

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

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

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

76 exemptions for trade secrets held by the Florida
77 Public Service Commission; amending 365.174, F.S.;
78 deleting provisions relating to public records
79 exemptions for trade secrets held by the E911 Board
80 and the Technology Program within the Department of
81 Management Services; amending ss. 366.093, 367.156,
82 and 368.108, F.S.; deleting provisions relating to
83 public records exemptions for trade secrets held by
84 the Florida Public Service Commission; repealing s.
85 381.83, F.S., relating to confidentiality of certain
86 information containing trade secrets obtained by the
87 Department of Health; amending s. 395.3035, F.S.;
88 deleting provisions relating to a public records
89 exemption for trade secrets of hospitals; amending s.
90 403.7046, F.S.; revising provisions relating to an
91 exemption for trade secrets contained in certain
92 reports to the Department of Environmental Protection;
93 repealing s. 403.73, F.S., relating to confidentiality
94 of certain information containing trade secrets
95 obtained by the Department of Environmental
96 Protection; amending s. 408.061, F.S.; deleting a
97 requirement that certain trade secret information
98 submitted to the Agency for Healthcare Administration
99 be clearly designated as such; amending s. 408.185,
100 F.S.; deleting provisions relating to public records

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

126 | 501.171, F.S.; deleting provisions relating to public
 127 | records exemptions for trade secrets held by the
 128 | Department of Legal Affairs; repealing s. 502.222,
 129 | F.S., relating to trade secrets of a dairy business
 130 | held by the Department of Agriculture and Consumer
 131 | Services; amending ss. 517.2015 and 520.9965, F.S.;
 132 | deleting provisions relating to public records
 133 | exemptions for trade secrets held by the Office of
 134 | Financial Regulation; amending s. 526.311, F.S.;
 135 | deleting provisions relating to public records
 136 | exemptions for trade secrets held by the Department of
 137 | Agriculture and Consumer Services; amending s.
 138 | 548.062, F.S.; deleting provisions relating to public
 139 | records exemptions for trade secrets held by the
 140 | Florida State Boxing Commission; amending s. 556.113,
 141 | F.S.; deleting provisions relating to public records
 142 | exemptions for trade secrets held by Sunshine State
 143 | One-Call of Florida, Inc.; amending s. 559.5558, F.S.;
 144 | deleting provisions relating to public records
 145 | exemptions for trade secrets held by the Office of
 146 | Financial Regulation; amending s. 559.9285, F.S.;
 147 | revising provisions specifying that certain
 148 | information provided to the Department of Agriculture
 149 | and Consumer Services does not constitute a trade
 150 | secret; amending s. 560.129, F.S.; deleting provisions

151 relating to public records exemptions for trade
152 secrets held by the Office of Financial Regulation;
153 amending s. 570.48, F.S.; deleting provisions relating
154 to public records exemptions for trade secrets held by
155 the Division of Fruit and Vegetables; amending ss.
156 570.544 and 573.123, F.S.; deleting provisions
157 relating to public records exemptions for trade
158 secrets held by the Division of Consumer Services;
159 repealing s. 581.199, F.S., relating to a prohibition
160 on the use of trade secret information obtained under
161 specified provisions for personal use or gain;
162 amending ss. 601.10, 601.15, and 601.152, F.S.;
163 deleting provisions relating to public records
164 exemptions for trade secrets held by the Department of
165 Citrus; amending s. 601.76, F.S.; deleting provisions
166 relating to a public records exemption for certain
167 formulas filed with the Department of Agriculture;
168 amending ss. 607.0505 and 617.0503, F.S.; deleting
169 provisions relating to public records exemptions for
170 certain information that might reveal trade secrets
171 held by the Department of Legal Affairs; amending s.
172 624.307, F.S.; authorizing the Office of Insurance
173 Regulation to report certain information on an
174 aggregate basis; amending s. 624.315, F.S.;
175 authorizing the Office of Insurance Regulation to make

176 certain information available on an aggregate basis;
177 amending s. 624.4212, F.S.; deleting provisions
178 relating to public records exemptions for trade
179 secrets held by the Office of Insurance Regulation;
180 revising a cross-reference; repealing s. 624.4213,
181 F.S., relating to trade secret documents submitted to
182 the Department of Financial Services or the Office of
183 Insurance Regulation; amending ss. 626.84195 and
184 626.884, F.S.; deleting provisions relating to public
185 records exemptions for trade secrets held by the
186 Office of Insurance Regulation; amending s. 626.9936,
187 F.S.; revising provisions relating to a public records
188 exemption for trade secrets held by the Office of
189 Insurance Regulation; amending ss. 627.0628 and
190 627.3518, F.S.; deleting provisions relating to public
191 records exemptions for trade secrets held by the
192 Department of Financial Services or the Office of
193 Insurance Regulation; amending s. 655.057, F.S.;
194 revising provisions relating to a public records
195 exemption for trade secrets held by the Office of
196 Financial Regulation; repealing s. 655.0591, F.S.,
197 relating to trade secret documents held by the Office
198 of Financial Regulation; amending s. 663.533, F.S.;
199 revising a cross-reference; repealing s. 721.071,
200 F.S., relating to trade secret material filed with the

201 Division of Florida Condominiums, Timeshares, and
202 Mobile Homes of the Department of Business and
203 Professional Regulation; amending s. 815.04, F.S.;
204 deleting a public records exemption for certain trade
205 secret information relating to offenses against
206 intellectual property; repealing s. 815.045, F.S.,
207 relating to trade secret information; amending s.
208 1004.22, F.S.; revising provisions relating to public
209 records exemptions for trade secrets and potential
210 trade secrets received, generated, ascertained, or
211 discovered during the course of research conducted
212 within the state universities; amending s. 1004.30,
213 F.S.; revising provisions relating to public records
214 exemptions for trade secrets held by state university
215 health support organizations; amending s. 1004.43,
216 F.S.; revising provisions relating to public records
217 exemptions for trade secrets and potential trade
218 secrets held by the H. Lee Moffitt Cancer Center and
219 Research Institute; amending s. 1004.4472, F.S.;
220 revising provisions relating to public records
221 exemptions for trade secrets and potential trade
222 secrets held by the Florida Institute for Human and
223 Machine Cognition, Inc.; amending s. 1004.78, F.S.;
224 revising provisions relating to public records
225 exemptions for trade secrets and potential trade

226 secrets held by the technology transfers centers at
 227 Florida College System institutions; amending s.
 228 601.80, F.S.; correcting a cross-reference; amending
 229 ss. 663.533, 721.13, and 921.0022, F.S.; conforming
 230 provisions to changes made by the act; providing a
 231 contingent effective date.

232

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

234

235 Section 1. Section 119.07135, Florida Statutes, is created
 236 to read:

237 119.07135 Agency contracts; public records.—

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

244 (2) Notwithstanding any other provision of law, the
 245 following information related to any contract or agreement, or
 246 an addendum thereto, with an agency or an entity subject to this
 247 chapter is not confidential or exempt from s. 119.07(1) and s.
 248 24(a), Art. I of the State Constitution:

249 (a) The parties to the contract or agreement, or an
 250 addendum thereto if the contract or agreement, or the addendum

251 thereto, includes a provision requiring the agency or an entity
252 subject to this chapter to expend funds.

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

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

257 (d) Applicable contract unit prices and deliverables.

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

260 24.105 Powers and duties of department.—The department
261 shall:

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

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

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

282 73.0155 Confidentiality; business information provided to
283 a governmental condemning authority.—

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

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

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

295 119.071 General exemptions from inspection or copying of
296 public records.—

297 (1) AGENCY ADMINISTRATION.—

298 (f) ~~Data processing software obtained by an agency under a~~
299 ~~licensing agreement that prohibits its disclosure and which~~
300 ~~software is a trade secret, as defined in s. 812.081, and~~

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

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

312 119.0713 Local government agency exemptions from
313 inspection or copying of public records.—

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

326 ~~1. Trade secrets, as defined in s. 688.002.~~

327 1.2. Internal auditing controls and reports of internal

328 auditors.

329 ~~2.3.~~ Security measures, systems, or procedures.

330 ~~3.4.~~ Information concerning bids or other contractual

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

332 electric utility to contract for goods or services on favorable

333 terms.

334 ~~4.5.~~ Information relating to competitive interests, the

335 disclosure of which would impair the competitive business of the

336 provider of the information.

337 Section 6. Paragraph (d) of subsection (9) of section

338 125.0104, Florida Statutes, is amended to read:

339 125.0104 Tourist development tax; procedure for levying;

340 authorized uses; referendum; enforcement.—

341 (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any

342 other powers and duties provided for agencies created for the

343 purpose of tourism promotion by a county levying the tourist

344 development tax, such agencies are authorized and empowered to:

345 (d) Undertake marketing research and advertising research

346 studies and provide reservations services and convention and

347 meetings booking services consistent with the authorized uses of

348 revenue as set forth in subsection (5).

349 1. Information given to a county tourism promotion agency

350 which, if released, would reveal the identity of persons or

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

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

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

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

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

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

375 163.01 Florida Interlocal Cooperation Act of 1969.—

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

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

401 patterns, devices, combinations of devices, ~~contract costs,~~ or
402 other information the disclosure of which would injure the
403 affected entity in the marketplace.

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

406 202.195 Proprietary confidential business information;
407 public records exemption.—

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

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

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

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

422

423 Proprietary confidential business information does not include
424 schematics indicating the location of facilities for a specific
425 site that are provided in the normal course of the local

426 governmental entity's permitting process.

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

429 215.4401 Board of Administration; public record
430 exemptions.—

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

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

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

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

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

448 5. "Proprietor" means an alternative investment vehicle, a
449 portfolio company in which the alternative investment vehicle is
450 invested, or an outside consultant, including the respective

451 authorized officers, employees, agents, or successors in
452 interest, which controls or owns information provided to the
453 State Board of Administration.

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

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

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

471 b.e. Financial statements and auditor reports of an
472 alternative investment vehicle.

473 c.d. Meeting materials of an alternative investment
474 vehicle relating to financial, operating, or marketing
475 information of the alternative investment vehicle.

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

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

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

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

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

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

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

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

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

499 e. The dollar amount, on a fiscal-year-end basis, of cash
500 distributions received by the State Board of Administration plus

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

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

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

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

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

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

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

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

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

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

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

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

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

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

550 (b). Any action under this paragraph must be brought in Leon

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

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

568 252.88 Public records.—

569 (1) Whenever EPCRA authorizes an employer to exclude trade
570 secret information from its submittals, the employer shall
571 furnish the information so excluded to the commission upon
572 request. ~~Such information shall be confidential and exempt from~~
573 ~~the provisions of s. 119.07(1). The commission shall not~~
574 ~~disclose such information except pursuant to a final~~
575 ~~determination under s. 322 of EPCRA by the Administrator of the~~

576 ~~Environmental Protection Agency that such information is not~~
 577 ~~entitled to trade secret protection, or pursuant to an order of~~
 578 ~~court.~~

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

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

583 287.0943 Certification of minority business enterprises.-

584 (2)

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

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

600 288.047 Quick-response training for economic development.-

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

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

616 288.075 Confidentiality of records.—

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

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

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

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

624 288.1226 Florida Tourism Industry Marketing Corporation;
 625 use of property; board of directors; duties; audit.—

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

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

638 288.776 Board of directors; powers and duties.—

639 (3) The board shall:

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

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

649 2. Each program shall exclusively support the export of
650 goods and services by small and medium-sized businesses which

651 are domiciled in this state. Priority shall be given to goods
652 which have value added in this state.

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

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

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

660

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

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

666 288.9520 Public records exemption.—Materials that relate
667 to methods of manufacture or production, ~~potential trade~~
668 ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,
669 business transactions, financial and proprietary information,
670 and agreements or proposals to receive funding that are
671 received, generated, ascertained, or discovered by Enterprise
672 Florida, Inc., including its affiliates or subsidiaries and
673 partnership participants, such as private enterprises,
674 educational institutions, and other organizations, are
675 confidential and exempt from the provisions of s. 119.07(1) and

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

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

683 288.9607 Guaranty of bond issues.—

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

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

692 288.9626 Exemptions from public records and public
 693 meetings requirements for the Florida Opportunity Fund.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

761 (2) PUBLIC RECORDS EXEMPTION.—

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

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

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

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

776 (3) PUBLIC MEETINGS EXEMPTION.—

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

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

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

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

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

797 2.3. That the proprietary confidential business
 798 information is intended to be and is treated by the proprietor
 799 as private, is the subject of efforts of the proprietor to
 800 maintain its privacy, and is not readily ascertainable or

801 publicly available from any other source; and

802 3.4. That the disclosure of the proprietary confidential
803 business information to the public would harm the business
804 operations of the proprietor.

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

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

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

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

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

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

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

830 288.9627 Exemptions from public records and public
 831 meetings requirements for the Institute for Commercialization of
 832 Florida Technology.—

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

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

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

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

850 b.e. Meeting materials related to financial, operating,

851 investment, or marketing information of the proprietor
852 corporation, partnership, or person.

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

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

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

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

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

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

867 (2) PUBLIC RECORDS EXEMPTION.—

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

871 1. Materials that relate to methods of manufacture or
872 production, ~~potential trade secrets~~, or patentable material
873 received, generated, ascertained, or discovered during the
874 course of research or through research projects conducted by
875 universities and other publicly supported organizations in this

876 | state and that are provided to the institute by a proprietor.

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

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

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

887 | (3) PUBLIC MEETINGS EXEMPTION.—

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

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

894 | (b) Notwithstanding the provisions of paragraph (2)(a), a
895 | request to inspect or copy a public record that contains
896 | proprietary confidential business information shall be granted
897 | if the proprietor of the information fails, within a reasonable
898 | period of time after the request is received by the institute,
899 | to verify the following to the institute through a written
900 | declaration in the manner provided by s. 92.525:

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

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

907 2.3. That the proprietary confidential business
 908 information is intended to be and is treated by the proprietor
 909 as private, is the subject of efforts of the proprietor to
 910 maintain its privacy, and is not readily ascertainable or
 911 publicly available from any other source; and

912 ~~3.4.~~ That the disclosure of the proprietary confidential
 913 business information to the public would harm the business
 914 operations of the proprietor.

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

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

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

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

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

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

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

938 331.326 Information relating to trade secrets
 939 confidential.—The records of Space Florida regarding matters
 940 encompassed by this act are public records subject to chapter
 941 119. ~~Any information held by Space Florida which is a trade~~
 942 ~~secret, as defined in s. 812.081, including trade secrets of~~
 943 ~~Space Florida, any spaceport user, or the space industry~~
 944 ~~business, is confidential and exempt from s. 119.07(1) and s.~~
 945 ~~24(a), Art. I of the State Constitution and may not be~~
 946 ~~disclosed. If Space Florida determines that any information~~
 947 ~~requested by the public will reveal a trade secret, it shall, in~~
 948 ~~writing, inform the person making the request of that~~
 949 ~~determination. The determination is a final order as defined in~~
 950 ~~s. 120.52.~~ Any meeting or portion of a meeting of Space

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

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

963 334.049 Patents, copyrights, trademarks; notice to
964 Department of State; ~~confidentiality of trade secrets.~~

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

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

972 350.121 Commission inquiries; confidentiality of business
973 material.—If the commission undertakes an inquiry, any records,
974 documents, papers, maps, books, tapes, photographs, files, sound
975 recordings, or other business material, regardless of form or

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

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

990 364.183 Access to company records.—

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

1001 includes, ~~but is not limited to:~~

1002 ~~(a) Trade secrets.~~

1003 Section 25. Subsection (3) of section 365.174, Florida
1004 Statutes, is amended to read:

1005 365.174 Proprietary confidential business information.—

1006 (3) As used in this section, the term "proprietary
1007 confidential business information" means customer lists,
1008 customer numbers, individual or aggregate customer data by
1009 location, usage and capacity data, network facilities used to
1010 serve subscribers, technology descriptions, or technical
1011 information, ~~or trade secrets, including trade secrets as~~
1012 ~~defined in s. 812.081,~~ and the actual or developmental costs of
1013 E911 systems that are developed, produced, or received
1014 internally by a provider or by a provider's employees,
1015 directors, officers, or agents.

1016 Section 26. Paragraph (a) of subsection (3) of section
1017 366.093, Florida Statutes, is amended to read:

1018 366.093 Public utility records; confidentiality.—

1019 (3) Proprietary confidential business information means
1020 information, regardless of form or characteristics, which is
1021 owned or controlled by the person or company, is intended to be
1022 and is treated by the person or company as private in that the
1023 disclosure of the information would cause harm to the ratepayers
1024 or the person's or company's business operations, and has not
1025 been disclosed unless disclosed pursuant to a statutory

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

1030 | ~~(a) Trade secrets.~~

1031 | Section 27. Paragraph (a) of subsection (3) of section
 1032 | 367.156, Florida Statutes, is amended to read:

1033 | 367.156 Public utility records; confidentiality.—

1034 | (3) Proprietary confidential business information means
 1035 | information, regardless of form or characteristics, which is
 1036 | owned or controlled by the person or company, is intended to be
 1037 | and is treated by the person or company as private in that the
 1038 | disclosure of the information would cause harm to the ratepayers
 1039 | or the person's or company's business operations, and has not
 1040 | been disclosed unless disclosed pursuant to a statutory
 1041 | provision, an order of a court or administrative body, or a
 1042 | private agreement that provides that the information will not be
 1043 | released to the public. Proprietary business information
 1044 | includes, ~~but is not limited to:~~

1045 | ~~(a) Trade secrets.~~

1046 | Section 28. Paragraph (a) of subsection (3) of section
 1047 | 368.108, Florida Statutes, is amended to read:

1048 | 368.108 Confidentiality; discovery.—

1049 | (3) "Proprietary confidential business information" means
 1050 | information, regardless of form or characteristics, which is

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

1060 ~~(a) Trade secrets.~~

1061 Section 29. Section 381.83, Florida Statutes, is repealed.

1062 Section 30. Paragraph (c) of subsection (2) of section
1063 395.3035, Florida Statutes, is amended to read:

1064 395.3035 Confidentiality of hospital records and
1065 meetings.—

1066 (2) The following records and information of any hospital
1067 that is subject to chapter 119 and s. 24(a), Art. I of the State
1068 Constitution are confidential and exempt from the provisions of
1069 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1070 (c) ~~Trade secrets, as defined in s. 688.002, including~~
1071 Reimbursement methodologies and rates.

1072 Section 31. Subsection (2) and paragraph (b) of subsection
1073 (3) of section 403.7046, Florida Statutes, are amended to read:

1074 403.7046 Regulation of recovered materials.—

1075 (2) Notwithstanding s. 688.01, information reported

1076 pursuant to this section or any rule adopted pursuant to this
1077 section which, if disclosed, would reveal a trade secret, as
1078 defined in s. 688.01, may be provided by the department ~~s.~~
1079 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
1080 ~~24(a), Art. I of the State Constitution. For reporting or~~
1081 ~~information purposes, however, the department may provide this~~
1082 ~~information~~ in such form that the names of the persons reporting
1083 such information and the specific information reported are not
1084 revealed. ~~This subsection is subject to the Open Government~~
1085 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1086 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1087 ~~repeal through reenactment by the Legislature.~~

1088 (3) Except as otherwise provided in this section or
1089 pursuant to a special act in effect on or before January 1,
1090 1993, a local government may not require a commercial
1091 establishment that generates source-separated recovered
1092 materials to sell or otherwise convey its recovered materials to
1093 the local government or to a facility designated by the local
1094 government, nor may the local government restrict such a
1095 generator's right to sell or otherwise convey such recovered
1096 materials to any properly certified recovered materials dealer
1097 who has satisfied the requirements of this section. A local
1098 government may not enact any ordinance that prevents such a
1099 dealer from entering into a contract with a commercial
1100 establishment to purchase, collect, transport, process, or

1101 receive source-separated recovered materials.

1102 (b)~~1~~. Before engaging in business within the jurisdiction
1103 of the local government, a recovered materials dealer or
1104 pyrolysis facility must provide the local government with a copy
1105 of the certification provided for in this section. In addition,
1106 the local government may establish a registration process
1107 whereby a recovered materials dealer or pyrolysis facility must
1108 register with the local government before engaging in business
1109 within the jurisdiction of the local government. Such
1110 registration process is limited to requiring the dealer or
1111 pyrolysis facility to register its name, including the owner or
1112 operator of the dealer or pyrolysis facility, and, if the dealer
1113 or pyrolysis facility is a business entity, its general or
1114 limited partners, its corporate officers and directors, its
1115 permanent place of business, evidence of its certification under
1116 this section, and a certification that the recovered materials
1117 or post-use polymers will be processed at a recovered materials
1118 processing facility or pyrolysis facility satisfying the
1119 requirements of this section. The local government may not use
1120 the information provided in the registration application to
1121 compete unfairly with the recovered materials dealer until 90
1122 days after receipt of the application. All counties, and
1123 municipalities whose population exceeds 35,000 according to the
1124 population estimates determined pursuant to s. 186.901, may
1125 establish a reporting process that must be limited to the

1126 regulations, reporting format, and reporting frequency
 1127 established by the department pursuant to this section, which
 1128 must, at a minimum, include requiring the dealer or pyrolysis
 1129 facility to identify the types and approximate amount of
 1130 recovered materials or post-use polymers collected, recycled, or
 1131 reused during the reporting period; the approximate percentage
 1132 of recovered materials or post-use polymers reused, stored, or
 1133 delivered to a recovered materials processing facility or
 1134 pyrolysis facility or disposed of in a solid waste disposal
 1135 facility; and the locations where any recovered materials or
 1136 post-use polymers were disposed of as solid waste. The local
 1137 government may charge the dealer or pyrolysis facility a
 1138 registration fee commensurate with and no greater than the cost
 1139 incurred by the local government in operating its registration
 1140 program. Registration program costs are limited to those costs
 1141 associated with the activities described in this paragraph
 1142 ~~subparagraph~~. Any reporting or registration process established
 1143 by a local government with regard to recovered materials or
 1144 post-use polymers is governed by this section and department
 1145 rules adopted pursuant thereto.

1146 ~~2.—Information reported under this subsection which, if~~
 1147 ~~disclosed, would reveal a trade secret, as defined in s.~~
 1148 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
 1149 ~~24(a), Art. I of the State Constitution. This subparagraph is~~
 1150 ~~subject to the Open Government Sunset Review Act in accordance~~

1151 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1152 ~~unless reviewed and saved from repeal through reenactment by the~~
1153 ~~Legislature.~~

1154 Section 32. Section 403.73, Florida Statutes, is repealed.

1155 Section 33. Paragraph (c) of subsection (1) of section
1156 408.061, Florida Statutes, is amended to read:

1157 408.061 Data collection; uniform systems of financial
1158 reporting; information relating to physician charges;
1159 confidential information; immunity.—

1160 (1) The agency shall require the submission by health care
1161 facilities, health care providers, and health insurers of data
1162 necessary to carry out the agency's duties and to facilitate
1163 transparency in health care pricing data and quality measures.
1164 Specifications for data to be collected under this section shall
1165 be developed by the agency and applicable contract vendors, with
1166 the assistance of technical advisory panels including
1167 representatives of affected entities, consumers, purchasers, and
1168 such other interested parties as may be determined by the
1169 agency.

1170 (c) Data to be submitted by health insurers may include,
1171 but are not limited to: claims, payments to health care
1172 facilities and health care providers as specified by rule,
1173 premium, administration, and financial information. Data
1174 submitted shall be certified by the chief financial officer, an
1175 appropriate and duly authorized representative, or an employee

1176 of the insurer that the information submitted is true and
 1177 accurate. ~~Information that is considered a trade secret under s.~~
 1178 ~~812.081 shall be clearly designated.~~

1179 Section 34. Subsection (1) of section 408.185, Florida
 1180 Statutes, is amended to read:

1181 408.185 Information submitted for review of antitrust
 1182 issues; confidentiality.—The following information held by the
 1183 Office of the Attorney General, which is submitted by a member
 1184 of the health care community pursuant to a request for an
 1185 antitrust no-action letter shall be confidential and exempt from
 1186 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1187 Constitution for 1 year after the date of submission.

1188 ~~(1) Documents that reveal trade secrets as defined in s.~~
 1189 ~~688.002.~~

1190 Section 35. Paragraph (a) of subsection (14) of section
 1191 408.910, Florida Statutes, is amended to read:

1192 408.910 Florida Health Choices Program.—

1193 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1194 (a) Definitions.—For purposes of this subsection, the
 1195 term:

1196 1. "Buyer's representative" means a participating
 1197 insurance agent as described in paragraph (4) (g).

1198 2. "Enrollee" means an employer who is eligible to enroll
 1199 in the program pursuant to paragraph (4) (a).

1200 3. "Participant" means an individual who is eligible to

1201 participate in the program pursuant to paragraph (4) (b).

1202 4. "Proprietary confidential business information" means
 1203 information, regardless of form or characteristics, that is
 1204 owned or controlled by a vendor requesting confidentiality under
 1205 this section; that is intended to be and is treated by the
 1206 vendor as private in that the disclosure of the information
 1207 would cause harm to the business operations of the vendor; that
 1208 has not been disclosed unless disclosed pursuant to a statutory
 1209 provision, an order of a court or administrative body, or a
 1210 private agreement providing that the information may be released
 1211 to the public; and that is information concerning:

- 1212 a. Business plans.
- 1213 b. Internal auditing controls and reports of internal
 1214 auditors.
- 1215 c. Reports of external auditors for privately held
 1216 companies.
- 1217 d. Client and customer lists.
- 1218 e. Potentially patentable material.
- 1219 ~~f. A trade secret as defined in s. 688.002.~~

1220 5. "Vendor" means a participating insurer or other
 1221 provider of services as described in paragraph (4) (d).

1222 Section 36. Section 409.91196, Florida Statutes, is
 1223 amended to read:

1224 409.91196 Supplemental rebate agreements; public records
 1225 and public meetings exemption.—

1226 (1) The rebate amount, percent of rebate, manufacturer's
 1227 pricing, and supplemental rebate, ~~and other trade secrets as~~
 1228 ~~defined in s. 688.002 that the agency has identified for use in~~
 1229 ~~negotiations,~~ held by the Agency for Health Care Administration
 1230 under s. 409.912(5)(a)7. are confidential and exempt from s.
 1231 119.07(1) and s. 24(a), Art. I of the State Constitution.

1232 (2) That portion of a meeting of the Medicaid
 1233 Pharmaceutical and Therapeutics Committee at which the rebate
 1234 amount, percent of rebate, manufacturer's pricing, or
 1235 supplemental rebate, or confidential and exempt ~~other~~ trade
 1236 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that
 1237 the agency has identified for use in negotiations, are discussed
 1238 is exempt from s. 286.011 and s. 24(b), Art. I of the State
 1239 Constitution. A record shall be made of each exempt portion of a
 1240 meeting. Such record must include the times of commencement and
 1241 termination, all discussions and proceedings, the names of all
 1242 persons present at any time, and the names of all persons
 1243 speaking. No exempt portion of a meeting may be held off the
 1244 record.

1245 Section 37. Paragraph (b) of subsection (2) of section
 1246 440.108, Florida Statutes, is amended to read:

1247 440.108 Investigatory records relating to workers'
 1248 compensation employer compliance; confidentiality.—

1249 (2) After an investigation is completed or ceases to be
 1250 active, information in records relating to the investigation

1251 remains confidential and exempt from the provisions of s.
 1252 119.07(1) and s. 24(a), Art. I of the State Constitution if
 1253 disclosure of that information would:

1254 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~
 1255 Section 38. Paragraph (c) of subsection (1) of section
 1256 494.00125, Florida Statutes, is amended to read:

1257 494.00125 Public records exemptions.—

1258 (1) INVESTIGATIONS OR EXAMINATIONS.—

1259 (c) Except as necessary for the office to enforce the
 1260 provisions of this chapter, a consumer complaint and other
 1261 information relative to an investigation or examination shall
 1262 remain confidential and exempt from s. 119.07(1) after the
 1263 investigation or examination is completed or ceases to be active
 1264 to the extent disclosure would:

- 1265 1. Jeopardize the integrity of another active
- 1266 investigation or examination.
- 1267 2. Reveal the name, address, telephone number, social
- 1268 security number, or any other identifying number or information
- 1269 of any complainant, customer, or account holder.
- 1270 3. Disclose the identity of a confidential source.
- 1271 4. Disclose investigative techniques or procedures.
- 1272 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1273 Section 39. Subsection (4) of section 497.172, Florida
 1274 Statutes, is amended to read:

1275 497.172 Public records exemptions; public meetings

1276 exemptions.-

1277 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~
 1278 ~~688.002, held by the department or board, are confidential and~~
 1279 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~
 1280 ~~Constitution.~~

1281 Section 40. Paragraph (c) of subsection (3) of section
 1282 499.012, Florida Statutes, is amended to read:

1283 499.012 Permit application requirements.-

1284 (3)

1285 ~~(c) Information submitted by an applicant on an~~
 1286 ~~application required pursuant to this subsection which is a~~
 1287 ~~trade secret, as defined in s. 812.081, shall be maintained by~~
 1288 ~~the department as trade secret information pursuant to s.~~
 1289 ~~499.051(7).~~

1290 Section 41. Paragraph (b) of subsection (7) of section
 1291 499.0121, Florida Statutes, is amended to read:

1292 499.0121 Storage and handling of prescription drugs;
 1293 recordkeeping.-The department shall adopt rules to implement
 1294 this section as necessary to protect the public health, safety,
 1295 and welfare. Such rules shall include, but not be limited to,
 1296 requirements for the storage and handling of prescription drugs
 1297 and for the establishment and maintenance of prescription drug
 1298 distribution records.

1299 (7) PRESCRIPTION DRUG PURCHASE LIST.-

1300 ~~(b) Such portions of the information required pursuant to~~

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1301 ~~this subsection which are a trade secret, as defined in s.~~
1302 ~~812.081, shall be maintained by the department as trade secret~~
1303 ~~information is required to be maintained under s. 499.051. This~~
1304 ~~paragraph is subject to the Open Government Sunset Review Act in~~
1305 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
1306 ~~2021, unless reviewed and saved from repeal through reenactment~~
1307 ~~by the Legislature.~~

1308 Section 42. Paragraph (g) of subsection (1) of section
1309 499.05, Florida Statutes, is amended to read:

1310 499.05 Rules.—

1311 (1) The department shall adopt rules to implement and
1312 enforce this chapter with respect to:

1313 (g) Inspections and investigations conducted under s.
1314 499.051 or s. 499.93, ~~and the identification of information~~
1315 ~~claimed to be a trade secret and exempt from the public records~~
1316 ~~law as provided in s. 499.051(7).~~

1317 Section 43. Paragraph (b) of subsection (7) of section
1318 499.051, Florida Statutes, is amended to read:

1319 499.051 Inspections and investigations.—

1320 (7)

1321 ~~(b) Information that constitutes a trade secret, as~~
1322 ~~defined in s. 812.081, contained in the complaint or obtained by~~
1323 ~~the department pursuant to the investigation must remain~~
1324 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1325 ~~of the State Constitution as long as the information is held by~~

1326 ~~the department. This paragraph is subject to the Open Government~~
 1327 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
 1328 ~~repealed on October 2, 2021, unless reviewed and saved from~~
 1329 ~~repeal through reenactment by the Legislature.~~

1330 Section 44. Section 499.931, Florida Statutes, is
 1331 repealed.

1332 Section 45. Paragraph (d) of subsection (11) of section
 1333 501.171, Florida Statutes, is amended to read:

1334 501.171 Security of confidential personal information.—

1335 (11) PUBLIC RECORDS EXEMPTION.—

1336 (d) For purposes of this subsection, the term "proprietary
 1337 information" means information that:

- 1338 1. Is owned or controlled by the covered entity.
- 1339 2. Is intended to be private and is treated by the covered
 1340 entity as private because disclosure would harm the covered
 1341 entity or its business operations.
- 1342 3. Has not been disclosed except as required by law or a
 1343 private agreement that provides that the information will not be
 1344 released to the public.
- 1345 4. Is not publicly available or otherwise readily
 1346 ascertainable through proper means from another source in the
 1347 same configuration as received by the department.
- 1348 5. Includes~~+~~
 - 1349 a. ~~Trade secrets as defined in s. 688.002.~~
 - 1350 b. competitive interests, the disclosure of which would

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1351 | impair the competitive business of the covered entity who is the
1352 | subject of the information.

1353 | Section 46. Section 502.222, Florida Statutes, is
1354 | repealed.

1355 | Section 47. Paragraph (b) of subsection (1) of section
1356 | 517.2015, Florida Statutes, is amended to read:

1357 | 517.2015 Confidentiality of information relating to
1358 | investigations and examinations.—

1359 | (1)

1360 | (b) Except as necessary for the office to enforce the
1361 | provisions of this chapter, a consumer complaint and other
1362 | information relative to an investigation or examination shall
1363 | remain confidential and exempt from s. 119.07(1) after the
1364 | investigation or examination is completed or ceases to be active
1365 | to the extent disclosure would:

1366 | 1. Jeopardize the integrity of another active
1367 | investigation or examination.

1368 | 2. Reveal the name, address, telephone number, social
1369 | security number, or any other identifying number or information
1370 | of any complainant, customer, or account holder.

1371 | 3. Disclose the identity of a confidential source.

1372 | 4. Disclose investigative techniques or procedures.

1373 | ~~5. Reveal a trade secret as defined in s. 688.002.~~

1374 | Section 48. Paragraph (b) of subsection (1) of section
1375 | 520.9965, Florida Statutes, is amended to read:

1376 520.9965 Confidentiality of information relating to
 1377 investigations and examinations.—
 1378 (1)
 1379 (b) Except as necessary for the office to enforce the
 1380 provisions of this chapter, a consumer complaint and other
 1381 information relative to an investigation or examination shall
 1382 remain confidential and exempt from s. 119.07(1) after the
 1383 investigation or examination is completed or ceases to be active
 1384 to the extent disclosure would:
 1385 1. Jeopardize the integrity of another active
 1386 investigation or examination.
 1387 2. Reveal the name, address, telephone number, social
 1388 security number, or any other identifying number or information
 1389 of any complainant, customer, or account holder.
 1390 3. Disclose the identity of a confidential source.
 1391 4. Disclose investigative techniques or procedures.
 1392 5. ~~Reveal a trade secret as defined in s. 688.002.~~
 1393 Section 49. Subsection (2) of section 526.311, Florida
 1394 Statutes, is amended to read:
 1395 526.311 Enforcement; civil penalties; injunctive relief.—
 1396 (2) The Department of Agriculture and Consumer Services
 1397 shall investigate any complaints regarding violations of this
 1398 act and may request in writing the production of documents and
 1399 records as part of its investigation of a complaint. If the
 1400 person upon whom such request was made fails to produce the

1401 documents or records within 30 days after the date of the
1402 request, the department, through the department's office of
1403 general counsel, may issue and serve a subpoena to compel the
1404 production of such documents and records. If any person shall
1405 refuse to comply with a subpoena issued under this section, the
1406 department may petition a court of competent jurisdiction to
1407 enforce the subpoena and assess such sanctions as the court may
1408 direct. Refiners shall afford the department reasonable access
1409 to the refiners' posted terminal price. Any records, documents,
1410 papers, maps, books, tapes, photographs, files, sound
1411 recordings, or other business material, regardless of form or
1412 characteristics, obtained by the department are confidential and
1413 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
1414 of the State Constitution while the investigation is pending. At
1415 the conclusion of an investigation, any matter determined by the
1416 department or by a judicial or administrative body, federal or
1417 state, to be ~~a trade secret or~~ proprietary confidential business
1418 information held by the department pursuant to such
1419 investigation shall be considered confidential and exempt from
1420 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1421 Constitution. Such materials may be used in any administrative
1422 or judicial proceeding so long as the confidential or
1423 proprietary nature of the material is maintained.

1424 Section 50. Paragraph (e) of subsection (1) of section
1425 548.062, Florida Statutes, is amended to read:

1426 | 548.062 Public records exemption.—

1427 | (1) As used in this section, the term "proprietary

1428 | confidential business information" means information that:

1429 | (e) Concerns any of the following:

1430 | 1. The number of ticket sales for a match;

1431 | 2. The amount of gross receipts after a match;

1432 | ~~3. A trade secret, as defined in s. 688.002;~~

1433 | 3.4. Business plans;

1434 | 4.5. Internal auditing controls and reports of internal

1435 | auditors; or

1436 | 5.6. Reports of external auditors.

1437 | Section 51. Paragraph (a) of subsection (1) of section

1438 | 556.113, Florida Statutes, is amended to read:

1439 | 556.113 Sunshine State One-Call of Florida, Inc.; public

1440 | records exemption.—

1441 | (1) As used in this section, the term "proprietary

1442 | confidential business information" means information provided

1443 | by:

1444 | (a) A member operator which is a map, plan, facility

1445 | location diagram, internal damage investigation report or

1446 | analysis, or dispatch methodology, ~~or trade secret as defined in~~

1447 | ~~s. 688.002,~~ or which describes the exact location of a utility

1448 | underground facility or the protection, repair, or restoration

1449 | thereof, and:

1450 | 1. Is intended to be and is treated by the member operator

1451 as confidential;

1452 2. The disclosure of which would likely be used by a
1453 competitor to harm the business interests of the member operator
1454 or could be used for the purpose of inflicting damage on
1455 underground facilities; and

1456 3. Is not otherwise readily ascertainable or publicly
1457 available by proper means by other persons from another source
1458 in the same configuration as provided to Sunshine State One-Call
1459 of Florida, Inc.

1460 Section 52. Paragraph (b) of subsection (2) of section
1461 559.5558, Florida Statutes, is amended to read:

1462 559.5558 Public records exemption; investigations and
1463 examinations.—

1464 (2)

1465 (b) Information made confidential and exempt pursuant to
1466 this section is no longer confidential and exempt once the
1467 investigation or examination is completed or ceases to be active
1468 unless disclosure of the information would:

1469 1. Jeopardize the integrity of another active
1470 investigation or examination.

1471 2. Reveal the personal identifying information of a
1472 consumer, unless the consumer is also the complainant. A
1473 complainant's personal identifying information is subject to
1474 disclosure after the investigation or examination is completed
1475 or ceases to be active. However, a complainant's personal

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1476 financial and health information remains confidential and
1477 exempt.

1478 3. Reveal the identity of a confidential source.

1479 4. Reveal investigative or examination techniques or
1480 procedures.

1481 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1482 Section 53. Paragraph (c) of subsection (3) of section
1483 559.9285, Florida Statutes, is amended to read:

1484 559.9285 Certification of business activities.—

1485 (3) The department shall specify by rule the form of each
1486 certification under this section which shall include the
1487 following information:

1488 (c) The legal name, any trade names or fictitious names,
1489 mailing address, physical address, telephone number or numbers,
1490 facsimile number or numbers, and all Internet and electronic
1491 contact information of every other commercial entity with which
1492 the certifying party engages in business or commerce that is
1493 related in any way to the certifying party's business or
1494 commerce with any terrorist state. The information disclosed
1495 pursuant to this paragraph does not constitute customer lists
1496 or, ~~customer names, or trade secrets~~ protected under s.
1497 570.544(8) or trade secrets protected under s. 688.01.

1498 Section 54. Subsection (2) of section 560.129, Florida
1499 Statutes, is amended to read:

1500 560.129 Confidentiality.—

1501 (2) All information obtained by the office in the course
 1502 of its investigation or examination ~~which is a trade secret, as~~
 1503 ~~defined in s. 688.002, or~~ which is personal financial
 1504 information shall remain confidential and exempt from s.
 1505 119.07(1) and s. 24(a), Art. I of the State Constitution. If any
 1506 administrative, civil, or criminal proceeding against a money
 1507 services business, its authorized vendor, or an affiliated party
 1508 is initiated and the office seeks to use matter that a licensee
 1509 believes to be ~~a trade secret or~~ personal financial information,
 1510 such records shall be subject to an in camera review by the
 1511 administrative law judge, if the matter is before the Division
 1512 of Administrative Hearings, or a judge of any court of this
 1513 state, any other state, or the United States, as appropriate,
 1514 for the purpose of determining if the matter is ~~a trade secret~~
 1515 ~~or is~~ personal financial information. ~~If it is determined that~~
 1516 ~~the matter is a trade secret, the matter shall remain~~
 1517 ~~confidential.~~ If it is determined that the matter is personal
 1518 financial information, the matter shall remain confidential
 1519 unless the administrative law judge or judge determines that, in
 1520 the interests of justice, the matter should become public.

1521 Section 55. Subsection (3) of section 570.48, Florida
 1522 Statutes, is amended to read:

1523 570.48 Division of Fruit and Vegetables; powers and
 1524 duties; records.—The duties of the Division of Fruit and
 1525 Vegetables include, but are not limited to:

1526 (3) Maintaining the records of the division. The records
 1527 of the division are public records. ; ~~however, trade secrets as~~
 1528 ~~defined in s. 812.081 are confidential and exempt from s.~~
 1529 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~
 1530 ~~subsection is subject to the Open Government Sunset Review Act~~
 1531 ~~in accordance with s. 119.15 and shall stand repealed on October~~
 1532 ~~2, 2021, unless reviewed and saved from repeal through~~
 1533 ~~reenactment by the Legislature. This Section 688.01 may not be~~
 1534 ~~construed to prohibit:~~

1535 ~~(a) A disclosure necessary to enforcement procedures.~~

1536 ~~(b) The department from releasing information to other~~
 1537 ~~governmental agencies. Other governmental agencies that receive~~
 1538 ~~confidential information from the department under this~~
 1539 ~~subsection shall maintain the confidentiality of that~~
 1540 ~~information.~~

1541 ~~(c)~~ the department or other agencies from compiling and
 1542 publishing appropriate data regarding procedures, yield,
 1543 recovery, quality, and related matters, provided such released
 1544 data do not reveal by whom the activity to which the data relate
 1545 was conducted.

1546 Section 56. Subsection (8) of section 570.544, Florida
 1547 Statutes, is amended to read:

1548 570.544 Division of Consumer Services; director; powers;
 1549 processing of complaints; records.—

1550 (8) The records of the Division of Consumer Services are

1551 public records. However, customer lists and, customer names, ~~and~~
1552 ~~trade secrets~~ are confidential and exempt from the provisions of
1553 s. 119.07(1). Disclosure necessary to enforcement procedures
1554 does not violate this prohibition.

1555 Section 57. Subsection (2) of section 573.123, Florida
1556 Statutes, is amended to read:

1557 573.123 Maintenance and production of records.—

1558 ~~(2) Information that, if disclosed, would reveal a trade~~
1559 ~~secret, as defined in s. 812.081, of any person subject to a~~
1560 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1561 ~~s. 24(a), Art. I of the State Constitution and may not be~~
1562 ~~disclosed except to an attorney who provides legal advice to the~~
1563 ~~division about enforcing a marketing order or by court order. A~~
1564 ~~person who receives confidential information under this~~
1565 ~~subsection shall maintain the confidentiality of that~~
1566 ~~information. This subsection is subject to the Open Government~~
1567 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1568 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1569 ~~repeal through reenactment by the Legislature.~~

1570 Section 58. Section 581.199, Florida Statutes, is
1571 repealed.

1572 Section 59. Paragraph (b) of subsection (8) of section
1573 601.10, Florida Statutes, is amended to read:

1574 601.10 Powers of the Department of Citrus.—The department
1575 shall have and shall exercise such general and specific powers

1576 as are delegated to it by this chapter and other statutes of the
1577 state, which powers shall include, but are not limited to, the
1578 following:

1579 (8)

1580 ~~(b) Any information provided to the department which~~
1581 ~~constitutes a trade secret as defined in s. 812.081 is~~
1582 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1583 ~~of the State Constitution. This paragraph is subject to the Open~~
1584 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
1585 ~~shall stand repealed on October 2, 2021, unless reviewed and~~
1586 ~~saved from repeal through reenactment by the Legislature.~~

1587 Section 60. Paragraph (d) of subsection (7) of section
1588 601.15, Florida Statutes, is amended to read:

1589 601.15 Advertising campaign; methods of conducting;
1590 assessments; emergency reserve fund; citrus research.—

1591 (7) All assessments levied and collected under this
1592 chapter shall be paid into the State Treasury on or before the
1593 15th day of each month. Such moneys shall be accounted for in a
1594 special fund to be designated as the Florida Citrus Advertising
1595 Trust Fund, and all moneys in such fund are appropriated to the
1596 department for the following purposes:

1597 (d)1. The pro rata portion of moneys allocated to each
1598 type of citrus product in noncommodity programs shall be used by
1599 the department to encourage substantial increases in the
1600 effectiveness, frequency, and volume of noncommodity

1601 advertising, merchandising, publicity, and sales promotion of
1602 such citrus products through rebates and incentive payments to
1603 handlers and trade customers for these activities. The
1604 department shall adopt rules providing for the use of such
1605 moneys. The rules shall establish alternate incentive programs,
1606 including at least one incentive program for product sold under
1607 advertised brands, one incentive program for product sold under
1608 private label brands, and one incentive program for product sold
1609 in bulk. For each incentive program, the rules must establish
1610 eligibility and performance requirements and must provide
1611 appropriate limitations on amounts payable to a handler or trade
1612 customer for a particular season. Such limitations may relate to
1613 the amount of citrus assessments levied and collected on the
1614 citrus product handled by such handler or trade customer during
1615 a 12-month representative period.

1616 2. The department may require from participants in
1617 noncommodity advertising and promotional programs commercial
1618 information necessary to determine eligibility for and
1619 performance in such programs. ~~Any information required which~~
1620 ~~constitutes a trade secret as defined in s. 812.081 is~~
1621 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1622 ~~of the State Constitution. This subparagraph is subject to the~~
1623 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
1624 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~
1625 ~~saved from repeal through reenactment by the Legislature.~~

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1626 Section 61. Paragraph (c) of subsection (8) of section
1627 601.152, Florida Statutes, is amended to read:

1628 601.152 Special marketing orders.—

1629 (8)

1630 (c)~~4~~. Every handler shall, at such times as the department
1631 may require, file with the department a return, not under oath,
1632 on forms to be prescribed and furnished by the department,
1633 certified as true and correct, stating the quantity of the type,
1634 variety, and form of citrus fruit or citrus product specified in
1635 the marketing order first handled in the primary channels of
1636 trade in the state by such handler during the period of time
1637 specified in the marketing order. Such returns must contain any
1638 further information deemed by the department to be reasonably
1639 necessary to properly administer or enforce this section or any
1640 marketing order implemented under this section.

1641 ~~2. Information that, if disclosed, would reveal a trade~~
1642 ~~secret, as defined in s. 812.081, of any person subject to a~~
1643 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1644 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
1645 ~~subject to the Open Government Sunset Review Act in accordance~~
1646 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1647 ~~unless reviewed and saved from repeal through reenactment by the~~
1648 ~~Legislature.~~

1649 Section 62. Section 601.76, Florida Statutes, is amended
1650 to read:

1651 601.76 Manufacturer to furnish formula and other
 1652 information.—Any formula required to be filed with the
 1653 Department of Agriculture ~~shall be deemed a trade secret as~~
 1654 ~~defined in s. 812.081,~~ is confidential and exempt from s.
 1655 119.07(1) and s. 24(a), Art. I of the State Constitution, and
 1656 may be divulged only to the Department of Agriculture or to its
 1657 duly authorized representatives or upon court order when
 1658 necessary in the enforcement of this law. A person who receives
 1659 such a formula from the Department of Agriculture under this
 1660 section shall maintain the confidentiality of the formula. ~~This~~
 1661 ~~section is subject to the Open Government Sunset Review Act in~~
 1662 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
 1663 ~~2021, unless reviewed and saved from repeal through reenactment~~
 1664 ~~by the Legislature.~~

1665 Section 63. Subsection (6) of section 607.0505, Florida
 1666 Statutes, is amended to read:

1667 607.0505 Registered agent; duties.—

1668 (6) Information provided to, and records and
 1669 transcriptions of testimony obtained by, the Department of Legal
 1670 Affairs pursuant to this section are confidential and exempt
 1671 from the provisions of s. 119.07(1) while the investigation is
 1672 active. For purposes of this section, an investigation shall be
 1673 considered "active" while such investigation is being conducted
 1674 with a reasonable, good faith belief that it may lead to the
 1675 filing of an administrative, civil, or criminal proceeding. An

1676 investigation does not cease to be active so long as the
1677 department is proceeding with reasonable dispatch and there is a
1678 good faith belief that action may be initiated by the department
1679 or other administrative or law enforcement agency. Except for
1680 active criminal intelligence or criminal investigative
1681 information, as defined in s. 119.011, and information which, if
1682 disclosed, ~~would reveal a trade secret, as defined in s.~~
1683 ~~688.002, or~~ would jeopardize the safety of an individual, all
1684 information, records, and transcriptions become public record
1685 when the investigation is completed or ceases to be active. The
1686 department shall not disclose confidential information, records,
1687 or transcriptions of testimony except pursuant to the
1688 authorization by the Attorney General in any of the following
1689 circumstances:

1690 (a) To a law enforcement agency participating in or
1691 conducting a civil investigation under chapter 895, or
1692 participating in or conducting a criminal investigation.

1693 (b) In the course of filing, participating in, or
1694 conducting a judicial proceeding instituted pursuant to this
1695 section or chapter 895.

1696 (c) In the course of filing, participating in, or
1697 conducting a judicial proceeding to enforce an order or judgment
1698 entered pursuant to this section or chapter 895.

1699 (d) In the course of a criminal or civil proceeding.
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1701 A person or law enforcement agency which receives any
1702 information, record, or transcription of testimony that has been
1703 made confidential by this subsection shall maintain the
1704 confidentiality of such material and shall not disclose such
1705 information, record, or transcription of testimony except as
1706 provided for herein. Any person who willfully discloses any
1707 information, record, or transcription of testimony that has been
1708 made confidential by this subsection, except as provided for
1709 herein, is guilty of a misdemeanor of the first degree,
1710 punishable as provided in s. 775.082 or s. 775.083. If any
1711 information, record, or testimony obtained pursuant to
1712 subsection (2) is offered in evidence in any judicial
1713 proceeding, the court may, in its discretion, seal that portion
1714 of the record to further the policies of confidentiality set
1715 forth herein.

1716 Section 64. Subsection (6) of section 617.0503, Florida
1717 Statutes, is amended to read:

1718 617.0503 Registered agent; duties; confidentiality of
1719 investigation records.—

1720 (6) Information provided to, and records and
1721 transcriptions of testimony obtained by, the Department of Legal
1722 Affairs pursuant to this section are confidential and exempt
1723 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the
1724 State Constitution while the investigation is active. For
1725 purposes of this section, an investigation shall be considered

1726 "active" while such investigation is being conducted with a
1727 reasonable, good faith belief that it may lead to the filing of
1728 an administrative, civil, or criminal proceeding. An
1729 investigation does not cease to be active so long as the
1730 department is proceeding with reasonable dispatch and there is a
1731 good faith belief that action may be initiated by the department
1732 or other administrative or law enforcement agency. Except for
1733 active criminal intelligence or criminal investigative
1734 information, as defined in s. 119.011, and information which, if
1735 disclosed, ~~would reveal a trade secret, as defined in s.~~
1736 ~~688.002, or~~ would jeopardize the safety of an individual, all
1737 information, records, and transcriptions become available to the
1738 public when the investigation is completed or ceases to be
1739 active. The department shall not disclose confidential
1740 information, records, or transcriptions of testimony except
1741 pursuant to authorization by the Attorney General in any of the
1742 following circumstances:

1743 (a) To a law enforcement agency participating in or
1744 conducting a civil investigation under chapter 895, or
1745 participating in or conducting a criminal investigation.

1746 (b) In the course of filing, participating in, or
1747 conducting a judicial proceeding instituted pursuant to this
1748 section or chapter 895.

1749 (c) In the course of filing, participating in, or
1750 conducting a judicial proceeding to enforce an order or judgment

1751 entered pursuant to this section or chapter 895.

1752 (d) In the course of a criminal proceeding.

1753

1754 A person or law enforcement agency that receives any
1755 information, record, or transcription of testimony that has been
1756 made confidential by this subsection shall maintain the
1757 confidentiality of such material and shall not disclose such
1758 information, record, or transcription of testimony except as
1759 provided for herein. Any person who willfully discloses any
1760 information, record, or transcription of testimony that has been
1761 made confidential by this subsection, except as provided for in
1762 this subsection, commits a misdemeanor of the first degree,
1763 punishable as provided in s. 775.082 or s. 775.083. If any
1764 information, record, or testimony obtained pursuant to
1765 subsection (2) is offered in evidence in any judicial
1766 proceeding, the court may, in its discretion, seal that portion
1767 of the record to further the policies of confidentiality set
1768 forth in this subsection.

1769 Section 65. Subsection (4) of section 624.307, Florida
1770 Statutes, is amended to read:

1771 624.307 General powers; duties.—

1772 (4) The department and office may each collect, propose,
1773 publish, and disseminate information relating to the subject
1774 matter of any duties imposed upon it by law. Notwithstanding any
1775 other provision of law, information reported to and collected by

1776 the office may be made available on an aggregate basis. The
1777 office may report, publish, or otherwise make available such
1778 information from all insurers on an aggregate basis by line of
1779 business and by county, even if marked trade secret pursuant to
1780 s. 688.01, but shall otherwise maintain trade secret
1781 confidentiality in accordance with s. 688.01.

1782 Section 66. Subsection (4) is added to section 624.315,
1783 Florida Statutes, to read:

1784 624.315 Department; annual report.—

1785 (4) Notwithstanding any other provision of law, the office
1786 may make the information in subsection (2) available on an
1787 aggregate basis. The office may include such statistical
1788 information from all insurers on an aggregate basis by line of
1789 business and by county, even if marked trade secret pursuant to
1790 s. 688.01, but shall otherwise maintain trade secret
1791 confidentiality in accordance with s. 688.01.

1792 Section 67. Paragraph (c) of subsection (1) and subsection
1793 (5) of section 624.4212, Florida Statutes, are amended to read:

1794 624.4212 Confidentiality of proprietary business and other
1795 information.—

1796 (1) As used in this section, the term "proprietary
1797 business information" means information, regardless of form or
1798 characteristics, which is owned or controlled by an insurer, or
1799 a person or an affiliated person who seeks acquisition of
1800 controlling stock in a domestic stock insurer or controlling

1801 company, and which:

1802 (c) Includes:

1803 ~~1. Trade secrets as defined in s. 688.002 which comply~~
1804 ~~with s. 624.4213.~~

1805 1.2. Information relating to competitive interests, the
1806 disclosure of which would impair the competitive business of the
1807 provider of the information.

1808 2.3. The source, nature, and amount of the consideration
1809 used or to be used in carrying out a merger or other acquisition
1810 of control in the ordinary course of business, including the
1811 identity of the lender, if the person filing a statement
1812 regarding consideration so requests.

1813 3.4. Information relating to bids or other contractual
1814 data, the disclosure of which would impair the efforts of the
1815 insurer or its affiliates to contract for goods or services on
1816 favorable terms.

1817 4.5. Internal auditing controls and reports of internal
1818 auditors.

1819 (5) The office may disclose information made confidential
1820 and exempt under this section or s. 688.01:

1821 (a) If the insurer to which it pertains gives prior
1822 written consent;

1823 (b) Pursuant to a court order;

1824 (c) To the Actuarial Board for Counseling and Discipline
1825 upon a request stating that the information is for the purpose

1826 | of professional disciplinary proceedings and specifying
 1827 | procedures satisfactory to the office for preserving the
 1828 | confidentiality of the information;

1829 | (d) To other states, federal and international agencies,
 1830 | the National Association of Insurance Commissioners and its
 1831 | affiliates and subsidiaries, and state, federal, and
 1832 | international law enforcement authorities, including members of
 1833 | a supervisory college described in s. 628.805 if the recipient
 1834 | agrees in writing to maintain the confidential and exempt status
 1835 | of the document, material, or other information and has
 1836 | certified in writing its legal authority to maintain such
 1837 | confidentiality; or

1838 | (e) For the purpose of aggregating information on an
 1839 | industrywide basis and disclosing the information to the public
 1840 | only if the specific identities of the insurers, or persons or
 1841 | affiliated persons, are not revealed.

1842 | Section 68. Section 624.4213, Florida Statutes, is
 1843 | repealed.

1844 | Section 69. Paragraph (d) of subsection (1) of section
 1845 | 626.84195, Florida Statutes, is amended to read:

1846 | 626.84195 Confidentiality of information supplied by title
 1847 | insurance agencies and insurers.—

1848 | (1) As used in this section, the term "proprietary
 1849 | business information" means information that:

1850 | (d) Concerns:

- 1851 1. Business plans;
- 1852 2. Internal auditing controls and reports of internal
- 1853 auditors;
- 1854 3. Reports of external auditors for privately held
- 1855 companies;
- 1856 ~~4. Trade secrets, as defined in s. 688.002; or~~
- 1857 4.5. Financial information, including revenue data, loss
- 1858 expense data, gross receipts, taxes paid, capital investment,
- 1859 and employee wages.

1860 Section 70. Subsection (2) of section 626.884, Florida

1861 Statutes, is amended to read:

1862 626.884 Maintenance of records by administrator; access;

1863 confidentiality.-

1864 (2) The office shall have access to books and records

1865 maintained by the administrator for the purpose of examination,

1866 audit, and inspection. ~~Information contained in such books and~~

1867 ~~records is confidential and exempt from the provisions of s.~~

1868 ~~119.07(1) if the disclosure of such information would reveal a~~

1869 ~~trade secret as defined in s. 688.002. However,~~ The office may

1870 use such information in any proceeding instituted against the

1871 administrator.

1872 Section 71. Paragraph (a) of subsection (1) of section

1873 626.9936, Florida Statutes, is amended to read:

1874 626.9936 Access to records.-

1875 (1) Notwithstanding subsections (1) and (2) of Article

1876 VIII, subsection (2) of Article X, and subsection (6) of Article
 1877 XII of the Interstate Insurance Product Regulation Compact, a
 1878 request by a resident of this state for public inspection and
 1879 copying of information, data, or official records that includes:

1880 (a) An insurer's trade secrets shall be referred to the
 1881 commissioner who shall respond to the request, with the
 1882 cooperation and assistance of the commission, in accordance with
 1883 s. 688.01 ~~s. 624.4213~~; or

1884 Section 72. Paragraph (g) of subsection (3) of section
 1885 627.0628, Florida Statutes, is amended to read:

1886 627.0628 Florida Commission on Hurricane Loss Projection
 1887 Methodology; public records exemption; public meetings
 1888 exemption.—

1889 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1890 (g) ~~1. A trade secret, as defined in s. 688.002, which is
 1891 used in designing and constructing a hurricane or flood loss
 1892 model and which is provided pursuant to this section, by a
 1893 private company, to the commission, office, or consumer advocate
 1894 appointed pursuant to s. 627.0613 is confidential and exempt
 1895 from s. 119.07(1) and s. 24(a), Art. I of the State
 1896 Constitution.—~~

1897 1.2.a. That portion of a meeting of the commission or of a
 1898 rate proceeding on an insurer's rate filing at which a trade
 1899 secret made confidential and exempt pursuant to s. 688.01 ~~by
 1900 this paragraph~~ is discussed is exempt from s. 286.011 and s.

1901 24(b), Art. I of the State Constitution. The closed meeting must
 1902 be recorded, and no portion of the closed meeting may be off the
 1903 record.

1904 2.b. The recording of a closed portion of a meeting is
 1905 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1906 Constitution.

1907 ~~e. This paragraph is subject to the Open Government Sunset~~
 1908 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
 1909 ~~on October 2, 2019, unless reviewed and saved from repeal~~
 1910 ~~through reenactment by the Legislature.~~

1911 Section 73. Paragraph (a) of subsection (11) of section
 1912 627.3518, Florida Statutes, is amended to read:

1913 627.3518 Citizens Property Insurance Corporation
 1914 policyholder eligibility clearinghouse program.—The purpose of
 1915 this section is to provide a framework for the corporation to
 1916 implement a clearinghouse program by January 1, 2014.

1917 (11) Proprietary business information provided to the
 1918 corporation's clearinghouse by insurers with respect to
 1919 identifying and selecting risks for an offer of coverage is
 1920 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 1921 of the State Constitution.

1922 (a) As used in this subsection, the term "proprietary
 1923 business information" means information, regardless of form or
 1924 characteristics, which is owned or controlled by an insurer and:

1925 1. Is identified by the insurer as proprietary business

1926 information and is intended to be and is treated by the insurer
1927 as private in that the disclosure of the information would cause
1928 harm to the insurer, an individual, or the company's business
1929 operations and has not been disclosed unless disclosed pursuant
1930 to a statutory requirement, an order of a court or
1931 administrative body, or a private agreement that provides that
1932 the information will not be released to the public;

1933 2. Is not otherwise readily ascertainable or publicly
1934 available by proper means by other persons from another source
1935 in the same configuration as provided to the clearinghouse; and

1936 3. Includes:

1937 ~~a. Trade secrets, as defined in s. 688.002.~~

1938 ~~b.~~ information relating to competitive interests, the
1939 disclosure of which would impair the competitive business of the
1940 provider of the information.

1941
1942 Proprietary business information may be found in underwriting
1943 criteria or instructions which are used to identify and select
1944 risks through the program for an offer of coverage and are
1945 shared with the clearinghouse to facilitate the shopping of
1946 risks with the insurer.

1947 Section 74. Subsections (4), (5), (14), and (15) of
1948 section 655.057, Florida Statutes, are amended to read:

1949 655.057 Records; limited restrictions upon public access.—

1950 ~~(4) Except as otherwise provided in this section and~~

1951 ~~except for those portions that are otherwise public record,~~
 1952 ~~trade secrets as defined in s. 688.002 which comply with s.~~
 1953 ~~655.0591 and which are held by the office in accordance with its~~
 1954 ~~statutory duties with respect to the financial institutions~~
 1955 ~~codes are confidential and exempt from s. 119.07(1) and s.~~
 1956 ~~24(a), Art. I of the State Constitution.~~

1957 (4)~~(5)~~ Neither this section nor s. 688.01 prevents ~~does~~
 1958 ~~not prevent~~ or restricts ~~restrict~~:

1959 (a) Publishing reports that are required to be submitted
 1960 to the office pursuant to s. 655.045(2) or required by
 1961 applicable federal statutes or regulations to be published.

1962 (b) Furnishing records or information to any other state,
 1963 federal, or foreign agency responsible for the regulation or
 1964 supervision of financial institutions.

1965 (c) Disclosing or publishing summaries of the condition
 1966 of financial institutions and general economic and similar
 1967 statistics and data, provided that the identity of a particular
 1968 financial institution is not disclosed.

1969 (d) Reporting any suspected criminal activity, with
 1970 supporting documents and information, to appropriate law
 1971 enforcement and prosecutorial agencies.

1972 (e) Furnishing information upon request to the Chief
 1973 Financial Officer or the Division of Treasury of the Department
 1974 of Financial Services regarding the financial condition of any
 1975 financial institution that is, or has applied to be, designated

1976 as a qualified public depository pursuant to chapter 280.
 1977 (f) Furnishing information to Federal Home Loan Banks
 1978 regarding its member institutions pursuant to an information
 1979 sharing agreement between the Federal Home Loan Banks and the
 1980 office.
 1981
 1982 Any confidential information or records obtained from the office
 1983 pursuant to this subsection shall be maintained as confidential
 1984 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1985 Constitution.
 1986 (14) This section is ~~Subsections (3) and (4) are subject~~
 1987 ~~to the Open Government Sunset Review Act in accordance with s.~~
 1988 ~~119.15 and are repealed on October 2, 2019, unless reviewed and~~
 1989 ~~saved from repeal through reenactment by the Legislature.~~
 1990 (15) ~~Subsections (1), (2), (5), and (9) are subject to the~~
 1991 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
 1992 ~~and is ~~are~~ repealed on October 2, 2022, unless reviewed and~~
 1993 ~~saved from repeal through reenactment by the Legislature.~~
 1994 Section 75. Section 655.0591, Florida Statutes, is
 1995 repealed.
 1996 Section 76. Subsection (11) of section 663.533, Florida
 1997 Statutes, is amended to read:
 1998 663.533 Applicability of the financial institutions
 1999 codes.—A qualified limited service affiliate is subject to the
 2000 financial institutions codes. Without limiting the foregoing,

2001 the following provisions are applicable to a qualified limited
 2002 service affiliate:

2003 (11) Section 688.01 ~~655.0591~~, relating to trade secret
 2004 documents.

2005
 2006 This section does not prohibit the office from investigating or
 2007 examining an entity to ensure that it is not in violation of
 2008 this chapter or applicable provisions of the financial
 2009 institutions codes.

2010 Section 77. Section 721.071, Florida Statutes, is
 2011 repealed.

2012 Section 78. Subsections (3) and (4) of section 815.04,
 2013 Florida Statutes, are amended to read:

2014 815.04 Offenses against intellectual property; ~~public~~
 2015 ~~records exemption.~~-

2016 ~~(3) Data, programs, or supporting documentation that is a~~
 2017 ~~trade secret as defined in s. 812.081, that is held by an agency~~
 2018 ~~as defined in chapter 119, and that resides or exists internal~~
 2019 ~~or external to a computer, computer system, computer network, or~~
 2020 ~~electronic device is confidential and exempt from the provisions~~
 2021 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~
 2022 ~~This subsection is subject to the Open Government Sunset Review~~
 2023 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
 2024 ~~October 2, 2021, unless reviewed and saved from repeal through~~
 2025 ~~reenactment by the Legislature.~~

2026 (3)~~(4)~~ A person who willfully, knowingly, and without
 2027 authorization discloses or takes data, programs, or supporting
 2028 documentation that is a trade secret as defined in s. 812.081 ~~or~~
 2029 ~~is confidential as provided by law~~ residing or existing internal
 2030 or external to a computer, computer system, computer network, or
 2031 electronic device commits an offense against intellectual
 2032 property.

2033 Section 79. Section 815.045, Florida Statutes, is
 2034 repealed.

2035 Section 80. Subsection (2) of section 1004.22, Florida
 2036 Statutes, is amended to read:

2037 1004.22 Divisions of sponsored research at state
 2038 universities.—

2039 (2) The university shall set such policies to regulate the
 2040 activities of the divisions of sponsored research as it may
 2041 consider necessary to administer the research programs in a
 2042 manner which assures efficiency and effectiveness, producing the
 2043 maximum benefit for the educational programs and maximum service
 2044 to the state. To this end, materials that relate to methods of
 2045 manufacture or production, ~~potential trade secrets,~~ potentially
 2046 patentable material, ~~actual~~ trade secrets, as defined in s.
 2047 688.01, business transactions, or proprietary information
 2048 received, generated, ascertained, or discovered during the
 2049 course of research conducted within the state universities shall
 2050 be confidential and exempt from the provisions of s. 119.07(1),

2051 | except that a division of sponsored research shall make
2052 | available upon request the title and description of a research
2053 | project, the name of the researcher, and the amount and source
2054 | of funding provided for such project.

2055 | Section 81. Paragraph (c) of subsection (2) and
2056 | subsections (3), (4), and (7) of section 1004.30, Florida
2057 | Statutes, are amended to read:

2058 | 1004.30 University health services support organization;
2059 | confidentiality of information.—

2060 | (2) The following university health services support
2061 | organization's records and information are confidential and
2062 | exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
2063 | of the State Constitution:

2064 | ~~(c) Trade secrets, as defined in s. 688.002, including~~
2065 | ~~reimbursement methodologies and rates.~~

2066 | (3) Any portion of a governing board or peer review panel
2067 | or committee meeting during which a confidential and exempt
2068 | contract, document, record, or marketing plan, ~~or trade secret~~,
2069 | as provided for in subsection (2), or a confidential and exempt
2070 | trade secret, as provided for in s. 688.01, is discussed is
2071 | exempt from the provisions of s. 286.011 and s. 24(b), Art. I of
2072 | the State Constitution.

2073 | (4) Those portions of any public record, such as a tape
2074 | recording, minutes, and notes, generated during that portion of
2075 | a governing board or peer review panel or committee meeting

2076 | which is closed to the public pursuant to this section, ~~which~~
2077 | ~~contain information relating to contracts, documents, records,~~
2078 | ~~marketing plans, or trade secrets which are made confidential~~
2079 | ~~and exempt by this section,~~ are confidential and exempt from the
2080 | provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2081 | Constitution.

2082 | (7) Those portions of any public record, such as a tape
2083 | recording, minutes, or notes, generated during that portion of a
2084 | governing board meeting at which negotiations for contracts for
2085 | managed-care arrangements occur, are reported on, or are acted
2086 | on by the governing board, which record is made confidential and
2087 | exempt by subsection (4), shall become public records 2 years
2088 | after the termination or completion of the term of the contract
2089 | to which such negotiations relate or, if no contract was
2090 | executed, 2 years after the termination of the negotiations.
2091 | Notwithstanding paragraph (2)(a) and subsection (4), a
2092 | university health services support organization must make
2093 | available, upon request, the title and general description of a
2094 | contract for managed-care arrangements, the names of the
2095 | contracting parties, and the duration of the contract term. All
2096 | contracts for managed-care arrangements which are made
2097 | confidential and exempt by paragraph (2)(a), except those
2098 | portions of any contract containing trade secrets which are made
2099 | confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall
2100 | become public 2 years after the termination or completion of the

2101 term of the contract.

2102 Section 82. Paragraph (b) of subsection (8) of section
2103 1004.43, Florida Statutes, is amended to read:

2104 1004.43 H. Lee Moffitt Cancer Center and Research
2105 Institute.—There is established the H. Lee Moffitt Cancer Center
2106 and Research Institute, a statewide resource for basic and
2107 clinical research and multidisciplinary approaches to patient
2108 care.

2109 (8)

2110 (b) Proprietary confidential business information is
2111 confidential and exempt from the provisions of s. 119.07(1) and
2112 s. 24(a), Art. I of the State Constitution. However, the Auditor
2113 General, the Office of Program Policy Analysis and Government
2114 Accountability, and the Board of Governors, pursuant to their
2115 oversight and auditing functions, must be given access to all
2116 proprietary confidential business information upon request and
2117 without subpoena and must maintain the confidentiality of
2118 information so received. As used in this paragraph, the term
2119 "proprietary confidential business information" means
2120 information, regardless of its form or characteristics, which is
2121 owned or controlled by the not-for-profit corporation or its
2122 subsidiaries; is intended to be and is treated by the not-for-
2123 profit corporation or its subsidiaries as private and the
2124 disclosure of which would harm the business operations of the
2125 not-for-profit corporation or its subsidiaries; has not been

2126 | intentionally disclosed by the corporation or its subsidiaries
 2127 | unless pursuant to law, an order of a court or administrative
 2128 | body, a legislative proceeding pursuant to s. 5, Art. III of the
 2129 | State Constitution, or a private agreement that provides that
 2130 | the information may be released to the public; and which is
 2131 | information concerning:

2132 | 1. Internal auditing controls and reports of internal
 2133 | auditors;

2134 | 2. Matters reasonably encompassed in privileged attorney-
 2135 | client communications;

2136 | 3. Contracts for managed-care arrangements, including
 2137 | preferred provider organization contracts, health maintenance
 2138 | organization contracts, and exclusive provider organization
 2139 | contracts, and any documents directly relating to the
 2140 | negotiation, performance, and implementation of any such
 2141 | contracts for managed-care arrangements;

2142 | 4. Bids or other contractual data, banking records, and
 2143 | credit agreements the disclosure of which would impair the
 2144 | efforts of the not-for-profit corporation or its subsidiaries to
 2145 | contract for goods or services on favorable terms;

2146 | 5. Information relating to private contractual data, the
 2147 | disclosure of which would impair the competitive interest of the
 2148 | provider of the information;

2149 | 6. Corporate officer and employee personnel information;

2150 | 7. Information relating to the proceedings and records of

2151 | credentialing panels and committees and of the governing board
 2152 | of the not-for-profit corporation or its subsidiaries relating
 2153 | to credentialing;

2154 | 8. Minutes of meetings of the governing board of the not-
 2155 | for-profit corporation and its subsidiaries, except minutes of
 2156 | meetings open to the public pursuant to subsection (9);

2157 | 9. Information that reveals plans for marketing services
 2158 | that the corporation or its subsidiaries reasonably expect to be
 2159 | provided by competitors;

2160 | 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,
 2161 | including:

2162 | a. Information relating to methods of manufacture or
 2163 | production, ~~potential trade secrets~~, potentially patentable
 2164 | materials, or proprietary information received, generated,
 2165 | ascertained, or discovered during the course of research
 2166 | conducted by the not-for-profit corporation or its subsidiaries;
 2167 | and

2168 | b. Reimbursement methodologies or rates;

2169 | 11. The identity of donors or prospective donors of
 2170 | property who wish to remain anonymous or any information
 2171 | identifying such donors or prospective donors. The anonymity of
 2172 | these donors or prospective donors must be maintained in the
 2173 | auditor's report; or

2174 | 12. Any information received by the not-for-profit
 2175 | corporation or its subsidiaries from an agency in this or

2176 another state or nation or the Federal Government which is
 2177 otherwise exempt or confidential pursuant to the laws of this or
 2178 another state or nation or pursuant to federal law.

2179
 2180 As used in this paragraph, the term "managed care" means systems
 2181 or techniques generally used by third-party payors or their
 2182 agents to affect access to and control payment for health care
 2183 services. Managed-care techniques most often include one or more
 2184 of the following: prior, concurrent, and retrospective review of
 2185 the medical necessity and appropriateness of services or site of
 2186 services; contracts with selected health care providers;
 2187 financial incentives or disincentives related to the use of
 2188 specific providers, services, or service sites; controlled
 2189 access to and coordination of services by a case manager; and
 2190 payor efforts to identify treatment alternatives and modify
 2191 benefit restrictions for high-cost patient care.

2192 Section 83. Paragraph (a) of subsection (2) of section
 2193 1004.4472, Florida Statutes, is amended to read:

2194 1004.4472 Florida Institute for Human and Machine
 2195 Cognition, Inc.; public records exemption; public meetings
 2196 exemption.—

2197 (2) The following information held by the corporation or
 2198 its subsidiary is confidential and exempt from s. 119.07(1) and
 2199 s. 24(a), Art. I of the State Constitution:

2200 (a) Material relating to methods of manufacture or

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2201 production, ~~potential trade secrets~~, patentable material, ~~actual~~
2202 trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary
2203 information received, generated, ascertained, or discovered
2204 during the course of research conducted by or through the
2205 corporation or a subsidiary, and business transactions resulting
2206 from such research.

2207 Section 84. Subsection (2) of section 1004.78, Florida
2208 Statutes, is amended to read:

2209 1004.78 Technology transfer centers at Florida College
2210 System institutions.—

2211 (2) The Florida College System institution board of
2212 trustees shall set such policies to regulate the activities of
2213 the technology transfer center as it may consider necessary to
2214 effectuate the purposes of this section and to administer the
2215 programs of the center in a manner which assures efficiency and
2216 effectiveness, producing the maximum benefit for the educational
2217 programs and maximum service to the state. To this end,
2218 materials that relate to methods of manufacture or production,
2219 ~~potential trade secrets~~, potentially patentable material, ~~actual~~
2220 trade secrets as defined in s. 688.01, business transactions, or
2221 proprietary information received, generated, ascertained, or
2222 discovered during the course of activities conducted within the
2223 Florida College System institutions shall be confidential and
2224 exempt from the provisions of s. 119.07(1), except that a
2225 Florida College System institution shall make available upon

2226 request the title and description of a project, the name of the
 2227 investigator, and the amount and source of funding provided for
 2228 such project.

2229 Section 85. Section 601.80, Florida Statutes, is amended
 2230 to read:

2231 601.80 Unlawful to use uncertified coloring matter.—It is
 2232 unlawful for any person to use on oranges or citrus hybrids any
 2233 coloring matter which has not first received the approval of the
 2234 Department of Agriculture ~~as provided under s. 601.76.~~

2235 Section 86. Subsection (11) of section 663.533, Florida
 2236 Statutes, is amended to read:

2237 663.533 Applicability of the financial institutions
 2238 codes.—A qualified limited service affiliate is subject to the
 2239 financial institutions codes. Without limiting the foregoing,
 2240 the following provisions are applicable to a qualified limited
 2241 service affiliate:

2242 ~~(11) Section 655.0591, relating to trade secret documents.~~

2244 This section does not prohibit the office from investigating or
 2245 examining an entity to ensure that it is not in violation of
 2246 this chapter or applicable provisions of the financial
 2247 institutions codes.

2248 Section 87. Paragraph (c) of subsection (12) of section
 2249 721.13, Florida Statutes, is amended to read:

2250 721.13 Management.—

2251 (12)
 2252 (c) The managing entity shall maintain copies of all
 2253 records, data, and information supporting the processes,
 2254 analyses, procedures, and methods utilized by the managing
 2255 entity in its determination to reserve accommodations of the
 2256 timeshare plan pursuant to this subsection for a period of 5
 2257 years from the date of such determination. In the event of an
 2258 investigation by the division for failure of a managing entity
 2259 to comply with this subsection, the managing entity shall make
 2260 all such records, data, and information available to the
 2261 division for inspection, ~~provided that if the managing entity~~
 2262 ~~complies with the provisions of s. 721.071, any such records,~~
 2263 ~~data, and information provided to the division shall constitute~~
 2264 ~~a trade secret pursuant to that section.~~

2265 Section 88. Paragraphs (a) and (c) of subsection (3) of
 2266 section 921.0022, Florida Statutes, are amended to read:

2267 921.0022 Criminal Punishment Code; offense severity
 2268 ranking chart.—

2269 (3) OFFENSE SEVERITY RANKING CHART

2270 (a) LEVEL 1

2271

Florida Statute	Felony Degree	Description
2272 24.118 (3) (a)	3rd	Counterfeit or altered state

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2273			lottery ticket.
	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2274			
	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2275			
	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2276			
	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2277			
	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2278			
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2279			
	322.212	3rd	Possession of forged, stolen,

	(1) (a) - (c)		counterfeit, or unlawfully issued driver license; possession of simulated identification.
2280	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2281	322.212 (5) (a)	3rd	False application for driver license or identification card.
2282	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2283	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
2284	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.

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2285	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2286	562.27 (1)	3rd	Possess still or still apparatus.
2287	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
2288	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2289	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2290	<u>815.04 (4) (a)</u> 815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
2291	817.52 (2)	3rd	Hiring with intent to defraud,

2292			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.
2293			
	826.01	3rd	Bigamy.
2294			
	828.122 (3)	3rd	Fighting or baiting animals.
2295			
	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
2296			
	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
2297			
	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
2298			

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2299	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
2300	838.15 (2)	3rd	Commercial bribe receiving.
2301	838.16	3rd	Commercial bribery.
2302	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2303	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2304	849.01	3rd	Keeping gambling house.
2305	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.

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2306	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2307	849.25 (2)	3rd	Engaging in bookmaking.
2308	860.08	3rd	Interfere with a railroad signal.
2309	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2310	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2311	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2312	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2313	(c) LEVEL 3		
2314	Florida	Felony	
	Statute	Degree	Description

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2315	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2316	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2317	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2318	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2319	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2320	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2321	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.

2322	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2323	327.35(2)(b)	3rd	Felony BUI.
2324	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2325	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2326	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2327	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell,

2328	379.2431 (1) (e) 6.	3rd	molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2329	379.2431 (1) (e) 7.	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.
2330	400.9935 (4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2331	400.9935 (4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license. Filing a false license application or other required information or failing to

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2332			report information.
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2333			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2334			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2335			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2336			
	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2337			
	697.08	3rd	Equity skimming.
2338			

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2339	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2340	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2341	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2342	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2343	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2344	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
	<u>815.04 (4) (b)</u>	2nd	Computer offense devised to

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2345	815.04(5)(b)		defraud or obtain property.
	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2346			
	817.233	3rd	Burning to defraud insurer.
2347			
	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2348			
	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
2349			
	817.236	3rd	Filing a false motor vehicle insurance application.
2350			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2351			
	817.413(2)	3rd	Sale of used goods as new.

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2352	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2353	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2354	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2355	843.19	3rd	Injure, disable, or kill police dog or horse.
2356	860.15 (3)	3rd	Overcharging for repairs and parts.
2357	870.01 (2)	3rd	Riot; inciting or encouraging.
2358	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) 6.,

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2359	893.13(1)(d)2.	2nd	<p>(2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs).</p> <p>Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.</p>
2360	893.13(1)(f)2.	2nd	<p>Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.</p>
2361	893.13(4)(c)	3rd	<p>Use or hire of minor; deliver to minor other controlled substances.</p>
2362	893.13(6)(a)	3rd	<p>Possession of any controlled substance other than felony</p>

2363	893.13(7)(a)8.	3rd	possession of cannabis. Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2364	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2365	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
2366	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2367	893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through

2368	893.13(8)(a)2.	3rd	deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
2369	893.13(8)(a)3.	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.
2370	893.13(8)(a)4.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2371	918.13(1)(a)	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 monetary benefit for the practitioner.
			Alter, destroy, or conceal

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2372	944.47 (1) (a) 1. & 2.	3rd	investigation evidence. Introduce contraband to correctional facility.
2373	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2374	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2375	Section 89. This act shall take effect upon becoming a law if HB 761 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.		
2376			
2377			
2378			