recovered materials or post-use polymers collected, recycled, or
1173 reused during the reporting period; the approximate percentage
1174 of recovered materials or post-use polymers reused, stored, or
1175 delivered to a recovered materials processing facility or
1176 pyrolysis facility or disposed of in a solid waste disposal
1177 facility; and the locations where any recovered materials or
1178 post-use polymers were disposed of as solid waste. The local
1179 government may charge the dealer or pyrolysis facility a
1180 registration fee commensurate with and no greater than the cost
1181 incurred by the local government in operating its registration
1182 program. Registration program costs are limited to those costs
1183 associated with the activities described in this paragraph
1184 ~~subparagraph~~. Any reporting or registration process established
1185 by a local government with regard to recovered materials or
1186 post-use polymers is governed by this section and department
1187 rules adopted pursuant thereto.

1188 ~~2. Information reported under this subsection which, if~~
1189 ~~disclosed, would reveal a trade secret, as defined in s.~~

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1190 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
 1191 ~~24(a), Art. I of the State Constitution. This subparagraph is~~
 1192 ~~subject to the Open Government Sunset Review Act in accordance~~
 1193 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
 1194 ~~unless reviewed and saved from repeal through reenactment by the~~
 1195 ~~Legislature.~~

1196 Section 33. Section 403.73, Florida Statutes, is repealed.

1197 Section 34. Paragraph (c) of subsection (1) of section
 1198 408.061, Florida Statutes, is amended to read:

1199 408.061 Data collection; uniform systems of financial
 1200 reporting; information relating to physician charges;
 1201 confidential information; immunity.—

1202 (1) The agency shall require the submission by health care
 1203 facilities, health care providers, and health insurers of data
 1204 necessary to carry out the agency's duties and to facilitate
 1205 transparency in health care pricing data and quality measures.
 1206 Specifications for data to be collected under this section shall
 1207 be developed by the agency and applicable contract vendors, with
 1208 the assistance of technical advisory panels including
 1209 representatives of affected entities, consumers, purchasers, and
 1210 such other interested parties as may be determined by the
 1211 agency.

1212 (c) Data to be submitted by health insurers may include,
 1213 but are not limited to: claims, payments to health care
 1214 facilities and health care providers as specified by rule,
 1215 premium, administration, and financial information. Data
 1216 submitted shall be certified by the chief financial officer, an
 1217 appropriate and duly authorized representative, or an employee
 1218 of the insurer that the information submitted is true and

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1219 accurate. ~~Information that is considered a trade secret under s.~~
 1220 ~~812.081 shall be clearly designated.~~

1221 Section 35. Subsection (1) of section 408.185, Florida
 1222 Statutes, is amended, and present subsections (2) through (5) of
 1223 that section are renumbered as subsections (1) through (4),
 1224 respectively, to read:

1225 408.185 Information submitted for review of antitrust
 1226 issues; confidentiality.—The following information held by the
 1227 Office of the Attorney General, which is submitted by a member
 1228 of the health care community pursuant to a request for an
 1229 antitrust no-action letter shall be confidential and exempt from
 1230 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1231 Constitution for 1 year after the date of submission.

1232 ~~(1) Documents that reveal trade secrets as defined in s.~~
 1233 ~~688.002.~~

1234 Section 36. Paragraph (a) of subsection (14) of section
 1235 408.910, Florida Statutes, is amended to read:

1236 408.910 Florida Health Choices Program.—

1237 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1238 (a) *Definitions.*—For purposes of this subsection, the term:

1239 1. "Buyer's representative" means a participating insurance
 1240 agent as described in paragraph (4) (g).

1241 2. "Enrollee" means an employer who is eligible to enroll
 1242 in the program pursuant to paragraph (4) (a).

1243 3. "Participant" means an individual who is eligible to
 1244 participate in the program pursuant to paragraph (4) (b).

1245 4. "Proprietary confidential business information" means
 1246 information, regardless of form or characteristics, that is
 1247 owned or controlled by a vendor requesting confidentiality under

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1248 this section; that is intended to be and is treated by the
 1249 vendor as private in that the disclosure of the information
 1250 would cause harm to the business operations of the vendor; that
 1251 has not been disclosed unless disclosed pursuant to a statutory
 1252 provision, an order of a court or administrative body, or a
 1253 private agreement providing that the information may be released
 1254 to the public; and that is information concerning:

1255 a. Business plans.

1256 b. Internal auditing controls and reports of internal
 1257 auditors.

1258 c. Reports of external auditors for privately held
 1259 companies.

1260 d. Client and customer lists.

1261 e. Potentially patentable material.

1262 ~~f. A trade secret as defined in s. 688.002.~~

1263 5. "Vendor" means a participating insurer or other provider
 1264 of services as described in paragraph (4) (d).

1265 Section 37. Section 409.91196, Florida Statutes, is amended
 1266 to read:

1267 409.91196 Supplemental rebate agreements; public records
 1268 and public meetings exemption.—

1269 (1) The rebate amount, percent of rebate, manufacturer's
 1270 pricing, and supplemental rebate, ~~and other trade secrets as~~
 1271 ~~defined in s. 688.002 that the agency has identified for use in~~
 1272 ~~negotiations,~~ held by the Agency for Health Care Administration
 1273 under s. 409.912(5) (a)7. are confidential and exempt from s.
 1274 119.07(1) and s. 24(a), Art. I of the State Constitution.

1275 (2) That portion of a meeting of the Medicaid
 1276 Pharmaceutical and Therapeutics Committee at which the rebate

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1277 amount, percent of rebate, manufacturer's pricing, ~~or~~
 1278 supplemental rebate, or other confidential and exempt trade
 1279 secrets as provided for in s. 688.01 which ~~defined in s. 688.002~~
 1280 ~~that~~ the agency has identified for use in negotiations, ~~are~~
 1281 discussed is exempt from s. 286.011 and s. 24(b), Art. I of the
 1282 State Constitution. A record shall be made of each exempt
 1283 portion of a meeting. Such record must include the times of
 1284 commencement and termination, all discussions and proceedings,
 1285 the names of all persons present at any time, and the names of
 1286 all persons speaking. No exempt portion of a meeting may be held
 1287 off the record.

1288 Section 38. Subsection (2) of section 440.108, Florida
 1289 Statutes, is amended to read:

1290 440.108 Investigatory records relating to workers'
 1291 compensation employer compliance; confidentiality.—

1292 (2) After an investigation is completed or ceases to be
 1293 active, information in records relating to the investigation
 1294 remains confidential and exempt from the provisions of s.
 1295 119.07(1) and s. 24(a), Art. I of the State Constitution if
 1296 disclosure of that information would:

1297 (a) Jeopardize the integrity of another active
 1298 investigation;

1299 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1300 (b) ~~(e)~~ Reveal business or personal financial information;

1301 (c) ~~(d)~~ Reveal personal identifying information regarding
 1302 the identity of a confidential source;

1303 (d) ~~(e)~~ Defame or cause unwarranted damage to the good name
 1304 or reputation of an individual or jeopardize the safety of an
 1305 individual; or

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1306 (e)~~(f)~~ Reveal investigative techniques or procedures.
1307 Section 39. Paragraph (c) of subsection (1) of section
1308 494.00125, Florida Statutes, is amended to read:
1309 494.00125 Public records exemptions.—
1310 (1) INVESTIGATIONS OR EXAMINATIONS.—
1311 (c) Except as necessary for the office to enforce the
1312 provisions of this chapter, a consumer complaint and other
1313 information relative to an investigation or examination shall
1314 remain confidential and exempt from s. 119.07(1) after the
1315 investigation or examination is completed or ceases to be active
1316 to the extent disclosure would:
1317 1. Jeopardize the integrity of another active investigation
1318 or examination.
1319 2. Reveal the name, address, telephone number, social
1320 security number, or any other identifying number or information
1321 of any complainant, customer, or account holder.
1322 3. Disclose the identity of a confidential source.
1323 4. Disclose investigative techniques or procedures.
1324 5. ~~Reveal a trade secret as defined in s. 688.002.~~
1325 Section 40. Subsection (4) of section 497.172, Florida
1326 Statutes, is amended to read:
1327 497.172 Public records exemptions; public meetings
1328 exemptions.—
1329 ~~(4) TRADE SECRETS. Trade secrets, as defined in s. 688.002,~~
1330 ~~held by the department or board, are confidential and exempt~~
1331 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~
1332 ~~Constitution.~~
1333 Section 41. Paragraph (c) of subsection (3) of section
1334 499.012, Florida Statutes, is amended to read:

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1335 499.012 Permit application requirements.-

1336 (3)

1337 ~~(c) Information submitted by an applicant on an application~~
1338 ~~required pursuant to this subsection which is a trade secret, as~~
1339 ~~defined in s. 812.081, shall be maintained by the department as~~
1340 ~~trade secret information pursuant to s. 499.051(7).~~

1341 Section 42. Subsection (7) of section 499.0121, Florida
1342 Statutes, is amended to read:

1343 499.0121 Storage and handling of prescription drugs;
1344 recordkeeping.-The department shall adopt rules to implement
1345 this section as necessary to protect the public health, safety,
1346 and welfare. Such rules shall include, but not be limited to,
1347 requirements for the storage and handling of prescription drugs
1348 and for the establishment and maintenance of prescription drug
1349 distribution records.

1350 (7) PRESCRIPTION DRUG PURCHASE LIST.-

1351 ~~(a)~~ Each wholesale distributor, except for a manufacturer,
1352 shall annually provide the department with a written list of all
1353 wholesale distributors and manufacturers from whom the wholesale
1354 distributor purchases prescription drugs. A wholesale
1355 distributor, except a manufacturer, shall notify the department
1356 not later than 10 days after any change to either list.

1357 ~~(b) Such portions of the information required pursuant to~~
1358 ~~this subsection which are a trade secret, as defined in s.~~
1359 ~~812.081, shall be maintained by the department as trade secret~~
1360 ~~information is required to be maintained under s. 499.051. This~~
1361 ~~paragraph is subject to the Open Government Sunset Review Act in~~
1362 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
1363 ~~2021, unless reviewed and saved from repeal through reenactment~~

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1364 ~~by the Legislature.~~

1365 Section 43. Paragraph (g) of subsection (1) of section
1366 499.05, Florida Statutes, is amended to read:

1367 499.05 Rules.—

1368 (1) The department shall adopt rules to implement and
1369 enforce this chapter with respect to:

1370 (g) Inspections and investigations conducted under s.
1371 499.051 or s. 499.93, ~~and the identification of information~~
1372 ~~claimed to be a trade secret and exempt from the public records~~
1373 ~~law as provided in s. 499.051(7).~~

1374 Section 44. Paragraph (b) of subsection (7) of section
1375 499.051, Florida Statutes, is amended, and paragraph (c) of that
1376 subsection is redesignated as paragraph (b), to read:

1377 499.051 Inspections and investigations.—

1378 (7)

1379 ~~(b) Information that constitutes a trade secret, as defined~~
1380 ~~in s. 812.081, contained in the complaint or obtained by the~~
1381 ~~department pursuant to the investigation must remain~~
1382 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1383 ~~of the State Constitution as long as the information is held by~~
1384 ~~the department. This paragraph is subject to the Open Government~~
1385 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1386 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1387 ~~repeal through reenactment by the Legislature.~~

1388 Section 45. Section 499.931, Florida Statutes, is repealed.

1389 Section 46. Paragraph (d) of subsection (11) of section
1390 501.171, Florida Statutes, is amended to read:

1391 501.171 Security of confidential personal information.—

1392 (11) PUBLIC RECORDS EXEMPTION.—

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1393 (d) For purposes of this subsection, the term "proprietary
1394 information" means information that:

1395 1. Is owned or controlled by the covered entity.

1396 2. Is intended to be private and is treated by the covered
1397 entity as private because disclosure would harm the covered
1398 entity or its business operations.

1399 3. Has not been disclosed except as required by law or a
1400 private agreement that provides that the information will not be
1401 released to the public.

1402 4. Is not publicly available or otherwise readily
1403 ascertainable through proper means from another source in the
1404 same configuration as received by the department.

1405 5. Includes:

1406 ~~a. Trade secrets as defined in s. 688.002.~~

1407 ~~b.~~ competitive interests, the disclosure of which would
1408 impair the competitive business of the covered entity who is the
1409 subject of the information.

1410 Section 47. Section 502.222, Florida Statutes, is repealed.

1411 Section 48. Paragraph (b) of subsection (1) of section
1412 517.2015, Florida Statutes, is amended to read:

1413 517.2015 Confidentiality of information relating to
1414 investigations and examinations.-

1415 (1)

1416 (b) Except as necessary for the office to enforce the
1417 provisions of this chapter, a consumer complaint and other
1418 information relative to an investigation or examination shall
1419 remain confidential and exempt from s. 119.07(1) after the
1420 investigation or examination is completed or ceases to be active
1421 to the extent disclosure would:

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1422 1. Jeopardize the integrity of another active investigation
1423 or examination.

1424 2. Reveal the name, address, telephone number, social
1425 security number, or any other identifying number or information
1426 of any complainant, customer, or account holder.

1427 3. Disclose the identity of a confidential source.

1428 4. Disclose investigative techniques or procedures.

1429 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1430 Section 49. Paragraph (b) of subsection (1) of section
1431 520.9965, Florida Statutes, is amended to read:

1432 520.9965 Confidentiality of information relating to
1433 investigations and examinations.—

1434 (1)

1435 (b) Except as necessary for the office to enforce the
1436 provisions of this chapter, a consumer complaint and other
1437 information relative to an investigation or examination shall
1438 remain confidential and exempt from s. 119.07(1) after the
1439 investigation or examination is completed or ceases to be active
1440 to the extent disclosure would:

1441 1. Jeopardize the integrity of another active investigation
1442 or examination.

1443 2. Reveal the name, address, telephone number, social
1444 security number, or any other identifying number or information
1445 of any complainant, customer, or account holder.

1446 3. Disclose the identity of a confidential source.

1447 4. Disclose investigative techniques or procedures.

1448 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1449 Section 50. Subsection (2) of section 526.311, Florida
1450 Statutes, is amended to read:

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1451 526.311 Enforcement; civil penalties; injunctive relief.-
1452 (2) The Department of Agriculture and Consumer Services
1453 shall investigate any complaints regarding violations of this
1454 act and may request in writing the production of documents and
1455 records as part of its investigation of a complaint. If the
1456 person upon whom such request was made fails to produce the
1457 documents or records within 30 days after the date of the
1458 request, the department, through the department's office of
1459 general counsel, may issue and serve a subpoena to compel the
1460 production of such documents and records. If any person shall
1461 refuse to comply with a subpoena issued under this section, the
1462 department may petition a court of competent jurisdiction to
1463 enforce the subpoena and assess such sanctions as the court may
1464 direct. Refiners shall afford the department reasonable access
1465 to the refiners' posted terminal price. Any records, documents,
1466 papers, maps, books, tapes, photographs, files, sound
1467 recordings, or other business material, regardless of form or
1468 characteristics, obtained by the department are confidential and
1469 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
1470 of the State Constitution while the investigation is pending. At
1471 the conclusion of an investigation, any matter determined by the
1472 department or by a judicial or administrative body, federal or
1473 state, to be ~~a trade secret or~~ proprietary confidential business
1474 information held by the department pursuant to such
1475 investigation shall be considered confidential and exempt from
1476 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1477 Constitution. Such materials may be used in any administrative
1478 or judicial proceeding so long as the confidential or
1479 proprietary nature of the material is maintained.

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1480 Section 51. Paragraph (e) of subsection (1) of section
 1481 548.062, Florida Statutes, is amended to read:

1482 548.062 Public records exemption.—

1483 (1) As used in this section, the term “proprietary
 1484 confidential business information” means information that:

1485 (e) Concerns any of the following:

1486 1. The number of ticket sales for a match;

1487 2. The amount of gross receipts after a match;

1488 ~~3. A trade secret, as defined in s. 688.002;~~

1489 3.4. Business plans;

1490 4.5. Internal auditing controls and reports of internal
 1491 auditors; or

1492 5.6. Reports of external auditors.

1493 Section 52. Paragraph (a) of subsection (1) of section
 1494 556.113, Florida Statutes, is amended to read:

1495 556.113 Sunshine State One-Call of Florida, Inc.; public
 1496 records exemption.—

1497 (1) As used in this section, the term “proprietary
 1498 confidential business information” means information provided
 1499 by:

1500 (a) A member operator which is a map, plan, facility
 1501 location diagram, internal damage investigation report or
 1502 analysis, or dispatch methodology, ~~or trade secret as defined in~~
 1503 ~~s. 688.002,~~ or which describes the exact location of a utility
 1504 underground facility or the protection, repair, or restoration
 1505 thereof, and:

1506 1. Is intended to be and is treated by the member operator
 1507 as confidential;

1508 2. The disclosure of which would likely be used by a

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1509 competitor to harm the business interests of the member operator
1510 or could be used for the purpose of inflicting damage on
1511 underground facilities; and

1512 3. Is not otherwise readily ascertainable or publicly
1513 available by proper means by other persons from another source
1514 in the same configuration as provided to Sunshine State One-Call
1515 of Florida, Inc.

1516 Section 53. Paragraph (b) of subsection (2) of section
1517 559.5558, Florida Statutes, is amended to read:

1518 559.5558 Public records exemption; investigations and
1519 examinations.—

1520 (2)

1521 (b) Information made confidential and exempt pursuant to
1522 this section is no longer confidential and exempt once the
1523 investigation or examination is completed or ceases to be active
1524 unless disclosure of the information would:

1525 1. Jeopardize the integrity of another active investigation
1526 or examination.

1527 2. Reveal the personal identifying information of a
1528 consumer, unless the consumer is also the complainant. A
1529 complainant's personal identifying information is subject to
1530 disclosure after the investigation or examination is completed
1531 or ceases to be active. However, a complainant's personal
1532 financial and health information remains confidential and
1533 exempt.

1534 3. Reveal the identity of a confidential source.

1535 4. Reveal investigative or examination techniques or
1536 procedures.

1537 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

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1538 Section 54. Paragraph (c) of subsection (3) of section
1539 559.9285, Florida Statutes, is amended to read:

1540 559.9285 Certification of business activities.—

1541 (3) The department shall specify by rule the form of each
1542 certification under this section which shall include the
1543 following information:

1544 (c) The legal name, any trade names or fictitious names,
1545 mailing address, physical address, telephone number or numbers,
1546 facsimile number or numbers, and all Internet and electronic
1547 contact information of every other commercial entity with which
1548 the certifying party engages in business or commerce that is
1549 related in any way to the certifying party's business or
1550 commerce with any terrorist state. The information disclosed
1551 pursuant to this paragraph does not constitute customer lists
1552 ~~or~~ customer names, ~~or trade secrets~~ protected under s.
1553 570.544(8) or trade secrets protected under s. 688.01.

1554 Section 55. Subsection (2) of section 560.129, Florida
1555 Statutes, is amended to read:

1556 560.129 Confidentiality.—

1557 (2) All information obtained by the office in the course of
1558 its investigation or examination ~~which is a trade secret, as~~
1559 ~~defined in s. 688.002, or~~ which is personal financial
1560 information shall remain confidential and exempt from s.
1561 119.07(1) and s. 24(a), Art. I of the State Constitution. If any
1562 administrative, civil, or criminal proceeding against a money
1563 services business, its authorized vendor, or an affiliated party
1564 is initiated and the office seeks to use matter that a licensee
1565 believes to be ~~a trade secret or~~ personal financial information,
1566 such records shall be subject to an in camera review by the

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1567 administrative law judge, if the matter is before the Division
1568 of Administrative Hearings, or a judge of any court of this
1569 state, any other state, or the United States, as appropriate,
1570 for the purpose of determining if the matter is ~~a trade secret~~
1571 ~~or is~~ personal financial information. ~~If it is determined that~~
1572 ~~the matter is a trade secret, the matter shall remain~~
1573 ~~confidential.~~ If it is determined that the matter is personal
1574 financial information, the matter shall remain confidential
1575 unless the administrative law judge or judge determines that, in
1576 the interests of justice, the matter should become public.

1577 Section 56. Subsection (2) of section 569.215, Florida
1578 Statutes, is amended to read:

1579 569.215 Confidential records relating to tobacco settlement
1580 agreement.—

1581 (2) As used in this section, the term "proprietary
1582 confidential business information" means information, regardless
1583 of form or characteristics, which is owned or controlled by a
1584 tobacco company that is a signatory to the settlement agreement,
1585 as amended, in the case of *State of Florida et al. v. American*
1586 *Tobacco Company et al.*, No. 95-1466AH, in the Circuit Court of
1587 the Fifteenth Judicial Circuit, in and for Palm Beach County, is
1588 intended to be and is treated by a tobacco company as private in
1589 that the disclosure of the information would cause harm to the
1590 company's business operations, and has not been disclosed unless
1591 disclosed pursuant to a statutory provision, an order of a court
1592 or administrative body, or private agreement that provides that
1593 the information will not be released to the public. The term
1594 includes, ~~but is not limited to:~~

1595 ~~(a) Trade secrets as defined in s. 688.002.~~

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1596 (a)~~(b)~~ Information in a Form 10-K that is confidential
1597 pursuant to an order of the Division of Corporation Finance of
1598 the Securities and Exchange Commission.

1599 (b)~~(e)~~ Internal auditing control policies and procedures
1600 and reports of internal auditors.

1601 (c)~~(d)~~ Financial operating and marketing information
1602 prepared in the ordinary course of business, the disclosure of
1603 which could impair the competitive business of the provider of
1604 information.

1605 (d)~~(e)~~ Financial statements, which consist of balance
1606 sheets, statements of income and cash flows, and notes related
1607 thereto, of any subsidiary that is part of a consolidated group
1608 and engaged in the production or sale of tobacco products.

1609 (e)~~(f)~~ Report letters from independent auditors relating to
1610 domestic operating company income.

1611 (f)~~(g)~~ Analyses of specific items of revenue and expense
1612 included in operating profit and extraordinary items. As used in
1613 this paragraph, the term "extraordinary items" consists of one-
1614 time tobacco litigation settlement costs and restructuring
1615 charges.

1616 (g)~~(h)~~ Working papers, schedules, analyses, and
1617 reconciliations prepared by company personnel for the purpose of
1618 clarifying the disclosures of domestic tobacco revenues and
1619 operating profit contained in financial statements or other
1620 information related to the sale or production of tobacco
1621 products.

1622 Section 57. Subsection (3) of section 570.48, Florida
1623 Statutes, is amended to read:

1624 570.48 Division of Fruit and Vegetables; powers and duties;

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1625 records.—The duties of the Division of Fruit and Vegetables
1626 include, but are not limited to:

1627 (3) Maintaining the records of the division. The records of
1628 the division are public records, ~~however, trade secrets as~~
1629 ~~defined in s. 812.081 are confidential and exempt from s.~~
1630 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
1631 ~~subsection is subject to the Open Government Sunset Review Act~~
1632 ~~in accordance with s. 119.15 and shall stand repealed on October~~
1633 ~~2, 2021, unless reviewed and saved from repeal through~~
1634 ~~reenactment by the Legislature. This Section 688.01 may not be~~
1635 ~~construed to prohibit:~~

1636 (a) ~~A disclosure necessary to enforcement procedures.~~

1637 (b) ~~The department from releasing information to other~~
1638 ~~governmental agencies. Other governmental agencies that receive~~
1639 ~~confidential information from the department under this~~
1640 ~~subsection shall maintain the confidentiality of that~~
1641 ~~information.~~

1642 (c) ~~the department or other agencies from compiling and~~
1643 ~~publishing appropriate data regarding procedures, yield,~~
1644 ~~recovery, quality, and related matters, provided such released~~
1645 ~~data do not reveal by whom the activity to which the data relate~~
1646 ~~was conducted.~~

1647 Section 58. Subsection (8) of section 570.544, Florida
1648 Statutes, is amended to read:

1649 570.544 Division of Consumer Services; director; powers;
1650 processing of complaints; records.—

1651 (8) The records of the Division of Consumer Services are
1652 public records. However, customer lists and, customer names, ~~and~~
1653 ~~trade secrets~~ are confidential and exempt from the provisions of

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1654 s. 119.07(1). Disclosure necessary to enforcement procedures
1655 does not violate this prohibition.

1656 Section 59. Subsection (2) of section 573.123, Florida
1657 Statutes, is amended, and present subsections (3) and (4) of
1658 that section are renumbered as subsections (2) and (3),
1659 respectively, to read:

1660 573.123 Maintenance and production of records.—

1661 ~~(2) Information that, if disclosed, would reveal a trade~~
1662 ~~secret, as defined in s. 812.081, of any person subject to a~~
1663 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1664 ~~s. 24(a), Art. I of the State Constitution and may not be~~
1665 ~~disclosed except to an attorney who provides legal advice to the~~
1666 ~~division about enforcing a marketing order or by court order. A~~
1667 ~~person who receives confidential information under this~~
1668 ~~subsection shall maintain the confidentiality of that~~
1669 ~~information. This subsection is subject to the Open Government~~
1670 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1671 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1672 ~~repeal through reenactment by the Legislature.~~

1673 Section 60. Section 581.199, Florida Statutes, is repealed.

1674 Section 61. Paragraph (b) of subsection (8) of section
1675 601.10, Florida Statutes, is amended, and present paragraph (c)
1676 of that subsection is redesignated as paragraph (b), to read:

1677 601.10 Powers of the Department of Citrus.—The department
1678 shall have and shall exercise such general and specific powers
1679 as are delegated to it by this chapter and other statutes of the
1680 state, which powers shall include, but are not limited to, the
1681 following:

1682 (8)

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1683 ~~(b) Any information provided to the department which~~
1684 ~~constitutes a trade secret as defined in s. 812.081 is~~
1685 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1686 ~~of the State Constitution. This paragraph is subject to the Open~~
1687 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
1688 ~~shall stand repealed on October 2, 2021, unless reviewed and~~
1689 ~~saved from repeal through reenactment by the Legislature.~~

1690 Section 62. Paragraph (d) of subsection (7) of section
1691 601.15, Florida Statutes, is amended to read:

1692 601.15 Advertising campaign; methods of conducting;
1693 assessments; emergency reserve fund; citrus research.—

1694 (7) All assessments levied and collected under this chapter
1695 shall be paid into the State Treasury on or before the 15th day
1696 of each month. Such moneys shall be accounted for in a special
1697 fund to be designated as the Florida Citrus Advertising Trust
1698 Fund, and all moneys in such fund are appropriated to the
1699 department for the following purposes:

1700 (d)1. The pro rata portion of moneys allocated to each type
1701 of citrus product in noncommodity programs shall be used by the
1702 department to encourage substantial increases in the
1703 effectiveness, frequency, and volume of noncommodity
1704 advertising, merchandising, publicity, and sales promotion of
1705 such citrus products through rebates and incentive payments to
1706 handlers and trade customers for these activities. The
1707 department shall adopt rules providing for the use of such
1708 moneys. The rules shall establish alternate incentive programs,
1709 including at least one incentive program for product sold under
1710 advertised brands, one incentive program for product sold under
1711 private label brands, and one incentive program for product sold

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1712 in bulk. For each incentive program, the rules must establish
1713 eligibility and performance requirements and must provide
1714 appropriate limitations on amounts payable to a handler or trade
1715 customer for a particular season. Such limitations may relate to
1716 the amount of citrus assessments levied and collected on the
1717 citrus product handled by such handler or trade customer during
1718 a 12-month representative period.

1719 2. The department may require from participants in
1720 noncommodity advertising and promotional programs commercial
1721 information necessary to determine eligibility for and
1722 performance in such programs. ~~Any information required which~~
1723 ~~constitutes a trade secret as defined in s. 812.081 is~~
1724 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1725 ~~of the State Constitution. This subparagraph is subject to the~~
1726 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
1727 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~
1728 ~~saved from repeal through reenactment by the Legislature.~~

1729 Section 63. Paragraph (c) of subsection (8) of section
1730 601.152, Florida Statutes, is amended to read:

1731 601.152 Special marketing orders.—

1732 (8)

1733 (c)~~1~~. Every handler shall, at such times as the department
1734 may require, file with the department a return, not under oath,
1735 on forms to be prescribed and furnished by the department,
1736 certified as true and correct, stating the quantity of the type,
1737 variety, and form of citrus fruit or citrus product specified in
1738 the marketing order first handled in the primary channels of
1739 trade in the state by such handler during the period of time
1740 specified in the marketing order. Such returns must contain any

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1741 further information deemed by the department to be reasonably
1742 necessary to properly administer or enforce this section or any
1743 marketing order implemented under this section.

1744 ~~2. Information that, if disclosed, would reveal a trade~~
1745 ~~secret, as defined in s. 812.081, of any person subject to a~~
1746 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1747 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
1748 ~~subject to the Open Government Sunset Review Act in accordance~~
1749 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1750 ~~unless reviewed and saved from repeal through reenactment by the~~
1751 ~~Legislature.~~

1752 Section 64. Section 601.76, Florida Statutes, is repealed.

1753 Section 65. Subsection (6) of section 607.0505, Florida
1754 Statutes, is amended to read:

1755 607.0505 Registered agent; duties.—

1756 (6) Information provided to, and records and transcriptions
1757 of testimony obtained by, the Department of Legal Affairs
1758 pursuant to this section are confidential and exempt from the
1759 provisions of s. 119.07(1) while the investigation is active.
1760 For purposes of this section, an investigation shall be
1761 considered "active" while such investigation is being conducted
1762 with a reasonable, good faith belief that it may lead to the
1763 filing of an administrative, civil, or criminal proceeding. An
1764 investigation does not cease to be active so long as the
1765 department is proceeding with reasonable dispatch and there is a
1766 good faith belief that action may be initiated by the department
1767 or other administrative or law enforcement agency. Except for
1768 active criminal intelligence or criminal investigative
1769 information, as defined in s. 119.011, and information which, if

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1770 disclosed, ~~would reveal a trade secret, as defined in s.~~
1771 ~~688.002, or~~ would jeopardize the safety of an individual, all
1772 information, records, and transcriptions become public record
1773 when the investigation is completed or ceases to be active. The
1774 department shall not disclose confidential information, records,
1775 or transcriptions of testimony except pursuant to the
1776 authorization by the Attorney General in any of the following
1777 circumstances:

1778 (a) To a law enforcement agency participating in or
1779 conducting a civil investigation under chapter 895, or
1780 participating in or conducting a criminal investigation.

1781 (b) In the course of filing, participating in, or
1782 conducting a judicial proceeding instituted pursuant to this
1783 section or chapter 895.

1784 (c) In the course of filing, participating in, or
1785 conducting a judicial proceeding to enforce an order or judgment
1786 entered pursuant to this section or chapter 895.

1787 (d) In the course of a criminal or civil proceeding.

1788
1789 A person or law enforcement agency which receives any
1790 information, record, or transcription of testimony that has been
1791 made confidential by this subsection shall maintain the
1792 confidentiality of such material and shall not disclose such
1793 information, record, or transcription of testimony except as
1794 provided for herein. Any person who willfully discloses any
1795 information, record, or transcription of testimony that has been
1796 made confidential by this subsection, except as provided for
1797 herein, is guilty of a misdemeanor of the first degree,
1798 punishable as provided in s. 775.082 or s. 775.083. If any

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1799 information, record, or testimony obtained pursuant to
1800 subsection (2) is offered in evidence in any judicial
1801 proceeding, the court may, in its discretion, seal that portion
1802 of the record to further the policies of confidentiality set
1803 forth herein.

1804 Section 66. Subsection (6) of section 617.0503, Florida
1805 Statutes, is amended to read:

1806 617.0503 Registered agent; duties; confidentiality of
1807 investigation records.—

1808 (6) Information provided to, and records and transcriptions
1809 of testimony obtained by, the Department of Legal Affairs
1810 pursuant to this section are confidential and exempt from the
1811 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1812 Constitution while the investigation is active. For purposes of
1813 this section, an investigation shall be considered "active"
1814 while such investigation is being conducted with a reasonable,
1815 good faith belief that it may lead to the filing of an
1816 administrative, civil, or criminal proceeding. An investigation
1817 does not cease to be active so long as the department is
1818 proceeding with reasonable dispatch and there is a good faith
1819 belief that action may be initiated by the department or other
1820 administrative or law enforcement agency. Except for active
1821 criminal intelligence or criminal investigative information, as
1822 defined in s. 119.011, and information which, if disclosed,
1823 ~~would reveal a trade secret, as defined in s. 688.002, or would~~
1824 jeopardize the safety of an individual, all information,
1825 records, and transcriptions become available to the public when
1826 the investigation is completed or ceases to be active. The
1827 department shall not disclose confidential information, records,

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1828 or transcriptions of testimony except pursuant to authorization
1829 by the Attorney General in any of the following circumstances:

1830 (a) To a law enforcement agency participating in or
1831 conducting a civil investigation under chapter 895, or
1832 participating in or conducting a criminal investigation.

1833 (b) In the course of filing, participating in, or
1834 conducting a judicial proceeding instituted pursuant to this
1835 section or chapter 895.

1836 (c) In the course of filing, participating in, or
1837 conducting a judicial proceeding to enforce an order or judgment
1838 entered pursuant to this section or chapter 895.

1839 (d) In the course of a criminal proceeding.

1840
1841 A person or law enforcement agency that receives any
1842 information, record, or transcription of testimony that has been
1843 made confidential by this subsection shall maintain the
1844 confidentiality of such material and shall not disclose such
1845 information, record, or transcription of testimony except as
1846 provided for herein. Any person who willfully discloses any
1847 information, record, or transcription of testimony that has been
1848 made confidential by this subsection, except as provided for in
1849 this subsection, commits a misdemeanor of the first degree,
1850 punishable as provided in s. 775.082 or s. 775.083. If any
1851 information, record, or testimony obtained pursuant to
1852 subsection (2) is offered in evidence in any judicial
1853 proceeding, the court may, in its discretion, seal that portion
1854 of the record to further the policies of confidentiality set
1855 forth in this subsection.

1856 Section 67. Paragraph (c) of subsection (1) of section

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1857 624.4212, Florida Statutes, is amended to read:

1858 624.4212 Confidentiality of proprietary business and other
1859 information.—

1860 (1) As used in this section, the term "proprietary business
1861 information" means information, regardless of form or
1862 characteristics, which is owned or controlled by an insurer, or
1863 a person or an affiliated person who seeks acquisition of
1864 controlling stock in a domestic stock insurer or controlling
1865 company, and which:

1866 (c) Includes:

1867 ~~1. Trade secrets as defined in s. 688.002 which comply with~~
1868 ~~s. 624.4213.~~

1869 1.2. Information relating to competitive interests, the
1870 disclosure of which would impair the competitive business of the
1871 provider of the information.

1872 2.3. The source, nature, and amount of the consideration
1873 used or to be used in carrying out a merger or other acquisition
1874 of control in the ordinary course of business, including the
1875 identity of the lender, if the person filing a statement
1876 regarding consideration so requests.

1877 3.4. Information relating to bids or other contractual
1878 data, the disclosure of which would impair the efforts of the
1879 insurer or its affiliates to contract for goods or services on
1880 favorable terms.

1881 4.5. Internal auditing controls and reports of internal
1882 auditors.

1883 Section 68. Section 624.4213, Florida Statutes, is
1884 repealed.

1885 Section 69. Paragraph (d) of subsection (1) of section

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1886 626.84195, Florida Statutes, is amended to read:

1887 626.84195 Confidentiality of information supplied by title
 1888 insurance agencies and insurers.-

1889 (1) As used in this section, the term "proprietary business
 1890 information" means information that:

1891 (d) Concerns:

1892 1. Business plans;

1893 2. Internal auditing controls and reports of internal
 1894 auditors;

1895 3. Reports of external auditors for privately held
 1896 companies;

1897 ~~4. Trade secrets, as defined in s. 688.002; or~~

1898 4.5. Financial information, including revenue data, loss
 1899 expense data, gross receipts, taxes paid, capital investment,
 1900 and employee wages.

1901 Section 70. Subsection (2) of section 626.884, Florida
 1902 Statutes, is amended to read:

1903 626.884 Maintenance of records by administrator; access;
 1904 confidentiality.-

1905 (2) The office shall have access to books and records
 1906 maintained by the administrator for the purpose of examination,
 1907 audit, and inspection. ~~Information contained in such books and~~
 1908 ~~records is confidential and exempt from the provisions of s.~~
 1909 ~~119.07(1) if the disclosure of such information would reveal a~~
 1910 ~~trade secret as defined in s. 688.002. However, the office may~~
 1911 ~~use such information in any proceeding instituted against the~~
 1912 ~~administrator.~~

1913 Section 71. Subsection (1) of section 626.9936, Florida
 1914 Statutes, is amended to read:

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1915 626.9936 Access to records.—

1916 (1) Notwithstanding subsections (1) and (2) of Article
1917 VIII, subsection (2) of Article X, and subsection (6) of Article
1918 XII of the Interstate Insurance Product Regulation Compact, a
1919 request by a resident of this state for public inspection and
1920 copying of information, data, or official records that includes:

1921 ~~(a) An insurer's trade secrets shall be referred to the~~
1922 ~~commissioner who shall respond to the request, with the~~
1923 ~~cooperation and assistance of the commission, in accordance with~~
1924 ~~s. 624.4213; or~~

1925 ~~(b)~~ matters of privacy of individuals shall be referred to
1926 the commissioner who shall respond to the request, with the
1927 cooperation and assistance of the commission, in accordance with
1928 s. 119.07(1).

1929 Section 72. Paragraph (g) of subsection (3) of section
1930 627.0628, Florida Statutes, is amended to read:

1931 627.0628 Florida Commission on Hurricane Loss Projection
1932 Methodology; public records exemption; public meetings
1933 exemption.—

1934 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1935 ~~(g)1. A trade secret, as defined in s. 688.002, which is~~
1936 ~~used in designing and constructing a hurricane or flood loss~~
1937 ~~model and which is provided pursuant to this section, by a~~
1938 ~~private company, to the commission, office, or consumer advocate~~
1939 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~
1940 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~
1941 ~~Constitution.~~

1942 1.2.a. That portion of a meeting of the commission or of a
1943 rate proceeding on an insurer's rate filing at which a trade

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1944 secret made confidential and exempt pursuant to s. 688.01 by
1945 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.
1946 24(b), Art. I of the State Constitution. The closed meeting must
1947 be recorded, and no portion of the closed meeting may be off the
1948 record.

1949 ~~2.b.~~ The recording of a closed portion of a meeting is
1950 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1951 Constitution.

1952 ~~3.e.~~ This paragraph is subject to the Open Government
1953 Sunset Review Act in accordance with s. 119.15 and shall stand
1954 repealed on October 2, 2019, unless reviewed and saved from
1955 repeal through reenactment by the Legislature.

1956 Section 73. Paragraph (a) of subsection (11) of section
1957 627.3518, Florida Statutes, is amended to read:

1958 627.3518 Citizens Property Insurance Corporation
1959 policyholder eligibility clearinghouse program.—The purpose of
1960 this section is to provide a framework for the corporation to
1961 implement a clearinghouse program by January 1, 2014.

1962 (11) Proprietary business information provided to the
1963 corporation's clearinghouse by insurers with respect to
1964 identifying and selecting risks for an offer of coverage is
1965 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1966 of the State Constitution.

1967 (a) As used in this subsection, the term "proprietary
1968 business information" means information, regardless of form or
1969 characteristics, which is owned or controlled by an insurer and:

1970 1. Is identified by the insurer as proprietary business
1971 information and is intended to be and is treated by the insurer
1972 as private in that the disclosure of the information would cause

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1973 harm to the insurer, an individual, or the company's business
 1974 operations and has not been disclosed unless disclosed pursuant
 1975 to a statutory requirement, an order of a court or
 1976 administrative body, or a private agreement that provides that
 1977 the information will not be released to the public;

1978 2. Is not otherwise readily ascertainable or publicly
 1979 available by proper means by other persons from another source
 1980 in the same configuration as provided to the clearinghouse; and

1981 3. Includes, ~~but is not limited to:~~

1982 ~~a. Trade secrets.~~

1983 ~~b.~~ information relating to competitive interests, the
 1984 disclosure of which would impair the competitive business of the
 1985 provider of the information.

1986
 1987 Proprietary business information may be found in underwriting
 1988 criteria or instructions which are used to identify and select
 1989 risks through the program for an offer of coverage and are
 1990 shared with the clearinghouse to facilitate the shopping of
 1991 risks with the insurer.

1992 Section 74. Present subsections (4), (5), (14), and (15) of
 1993 section 655.057, Florida Statutes, are amended, and present
 1994 subsections (5) through (15) of that section are renumbered as
 1995 subsections (4) through (14), respectively, to read:

1996 655.057 Records; limited restrictions upon public access.-

1997 ~~(4) Except as otherwise provided in this section and except~~
 1998 ~~for those portions that are otherwise public record, trade~~
 1999 ~~secrets as defined in s. 688.002 which comply with s. 655.0591~~
 2000 ~~and which are held by the office in accordance with its~~
 2001 ~~statutory duties with respect to the financial institutions~~

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2002 ~~codes are confidential and exempt from s. 119.07(1) and s.~~
 2003 ~~24(a), Art. I of the State Constitution.~~

2004 (4)(5) Neither this section nor s. 688.01 prevents or
 2005 restricts ~~does not prevent or restrict:~~

2006 (a) Publishing reports that are required to be submitted to
 2007 the office pursuant to s. 655.045(2) or required by applicable
 2008 federal statutes or regulations to be published.

2009 (b) Furnishing records or information to any other state,
 2010 federal, or foreign agency responsible for the regulation or
 2011 supervision of financial institutions.

2012 (c) Disclosing or publishing summaries of the condition of
 2013 financial institutions and general economic and similar
 2014 statistics and data, provided that the identity of a particular
 2015 financial institution is not disclosed.

2016 (d) Reporting any suspected criminal activity, with
 2017 supporting documents and information, to appropriate law
 2018 enforcement and prosecutorial agencies.

2019 (e) Furnishing information upon request to the Chief
 2020 Financial Officer or the Division of Treasury of the Department
 2021 of Financial Services regarding the financial condition of any
 2022 financial institution that is, or has applied to be, designated
 2023 as a qualified public depository pursuant to chapter 280.

2024 (f) Furnishing information to Federal Home Loan Banks
 2025 regarding its member institutions pursuant to an information
 2026 sharing agreement between the Federal Home Loan Banks and the
 2027 office.

2028
 2029 Any confidential information or records obtained from the office
 2030 pursuant to this subsection shall be maintained as confidential

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2031 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2032 Constitution.

2033 (13)~~(14)~~ Subsection ~~Subsections~~ (3) is and ~~(4)~~ are subject
2034 to the Open Government Sunset Review Act in accordance with s.
2035 119.15 and is ~~are~~ repealed on October 2, 2019, unless reviewed
2036 and saved from repeal through reenactment by the Legislature.

2037 (14)~~(15)~~ Subsections (1), (2), (4) ~~(5)~~, and (8) ~~(9)~~ are
2038 subject to the Open Government Sunset Review Act in accordance
2039 with s. 119.15 and are repealed on October 2, 2022, unless
2040 reviewed and saved from repeal through reenactment by the
2041 Legislature.

2042 Section 75. Section 655.0591, Florida Statutes, is
2043 repealed.

2044 Section 76. Subsection (11) of section 663.533, Florida
2045 Statutes, is amended to read:

2046 663.533 Applicability of the financial institutions codes.-
2047 A qualified limited service affiliate is subject to the
2048 financial institutions codes. Without limiting the foregoing,
2049 the following provisions are applicable to a qualified limited
2050 service affiliate:

2051 (11) Section 688.01 ~~655.0591~~, relating to trade secret
2052 documents.

2053
2054 This section does not prohibit the office from investigating or
2055 examining an entity to ensure that it is not in violation of
2056 this chapter or applicable provisions of the financial
2057 institutions codes.

2058 Section 77. Section 721.071, Florida Statutes, is repealed.

2059 Section 78. Present subsections (3) and (4) of section

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2060 815.04, Florida Statutes, are amended, and present subsection
2061 (5) of that section is renumbered as subsection (4), to read:

2062 815.04 Offenses against intellectual property; ~~public~~
2063 ~~records exemption.~~

2064 ~~(3) Data, programs, or supporting documentation that is a~~
2065 ~~trade secret as defined in s. 812.081, that is held by an agency~~
2066 ~~as defined in chapter 119, and that resides or exists internal~~
2067 ~~or external to a computer, computer system, computer network, or~~
2068 ~~electronic device is confidential and exempt from the provisions~~
2069 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~
2070 ~~This subsection is subject to the Open Government Sunset Review~~
2071 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
2072 ~~October 2, 2021, unless reviewed and saved from repeal through~~
2073 ~~reenactment by the Legislature.~~

2074 (3)~~(4)~~ A person who willfully, knowingly, and without
2075 authorization discloses or takes data, programs, or supporting
2076 documentation that is a trade secret as defined in s. 812.081 ~~or~~
2077 ~~is confidential as provided by law~~ residing or existing internal
2078 or external to a computer, computer system, computer network, or
2079 electronic device commits an offense against intellectual
2080 property.

2081 Section 79. Section 815.045, Florida Statutes, is repealed.

2082 Section 80. Subsection (2) of section 1004.22, Florida
2083 Statutes, is amended to read:

2084 1004.22 Divisions of sponsored research at state
2085 universities.—

2086 (2) The university shall set such policies to regulate the
2087 activities of the divisions of sponsored research as it may
2088 consider necessary to administer the research programs in a

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2089 manner which assures efficiency and effectiveness, producing the
2090 maximum benefit for the educational programs and maximum service
2091 to the state. To this end, materials that relate to methods of
2092 manufacture or production, ~~potential trade secrets~~, potentially
2093 patentable material, ~~actual trade secrets~~, business
2094 transactions, or proprietary information received, generated,
2095 ascertained, or discovered during the course of research
2096 conducted within the state universities shall be confidential
2097 and exempt from the provisions of s. 119.07(1), except that a
2098 division of sponsored research shall make available upon request
2099 the title and description of a research project, the name of the
2100 researcher, and the amount and source of funding provided for
2101 such project.

2102 Section 81. Paragraph (c) of subsection (2) and subsections
2103 (3), (4), and (7) of section 1004.30, Florida Statutes, are
2104 amended, and paragraph (d) of subsection (2) of that section is
2105 redesignated as paragraph (c), to read:

2106 1004.30 University health services support organization;
2107 confidentiality of information.—

2108 (2) The following university health services support
2109 organization's records and information are confidential and
2110 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
2111 of the State Constitution:

2112 ~~(c) Trade secrets, as defined in s. 688.002, including~~
2113 ~~reimbursement methodologies and rates.~~

2114 (3) Any portion of a governing board or peer review panel
2115 or committee meeting during which a confidential and exempt
2116 contract, document, record, or marketing plan, ~~or trade secret~~,
2117 as provided for in subsection (2), or a confidential and exempt

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2118 trade secret, as provided for in s. 688.01, is discussed is
2119 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of
2120 the State Constitution.

2121 (4) Those portions of any public record, such as a tape
2122 recording, minutes, and notes, generated during that portion of
2123 a governing board or peer review panel or committee meeting
2124 which is closed to the public pursuant to this section, ~~which~~
2125 ~~contain information relating to contracts, documents, records,~~
2126 ~~marketing plans, or trade secrets which are made confidential~~
2127 ~~and exempt by this section,~~ are confidential and exempt from the
2128 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2129 Constitution.

2130 (7) Those portions of any public record, such as a tape
2131 recording, minutes, or notes, generated during that portion of a
2132 governing board meeting at which negotiations for contracts for
2133 managed-care arrangements occur, are reported on, or are acted
2134 on by the governing board, which record is made confidential and
2135 exempt by subsection (4), shall become public records 2 years
2136 after the termination or completion of the term of the contract
2137 to which such negotiations relate or, if no contract was
2138 executed, 2 years after the termination of the negotiations.
2139 Notwithstanding paragraph (2)(a) and subsection (4), a
2140 university health services support organization must make
2141 available, upon request, the title and general description of a
2142 contract for managed-care arrangements, the names of the
2143 contracting parties, and the duration of the contract term. All
2144 contracts for managed-care arrangements which are made
2145 confidential and exempt by paragraph (2)(a), except those
2146 portions of any contract containing trade secrets which are made

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2147 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall
2148 become public 2 years after the termination or completion of the
2149 term of the contract.

2150 Section 82. Paragraph (b) of subsection (8) of section
2151 1004.43, Florida Statutes, is amended to read:

2152 1004.43 H. Lee Moffitt Cancer Center and Research
2153 Institute.—There is established the H. Lee Moffitt Cancer Center
2154 and Research Institute, a statewide resource for basic and
2155 clinical research and multidisciplinary approaches to patient
2156 care.

2157 (8)

2158 (b) Proprietary confidential business information is
2159 confidential and exempt from the provisions of s. 119.07(1) and
2160 s. 24(a), Art. I of the State Constitution. However, the Auditor
2161 General, the Office of Program Policy Analysis and Government
2162 Accountability, and the Board of Governors, pursuant to their
2163 oversight and auditing functions, must be given access to all
2164 proprietary confidential business information upon request and
2165 without subpoena and must maintain the confidentiality of
2166 information so received. As used in this paragraph, the term
2167 "proprietary confidential business information" means
2168 information, regardless of its form or characteristics, which is
2169 owned or controlled by the not-for-profit corporation or its
2170 subsidiaries; is intended to be and is treated by the not-for-
2171 profit corporation or its subsidiaries as private and the
2172 disclosure of which would harm the business operations of the
2173 not-for-profit corporation or its subsidiaries; has not been
2174 intentionally disclosed by the corporation or its subsidiaries
2175 unless pursuant to law, an order of a court or administrative

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2176 body, a legislative proceeding pursuant to s. 5, Art. III of the
2177 State Constitution, or a private agreement that provides that
2178 the information may be released to the public; and which is
2179 information concerning:

2180 1. Internal auditing controls and reports of internal
2181 auditors;

2182 2. Matters reasonably encompassed in privileged attorney-
2183 client communications;

2184 3. Contracts for managed-care arrangements, including
2185 preferred provider organization contracts, health maintenance
2186 organization contracts, and exclusive provider organization
2187 contracts, and any documents directly relating to the
2188 negotiation, performance, and implementation of any such
2189 contracts for managed-care arrangements;

2190 4. Bids or other contractual data, banking records, and
2191 credit agreements the disclosure of which would impair the
2192 efforts of the not-for-profit corporation or its subsidiaries to
2193 contract for goods or services on favorable terms;

2194 5. Information relating to private contractual data, the
2195 disclosure of which would impair the competitive interest of the
2196 provider of the information;

2197 6. Corporate officer and employee personnel information;

2198 7. Information relating to the proceedings and records of
2199 credentialing panels and committees and of the governing board
2200 of the not-for-profit corporation or its subsidiaries relating
2201 to credentialing;

2202 8. Minutes of meetings of the governing board of the not-
2203 for-profit corporation and its subsidiaries, except minutes of
2204 meetings open to the public pursuant to subsection (9);

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2205 9. Information that reveals plans for marketing services
2206 that the corporation or its subsidiaries reasonably expect to be
2207 provided by competitors;

2208 ~~10. Trade secrets as defined in s. 688.002, including:~~

2209 ~~a.~~ Information relating to methods of manufacture or
2210 production, ~~potential trade secrets,~~ potentially patentable
2211 materials, or proprietary information received, generated,
2212 ascertained, or discovered during the course of research
2213 conducted by the not-for-profit corporation or its subsidiaries;
2214 ~~and~~

2215 ~~11.b.~~ Reimbursement methodologies or rates;

2216 ~~12.11.~~ The identity of donors or prospective donors of
2217 property who wish to remain anonymous or any information
2218 identifying such donors or prospective donors. The anonymity of
2219 these donors or prospective donors must be maintained in the
2220 auditor's report; or

2221 ~~13.12.~~ Any information received by the not-for-profit
2222 corporation or its subsidiaries from an agency in this or
2223 another state or nation or the Federal Government which is
2224 otherwise exempt or confidential pursuant to the laws of this or
2225 another state or nation or pursuant to federal law.

2226

2227 As used in this paragraph, the term "managed care" means systems
2228 or techniques generally used by third-party payors or their
2229 agents to affect access to and control payment for health care
2230 services. Managed-care techniques most often include one or more
2231 of the following: prior, concurrent, and retrospective review of
2232 the medical necessity and appropriateness of services or site of
2233 services; contracts with selected health care providers;

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2234 financial incentives or disincentives related to the use of
 2235 specific providers, services, or service sites; controlled
 2236 access to and coordination of services by a case manager; and
 2237 payor efforts to identify treatment alternatives and modify
 2238 benefit restrictions for high-cost patient care.

2239 Section 83. Paragraph (a) of subsection (2) of section
 2240 1004.4472, Florida Statutes, is amended to read:

2241 1004.4472 Florida Institute for Human and Machine
 2242 Cognition, Inc.; public records exemption; public meetings
 2243 exemption.—

2244 (2) The following information held by the corporation or
 2245 its subsidiary is confidential and exempt from s. 119.07(1) and
 2246 s. 24(a), Art. I of the State Constitution:

2247 (a) Material relating to methods of manufacture or
 2248 production; ; ~~potential trade secrets;~~ patentable material;
 2249 ~~actual trade secrets as defined in s. 688.002 or proprietary~~
 2250 information received, generated, ascertained, or discovered
 2251 during the course of research conducted by or through the
 2252 corporation or a subsidiary; ; and business transactions
 2253 resulting from such research.

2254 Section 84. Subsection (2) of section 1004.78, Florida
 2255 Statutes, is amended to read:

2256 1004.78 Technology transfer centers at Florida College
 2257 System institutions.—

2258 (2) The Florida College System institution board of
 2259 trustees shall set such policies to regulate the activities of
 2260 the technology transfer center as it may consider necessary to
 2261 effectuate the purposes of this section and to administer the
 2262 programs of the center in a manner which assures efficiency and

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2263 effectiveness, producing the maximum benefit for the educational
2264 programs and maximum service to the state. To this end,
2265 materials that relate to methods of manufacture or production,
2266 ~~potential trade secrets,~~ potentially patentable material, ~~actual~~
2267 ~~trade secrets,~~ business transactions, or proprietary information
2268 received, generated, ascertained, or discovered during the
2269 course of activities conducted within the Florida College System
2270 institutions shall be confidential and exempt from the
2271 provisions of s. 119.07(1), except that a Florida College System
2272 institution shall make available upon request the title and
2273 description of a project, the name of the investigator, and the
2274 amount and source of funding provided for such project.

2275 Section 85. Section 601.80, Florida Statutes, is amended to
2276 read:

2277 601.80 Unlawful to use uncertified coloring matter.—It is
2278 unlawful for any person to use on oranges or citrus hybrids any
2279 coloring matter which has not first received the approval of the
2280 Department of Agriculture ~~as provided under s. 601.76.~~

2281 Section 86. Present subsection (11) of section 663.533,
2282 Florida Statutes, is amended, and present subsections (12) and
2283 (13) of that section are renumbered as subsections (11) and
2284 (12), respectively, to read:

2285 663.533 Applicability of the financial institutions codes.—
2286 A qualified limited service affiliate is subject to the
2287 financial institutions codes. Without limiting the foregoing,
2288 the following provisions are applicable to a qualified limited
2289 service affiliate:

2290 ~~(11) Section 655.0591, relating to trade secret documents.~~

2291

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2292 This section does not prohibit the office from investigating or
2293 examining an entity to ensure that it is not in violation of
2294 this chapter or applicable provisions of the financial
2295 institutions codes.

2296 Section 87. Paragraph (c) of subsection (12) of section
2297 721.13, Florida Statutes, is amended to read:

2298 721.13 Management.—

2299 (12)

2300 (c) The managing entity shall maintain copies of all
2301 records, data, and information supporting the processes,
2302 analyses, procedures, and methods utilized by the managing
2303 entity in its determination to reserve accommodations of the
2304 timeshare plan pursuant to this subsection for a period of 5
2305 years from the date of such determination. In the event of an
2306 investigation by the division for failure of a managing entity
2307 to comply with this subsection, the managing entity shall make
2308 all such records, data, and information available to the
2309 division for inspection, ~~provided that if the managing entity~~
2310 ~~complies with the provisions of s. 721.071, any such records,~~
2311 ~~data, and information provided to the division shall constitute~~
2312 ~~a trade secret pursuant to that section.~~

2313 Section 88. Paragraphs (a) and (c) of subsection (3) of
2314 section 921.0022, Florida Statutes, are amended to read:

2315 921.0022 Criminal Punishment Code; offense severity ranking
2316 chart.—

2317 (3) OFFENSE SEVERITY RANKING CHART

2318 (a) LEVEL 1

2319

2320

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	Florida Statute	Felony Degree	Description
2321	24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
2322	212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2323	212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2324	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
2325	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2326	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
2327	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2328	322.212	3rd	Possession of forged, stolen,

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(1) (a) - (c)

counterfeit, or unlawfully
issued driver license;
possession of simulated
identification.

2329

322.212 (4)

3rd

Supply or aid in supplying
unauthorized driver license or
identification card.

2330

322.212 (5) (a)

3rd

False application for driver
license or identification card.

2331

414.39 (3) (a)

3rd

Fraudulent misappropriation of
public assistance funds by
employee/official, value more
than \$200.

2332

443.071 (1)

3rd

False statement or
representation to obtain or
increase reemployment
assistance benefits.

2333

509.151 (1)

3rd

Defraud an innkeeper, food or
lodging value greater than
\$300.

2334

517.302 (1)

3rd

Violation of the Florida
Securities and Investor
Protection Act.

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2335
2336
2337
2338
2339
2340
2341
2342

562.27 (1)

3rd

Possess still or still apparatus.

713.69

3rd

Tenant removes property upon which lien has accrued, value more than \$50.

812.014 (3) (c)

3rd

Petit theft (3rd conviction); theft of any property not specified in subsection (2).

812.081 (2)

3rd

Unlawfully makes or causes to be made a reproduction of a trade secret.

815.04 (4) (a)

~~815.04 (5) (a)~~

3rd

Offense against intellectual property (i.e., computer programs, data).

817.52 (2)

3rd

Hiring with intent to defraud, motor vehicle services.

817.569 (2)

3rd

Use of public record or public records information or providing false information to facilitate commission of a felony.

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2343

826.01 3rd Bigamy.

2344

828.122(3) 3rd Fighting or baiting animals.

2345

831.04(1) 3rd Any erasure, alteration, etc.,
of any replacement deed, map,
plat, or other document listed
in s. 92.28.

2346

831.31(1)(a) 3rd Sell, deliver, or possess
counterfeit controlled
substances, all but s.
893.03(5) drugs.

2347

832.041(1) 3rd Stopping payment with intent to
defraud \$150 or more.

2348

832.05(2)(b) & 3rd Knowing, making, issuing
(4)(c) worthless checks \$150 or more
or obtaining property in return
for worthless check \$150 or
more.

2349

838.15(2) 3rd Commercial bribe receiving.

2350

838.16 3rd Commercial bribery.

843.18 3rd Fleeing by boat to elude a law
enforcement officer.

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2351	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2352	849.01	3rd	Keeping gambling house.
2353	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
2354	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2355	849.25(2)	3rd	Engaging in bookmaking.
2356	860.08	3rd	Interfere with a railroad signal.
2357	860.13(1)(a)	3rd	Operate aircraft while under the influence.
2358	893.13(2)(a)2.	3rd	Purchase of cannabis.
2359	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).

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934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
(c) LEVEL 3		
Florida Statute	Felony Degree	Description
119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.

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2371	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2372	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
2373	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2374	327.35(2)(b)	3rd	Felony BUI.
2375	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2376	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2377	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be

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destroyed, transferring,
 selling, offering to sell,
 molesting, or harassing marine
 turtles, marine turtle eggs, or
 marine turtle nests in
 violation of the Marine Turtle
 Protection Act.

2378

379.2431
 (1) (e) 6.

3rd

Possessing any marine turtle
 species or hatchling, or parts
 thereof, or the nest of any
 marine turtle species described
 in the Marine Turtle Protection
 Act.

2379

379.2431
 (1) (e) 7.

3rd

Soliciting to commit or
 conspiring to commit a
 violation of the Marine Turtle
 Protection Act.

2380

400.9935 (4) (a)
 or (b)

3rd

Operating a clinic, or offering
 services requiring licensure,
 without a license.

2381

400.9935 (4) (e)

3rd

Filing a false license
 application or other required
 information or failing to
 report information.

2382

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2383	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2384	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2385	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2386	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2387	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2388	697.08	3rd	Equity skimming.
2389	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or

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2390			equipment used in firefighting.
2391	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2392	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2393	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2394	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2395	<u>815.04 (4) (b)</u> 815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2396	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2397	817.233	3rd	Burning to defraud insurer.
	817.234	3rd	Unlawful solicitation of

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	(8) (b) & (c)		persons involved in motor vehicle accidents.
2398			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2399			
	817.236	3rd	Filing a false motor vehicle insurance application.
2400			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2401			
	817.413 (2)	3rd	Sale of used goods as new.
2402			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2403			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2404			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.

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2405

838.021 (3) (b) 3rd Threatens unlawful harm to public servant.

2406

843.19 3rd Injure, disable, or kill police dog or horse.

2407

860.15 (3) 3rd Overcharging for repairs and parts.

2408

870.01 (2) 3rd Riot; inciting or encouraging.

2409

893.13 (1) (a) 2. 3rd Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs).

2410

893.13 (1) (d) 2. 2nd Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs within 1,000 feet of university.

2411

893.13 (1) (f) 2. 2nd Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1.,

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(2) (c) 2., (2) (c) 3., (2) (c) 5.,
 (2) (c) 6., (2) (c) 7., (2) (c) 8.,
 (2) (c) 9., (3), or (4) drugs
 within 1,000 feet of public
 housing facility.

2412

893.13 (4) (c) 3rd Use or hire of minor; deliver
 to minor other controlled
 substances.

2413

893.13 (6) (a) 3rd Possession of any controlled
 substance other than felony
 possession of cannabis.

2414

893.13 (7) (a) 8. 3rd Withhold information from
 practitioner regarding previous
 receipt of or prescription for
 a controlled substance.

2415

893.13 (7) (a) 9. 3rd Obtain or attempt to obtain
 controlled substance by fraud,
 forgery, misrepresentation,
 etc.

2416

893.13 (7) (a) 10. 3rd Affix false or forged label to
 package of controlled
 substance.

2417

893.13 (7) (a) 11. 3rd Furnish false or fraudulent

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2418

material information on any document or record required by chapter 893.

893.13(8)(a)1.

3rd

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.

2419

893.13(8)(a)2.

3rd

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.

2420

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

2421

893.13(8)(a)4.

3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a

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2422

monetary benefit for the
practitioner.

2423

918.13(1) (a) 3rd Alter, destroy, or conceal
investigation evidence.

2424

944.47 3rd Introduce contraband to
(1) (a) 1. & 2. correctional facility.

2425

944.47(1) (c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

2426

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment
facility).

2427

Section 89. This act shall take effect on the same date
that SB ___ or similar legislation takes effect, if such
legislation is adopted in the same legislative session or an
extension thereof and becomes a law.

2428

2429

2430