

1                   A bill to be entitled  
2           An act relating to public records; amending s. 24.105,  
3           F.S.; deleting provisions relating to exemptions from  
4           public records requirements for certain information  
5           held by the Department of the Lottery; amending s.  
6           73.0155, F.S.; deleting provisions relating to public  
7           records exemptions for trade secrets held by  
8           governmental condemning authorities; amending s.  
9           119.071, F.S.; deleting a provision declaring that  
10          certain data processing software exempt from public  
11          records requirements is considered a trade secret;  
12          removing the scheduled repeal of the public record  
13          exemption; amending s. 119.0713, F.S.; deleting a  
14          provision exempting trade secrets held by local  
15          government agencies from public records requirements;  
16          amending s. 125.0104, F.S.; deleting a provision  
17          exempting trade secrets held by county tourism  
18          development agencies from public records requirements;  
19          amending s. 163.01, F.S.; deleting a provision  
20          exempting trade secrets held by public agencies that  
21          are electric utilities from public records  
22          requirements; amending s. 202.195, F.S.; deleting a  
23          provision exempting trade secrets obtained from a  
24          telecommunications company or franchised cable company  
25          for certain purposes from public records requirements;

26 | amending s. 215.4401, F.S.; deleting provisions  
27 | relating to confidentiality of trade secrets held by  
28 | the State Board of Administration; amending s. 252.88,  
29 | F.S.; deleting provisions exempting certain  
30 | information from public records requirements under the  
31 | Florida Emergency Planning and Community Right-to-Know  
32 | Act; repealing s. 252.943, F.S., relating to a public  
33 | records exemption under the Florida Accidental Release  
34 | Prevention and Risk Management Planning Act; amending  
35 | s. 287.0943, F.S.; deleting provisions relating to  
36 | confidentiality of certain information relating to  
37 | applications for certification of minority business  
38 | enterprises; amending s. 288.047, F.S.; deleting  
39 | provisions exempting potential trade secrets from  
40 | public records requirements; amending s. 288.075,  
41 | F.S.; deleting provisions relating to a public records  
42 | exemption for trade secrets held by economic  
43 | development agencies; amending s. 288.1226, F.S.;  
44 | deleting provisions relating to a public records  
45 | exemption for trade secrets held by the Florida  
46 | Tourism Industry Marketing Corporation; amending s.  
47 | 288.776, F.S.; deleting provisions relating to a  
48 | public records exemption for trade secrets held by the  
49 | Florida Export Finance Corporation; amending s.  
50 | 288.9520, F.S.; deleting provisions relating to a

51 public records exemption for trade secrets and  
52 potential trade secrets held by Enterprise Florida,  
53 Inc., and related entities; amending s. 288.9607,  
54 F.S.; deleting provisions relating to a public records  
55 exemption for trade secrets held by the Florida  
56 Development Finance Corporation; amending s. 288.9626,  
57 F.S.; deleting provisions relating to a public records  
58 exemption for trade secrets and potential trade  
59 secrets held by the Florida Opportunity Fund;  
60 conforming provisions to changes made by the act;  
61 amending s. 288.9627, F.S.; deleting provisions  
62 relating to a public records exemption for trade  
63 secrets and potential trade secrets held by the  
64 Institute for Commercialization of Florida Technology;  
65 conforming provisions to changes made by the act;  
66 amending s. 331.326, F.S.; deleting provisions  
67 relating to a public records exemption for trade  
68 secrets held by Space Florida; amending s. 334.049,  
69 F.S.; deleting provisions relating to a public records  
70 exemption for trade secrets held by the Department of  
71 State; amending ss. 350.121 and 364.183, F.S.;  
72 deleting provisions relating to public records  
73 exemptions for trade secrets held by the Florida  
74 Public Service Commission; amending 365.174, F.S.;  
75 deleting provisions relating to public records

76 exemptions for trade secrets held by the E911 Board  
77 and the Technology Program within the Department of  
78 Management Services; amending ss. 366.093, 367.156,  
79 and 368.108, F.S.; deleting provisions relating to  
80 public records exemptions for trade secrets held by  
81 the Florida Public Service Commission; repealing s.  
82 381.83, F.S., relating to confidentiality of certain  
83 information containing trade secrets obtained by the  
84 Department of Health; amending s. 395.3035, F.S.;  
85 deleting provisions relating to a public records  
86 exemption for trade secrets of hospitals; amending s.  
87 403.7046, F.S.; revising provisions relating to an  
88 exemption for trade secrets contained in certain  
89 reports to the Department of Environmental Protection;  
90 repealing s. 403.73, F.S., relating to confidentiality  
91 of certain information containing trade secrets  
92 obtained by the Department of Environmental  
93 Protection; amending s. 408.061, F.S.; deleting a  
94 requirement that certain trade secret information  
95 submitted to the Agency for Healthcare Administration  
96 be clearly designated as such; amending s. 408.185,  
97 F.S.; deleting provisions relating to public records  
98 exemptions for certain trade secrets held by the  
99 Office of the Attorney General; amending s. 408.910,  
100 F.S.; deleting provisions relating to public records

101 exemptions for trade secrets held by the Florida  
102 Health Choices Program; amending s. 409.91196, F.S.;;  
103 deleting provisions relating to public records  
104 exemptions for trade secrets held by the Agency for  
105 Healthcare Administration; amending s. 440.108, F.S.;;  
106 deleting provisions relating to public records  
107 exemptions for trade secrets held by the Department of  
108 Financial Services; amending s. 494.00125, F.S.;;  
109 deleting provisions relating to public records  
110 exemptions for trade secrets held by the Office of  
111 Financial Regulation; amending s. 497.172, F.S.;;  
112 deleting provisions relating to public records  
113 exemptions for trade secrets held by the Department of  
114 Financial Services or the Board of Funeral, Cemetery,  
115 and Consumer Services; amending ss. 499.012, 499.0121,  
116 499.05, and 499.051, F.S.;; deleting provisions  
117 relating to public records exemptions for trade  
118 secrets held by the Department of Business and  
119 Professional Regulation; repealing s. 499.931, F.S.,  
120 relating to maintenance of information held by the  
121 Department of Business and Professional Regulation  
122 that is deemed to be a trade secret; amending s.  
123 501.171, F.S.;; deleting provisions relating to public  
124 records exemptions for trade secrets held by the  
125 Department of Legal Affairs; repealing s. 502.222,

126 F.S., relating to trade secrets of a dairy business  
 127 held by the Department of Agriculture and Consumer  
 128 Services; amending ss. 517.2015 and 520.9965, F.S.;  
 129 deleting provisions relating to public records  
 130 exemptions for trade secrets held by the Office of  
 131 Financial Regulation; amending s. 526.311, F.S.;  
 132 deleting provisions relating to public records  
 133 exemptions for trade secrets held by the Department of  
 134 Agriculture and Consumer Services; amending s.  
 135 548.062, F.S.; deleting provisions relating to public  
 136 records exemptions for trade secrets held by the  
 137 Florida State Boxing Commission; amending s. 556.113,  
 138 F.S.; deleting provisions relating to public records  
 139 exemptions for trade secrets held by Sunshine State  
 140 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;  
 141 deleting provisions relating to public records  
 142 exemptions for trade secrets held by the Office of  
 143 Financial Regulation; amending s. 559.9285, F.S.;  
 144 revising provisions specifying that certain  
 145 information provided to the Department of Agriculture  
 146 and Consumer Services does not constitute a trade  
 147 secret; amending s. 560.129, F.S.; deleting provisions  
 148 relating to public records exemptions for trade  
 149 secrets held by the Office of Financial Regulation;  
 150 amending s. 570.48, F.S.; deleting provisions relating

151 to public records exemptions for trade secrets held by  
152 the Division of Fruit and Vegetables; amending ss.  
153 570.544 and 573.123, F.S.; deleting provisions  
154 relating to public records exemptions for trade  
155 secrets held by the Division of Consumer Services;  
156 repealing s. 581.199, F.S., relating to a prohibition  
157 on the use of trade secret information obtained under  
158 specified provisions for personal use or gain;  
159 amending ss. 601.10, 601.15, and 601.152, F.S.;  
160 deleting provisions relating to public records  
161 exemptions for trade secrets held by the Department of  
162 Citrus; amending s. 601.76, F.S.; deleting provisions  
163 relating to a public records exemption for certain  
164 formulas filed with the Department of Agriculture;  
165 amending ss. 607.0505 and 617.0503, F.S.; deleting  
166 provisions relating to public records exemptions for  
167 certain information that might reveal trade secrets  
168 held by the Department of Legal Affairs; amending s.  
169 624.307, F.S.; authorizing the Office of Insurance  
170 Regulation to report certain information on an  
171 aggregate basis; amending s. 624.315, F.S.;  
172 authorizing the Office of Insurance Regulation to make  
173 certain information available on an aggregate basis;  
174 amending s. 624.4212, F.S.; deleting provisions  
175 relating to public records exemptions for trade

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



201 deleting a public records exemption for certain trade  
202 secret information relating to offenses against  
203 intellectual property; repealing s. 815.045, F.S.,  
204 relating to trade secret information; amending s.  
205 1004.22, F.S.; revising provisions relating to public  
206 records exemptions for trade secrets and potential  
207 trade secrets received, generated, ascertained, or  
208 discovered during the course of research conducted  
209 within the state universities; amending s. 1004.30,  
210 F.S.; revising provisions relating to public records  
211 exemptions for trade secrets held by state university  
212 health support organizations; amending s. 1004.43,  
213 F.S.; revising provisions relating to public records  
214 exemptions for trade secrets and potential trade  
215 secrets held by the H. Lee Moffitt Cancer Center and  
216 Research Institute; amending s. 1004.4472, F.S.;  
217 revising provisions relating to public records  
218 exemptions for trade secrets and potential trade  
219 secrets held by the Florida Institute for Human and  
220 Machine Cognition, Inc.; amending s. 1004.78, F.S.;  
221 revising provisions relating to public records  
222 exemptions for trade secrets and potential trade  
223 secrets held by the technology transfers centers at  
224 Florida College System institutions; amending s.  
225 601.80, F.S.; correcting a cross-reference; amending

226 ss. 663.533, 721.13, and 921.0022, F.S.; conforming  
 227 provisions to changes made by the act; providing a  
 228 contingent effective date.

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

232 Section 1. Paragraph (a) of subsection (12) of section  
 233 24.105, Florida Statutes, is amended to read:

234 24.105 Powers and duties of department.—The department  
 235 shall:

236 ~~(12)(a) Determine by rule information relating to the~~  
 237 ~~operation of the lottery which is confidential and exempt from~~  
 238 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~  
 239 ~~Constitution. Such information includes trade secrets; security~~  
 240 ~~measures, systems, or procedures; security reports; information~~  
 241 ~~concerning bids or other contractual data, the disclosure of~~  
 242 ~~which would impair the efforts of the department to contract for~~  
 243 ~~goods or services on favorable terms; employee personnel~~  
 244 ~~information unrelated to compensation, duties, qualifications,~~  
 245 ~~or responsibilities; and information obtained by the Division of~~  
 246 ~~Security pursuant to its investigations which is otherwise~~  
 247 ~~confidential. To be deemed confidential, the information must be~~  
 248 ~~necessary to the security and integrity of the lottery.~~  
 249 ~~Confidential information may be released to other governmental~~  
 250 ~~entities as needed in connection with the performance of their~~

251 ~~duties. The receiving governmental entity shall retain the~~  
 252 ~~confidentiality of such information as provided for in this~~  
 253 ~~subsection.~~

254 Section 2. Paragraph (e) of subsection (1) of section  
 255 73.0155, Florida Statutes, is amended to read:

256 73.0155 Confidentiality; business information provided to  
 257 a governmental condemning authority.—

258 (1) The following business information provided by the  
 259 owner of a business to a governmental condemning authority as  
 260 part of an offer of business damages under s. 73.015 is  
 261 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 262 of the State Constitution if the owner requests in writing that  
 263 the business information be held confidential and exempt:

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

267 Section 3. Paragraph (f) of subsection (1) of section  
 268 119.071, Florida Statutes, is amended to read:

269 119.071 General exemptions from inspection or copying of  
 270 public records.—

271 (1) AGENCY ADMINISTRATION.—

272 (f) ~~Data processing software obtained by an agency under a~~  
 273 ~~licensing agreement that prohibits its disclosure and which~~  
 274 ~~software is a trade secret, as defined in s. 812.081, and~~  
 275 Agency-produced data processing software that is sensitive is

276 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
277 Constitution. The designation of agency-produced software as  
278 sensitive does not prohibit an agency head from sharing or  
279 exchanging such software with another public agency. ~~This~~  
280 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
281 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
282 ~~2021, unless reviewed and saved from repeal through reenactment~~  
283 ~~by the Legislature.~~

284 Section 4. Paragraph (a) of subsection (4) of section  
285 119.0713, Florida Statutes, is amended to read:

286 119.0713 Local government agency exemptions from  
287 inspection or copying of public records.—

288 (4) (a) Proprietary confidential business information means  
289 information, regardless of form or characteristics, which is  
290 held by an electric utility that is subject to this chapter, is  
291 intended to be and is treated by the entity that provided the  
292 information to the electric utility as private in that the  
293 disclosure of the information would cause harm to the entity  
294 providing the information or its business operations, and has  
295 not been disclosed unless disclosed pursuant to a statutory  
296 provision, an order of a court or administrative body, or a  
297 private agreement that provides that the information will not be  
298 released to the public. Proprietary confidential business  
299 information includes:

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

301        1.2. Internal auditing controls and reports of internal  
 302 auditors.

303        2.3. Security measures, systems, or procedures.

304        3.4. Information concerning bids or other contractual  
 305 data, the disclosure of which would impair the efforts of the  
 306 electric utility to contract for goods or services on favorable  
 307 terms.

308        4.5. Information relating to competitive interests, the  
 309 disclosure of which would impair the competitive business of the  
 310 provider of the information.

311        Section 5. Paragraph (d) of subsection (9) of section  
 312 125.0104, Florida Statutes, is amended to read:

313        125.0104 Tourist development tax; procedure for levying;  
 314 authorized uses; referendum; enforcement.—

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

319        (d) Undertake marketing research and advertising research  
 320 studies and provide reservations services and convention and  
 321 meetings booking services consistent with the authorized uses of  
 322 revenue as set forth in subsection (5).

323        1. Information given to a county tourism promotion agency  
 324 which, if released, would reveal the identity of persons or  
 325 entities who provide data or other information as a response to

326 a sales promotion effort, an advertisement, or a research  
 327 project or whose names, addresses, meeting or convention plan  
 328 information or accommodations or other visitation needs become  
 329 booking or reservation list data, is exempt from s. 119.07(1)  
 330 and s. 24(a), Art. I of the State Constitution.

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

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

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

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

347 Section 6. Paragraph (m) of subsection (15) of section  
 348 163.01, Florida Statutes, is amended to read:

349 163.01 Florida Interlocal Cooperation Act of 1969.—

350 (15) Notwithstanding any other provision of this section

351 or of any other law except s. 361.14, any public agency of this  
352 state which is an electric utility, or any separate legal entity  
353 created pursuant to the provisions of this section, the  
354 membership of which consists only of electric utilities, and  
355 which exercises or proposes to exercise the powers granted by  
356 part II of chapter 361, the Joint Power Act, may exercise any or  
357 all of the following powers:

358 (m) In the event that any public agency or any such legal  
359 entity, or both, should receive, in connection with its joint  
360 ownership or right to the services, output, capacity, or energy  
361 of an electric project, as defined in paragraph (3)(d), any  
362 material which is designated by the person supplying such  
363 material as proprietary confidential business information or  
364 which a court of competent jurisdiction has designated as  
365 confidential or secret shall be kept confidential and shall be  
366 exempt from the provisions of s. 119.07(1). As used in this  
367 paragraph, "proprietary confidential business information"  
368 ~~includes, but is not limited to, trade secrets;~~ internal  
369 auditing controls and reports of internal auditors; security  
370 measures, systems, or procedures; ~~information concerning bids or~~  
371 ~~other contractual data, the disclosure of which would impair the~~  
372 ~~efforts of the utility to contract for services on favorable~~  
373 ~~terms;~~ employee personnel information unrelated to compensation,  
374 duties, qualifications, or responsibilities; and formulas,  
375 patterns, devices, combinations of devices, ~~contract costs,~~ or

376 other information the disclosure of which would injure the  
377 affected entity in the marketplace.

378 Section 7. Subsection (2) of section 202.195, Florida  
379 Statutes, is amended to read:

380 202.195 Proprietary confidential business information;  
381 public records exemption.—

382 (2) For the purposes of this exemption, "proprietary  
383 confidential business information" includes maps, plans, billing  
384 and payment records, ~~trade secrets~~, or other information  
385 relating to the provision of or facilities for communications  
386 service:

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

389 (b) The disclosure of which would be reasonably likely to  
390 be used by a competitor to harm the business interests of the  
391 company; and

392 (c) That is not otherwise readily ascertainable or  
393 publicly available by proper means by other persons from another  
394 source in the same configuration as requested by the local  
395 governmental entity.

396

397 Proprietary confidential business information does not include  
398 schematics indicating the location of facilities for a specific  
399 site that are provided in the normal course of the local  
400 governmental entity's permitting process.



401 Section 8. Paragraphs (a), (c), and (d) of subsection (3)  
 402 of section 215.4401, Florida Statutes, are amended to read:

403 215.4401 Board of Administration; public record  
 404 exemptions.—

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

406 1. "Alternative investment" means an investment by the  
 407 State Board of Administration in a private equity fund, venture  
 408 fund, hedge fund, or distress fund or a direct investment in a  
 409 portfolio company through an investment manager.

410 2. "Alternative investment vehicle" means the limited  
 411 partnership, limited liability company, or similar legal  
 412 structure or investment manager through which the State Board of  
 413 Administration invests in a portfolio company.

414 3. "Portfolio company" means a corporation or other  
 415 issuer, any of whose securities are owned by an alternative  
 416 investment vehicle or the State Board of Administration and any  
 417 subsidiary of such corporation or other issuer.

418 4. "Portfolio positions" means individual investments in  
 419 portfolio companies which are made by the alternative investment  
 420 vehicles, including information or specific investment terms  
 421 associated with any portfolio company investment.

422 5. "Proprietor" means an alternative investment vehicle, a  
 423 portfolio company in which the alternative investment vehicle is  
 424 invested, or an outside consultant, including the respective  
 425 authorized officers, employees, agents, or successors in

426 interest, which controls or owns information provided to the  
427 State Board of Administration.

428 6. "Proprietary confidential business information" means  
429 information that has been designated by the proprietor when  
430 provided to the State Board of Administration as information  
431 that is owned or controlled by a proprietor; that is intended to  
432 be and is treated by the proprietor as private, the disclosure  
433 of which would harm the business operations of the proprietor  
434 and has not been intentionally disclosed by the proprietor  
435 unless pursuant to a private agreement that provides that the  
436 information will not be released to the public except as  
437 required by law or legal process, or pursuant to law or an order  
438 of a court or administrative body; and that concerns:

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

440 a.b. Information provided to the State Board of  
441 Administration regarding a prospective investment in a private  
442 equity fund, venture fund, hedge fund, distress fund, or  
443 portfolio company which is proprietary to the provider of the  
444 information.

445 b.e. Financial statements and auditor reports of an  
446 alternative investment vehicle.

447 c.d. Meeting materials of an alternative investment  
448 vehicle relating to financial, operating, or marketing  
449 information of the alternative investment vehicle.

450 d.e. Information regarding the portfolio positions in

451 | which the alternative investment vehicles invest.

452 |     ~~e.f.~~ Capital call and distribution notices to investors of  
453 | an alternative investment vehicle.

454 |     ~~f.g.~~ Alternative investment agreements and related  
455 | records.

456 |     ~~g.h.~~ Information concerning investors, other than the  
457 | State Board of Administration, in an alternative investment  
458 | vehicle.

459 |     7. "Proprietary confidential business information" does  
460 | not include:

461 |         a. The name, address, and vintage year of an alternative  
462 | investment vehicle and the identity of the principals involved  
463 | in the management of the alternative investment vehicle.

464 |         b. The dollar amount of the commitment made by the State  
465 | Board of Administration to each alternative investment vehicle  
466 | since inception.

467 |         c. The dollar amount and date of cash contributions made  
468 | by the State Board of Administration to each alternative  
469 | investment vehicle since inception.

470 |         d. The dollar amount, on a fiscal-year-end basis, of cash  
471 | distributions received by the State Board of Administration from  
472 | each alternative investment vehicle.

473 |         e. The dollar amount, on a fiscal-year-end basis, of cash  
474 | distributions received by the State Board of Administration plus  
475 | the remaining value of alternative-vehicle assets that are

476 | attributable to the State Board of Administration's investment  
477 | in each alternative investment vehicle.

478 |       f. The net internal rate of return of each alternative  
479 | investment vehicle since inception.

480 |       g. The investment multiple of each alternative investment  
481 | vehicle since inception.

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

485 |       i. The dollar amount of cash profit received by the State  
486 | Board of Administration from each alternative investment vehicle  
487 | on a fiscal-year-end basis.

488 |       j. A description of any compensation, fees, or expenses,  
489 | including the amount or value, paid or agreed to be paid by a  
490 | proprietor to any person to solicit the board to make an  
491 | alternative investment or investment through an alternative  
492 | investment vehicle. This does not apply to an executive officer,  
493 | general partner, managing member, or other employee of the  
494 | proprietor, who is paid by the proprietor to solicit the board  
495 | to make such investments.

496 |       (c)1. Notwithstanding the provisions of paragraph (b), a  
497 | request to inspect or copy a record under s. 119.07(1) that  
498 | contains proprietary confidential business information shall be  
499 | granted if the proprietor of the information fails, within a  
500 | reasonable period of time after the request is received by the

501 State Board of Administration, to verify the following to the  
 502 State Board of Administration through a written declaration in  
 503 the manner provided by s. 92.525:

504 a. That the requested record contains proprietary  
 505 confidential business information and the specific location of  
 506 such information within the record;

507 ~~b. If the proprietary confidential business information is~~  
 508 ~~a trade secret, a verification that it is a trade secret as~~  
 509 ~~defined in s. 688.002;~~

510 b.e. That the proprietary confidential business  
 511 information is intended to be and is treated by the proprietor  
 512 as private, is the subject of efforts of the proprietor to  
 513 maintain its privacy, and is not readily ascertainable or  
 514 publicly available from any other source; and

515 ~~c.d.~~ That the disclosure of the proprietary confidential  
 516 business information to the public would harm the business  
 517 operations of the proprietor.

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

521 (d) Any person may petition a court of competent  
 522 jurisdiction for an order for the public release of those  
 523 portions of any record made confidential and exempt by paragraph  
 524 (b). Any action under this paragraph must be brought in Leon  
 525 County, Florida, and the petition or other initial pleading

526 shall be served on the State Board of Administration and, if  
527 determinable upon diligent inquiry, on the proprietor of the  
528 information sought to be released. In any order for the public  
529 release of a record under this paragraph, the court shall make a  
530 finding ~~that the record or portion thereof is not a trade secret~~  
531 ~~as defined in s. 688.002,~~ that a compelling public interest is  
532 served by the release of the record or portions thereof which  
533 exceed the public necessity for maintaining the confidentiality  
534 of such record, and that the release of the record will not  
535 cause damage to or adversely affect the interests of the  
536 proprietor of the released information, other private persons or  
537 business entities, the State Board of Administration, or any  
538 trust fund, the assets of which are invested by the State Board  
539 of Administration.

540 Section 9. Subsection (1) of section 252.88, Florida  
541 Statutes, is amended to read:

542 252.88 Public records.—

543 (1) Whenever EPCRA authorizes an employer to exclude trade  
544 secret information from its submittals, the employer shall  
545 furnish the information so excluded to the commission upon  
546 request. ~~Such information shall be confidential and exempt from~~  
547 ~~the provisions of s. 119.07(1). The commission shall not~~  
548 ~~disclose such information except pursuant to a final~~  
549 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
550 ~~Environmental Protection Agency that such information is not~~

551 ~~entitled to trade secret protection, or pursuant to an order of~~  
552 ~~court.~~

553 Section 10. Section 252.943, Florida Statutes, is  
554 repealed.

555 Section 11. Paragraph (h) of subsection (2) of section  
556 287.0943, Florida Statutes, is amended to read:

557 287.0943 Certification of minority business enterprises.—

558 (2)

559 (h) The certification procedures should allow an applicant  
560 seeking certification to designate on the application form the  
561 information the applicant considers to be proprietary,  
562 confidential business information. As used in this paragraph,  
563 "proprietary, confidential business information" includes, ~~but~~  
564 ~~is not limited to,~~ any information that would be exempt from  
565 public inspection pursuant to the provisions of chapter 119;  
566 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~  
567 ~~costs;~~ or other information the disclosure of which would injure  
568 the affected party in the marketplace or otherwise violate s.  
569 286.041. The executor in receipt of the application shall issue  
570 written and final notice of any information for which  
571 noninspection is requested but not provided for by law.

572 Section 12. Subsection (7) of section 288.047, Florida  
573 Statutes, is amended to read:

574 288.047 Quick-response training for economic development.—

575 (7) In providing instruction pursuant to this section,

576 materials that relate to methods of manufacture or production,  
 577 ~~potential trade secrets,~~ business transactions, or proprietary  
 578 information received, produced, ascertained, or discovered by  
 579 employees of the respective departments, district school boards,  
 580 community college district boards of trustees, or other  
 581 personnel employed for the purposes of this section is  
 582 confidential and exempt from the provisions of s. 119.07(1). The  
 583 state may seek copyright protection for instructional materials  
 584 and ancillary written documents developed wholly or partially  
 585 with state funds as a result of instruction provided pursuant to  
 586 this section, except for materials that are confidential and  
 587 exempt from the provisions of s. 119.07(1).

588 Section 13. Paragraph (c) of subsection (1) and subsection  
 589 (3) of section 288.075, Florida Statutes, are amended to read:

590 288.075 Confidentiality of records.—

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

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

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

596 Section 14. Subsection (9) of section 288.1226, Florida  
 597 Statutes, is amended to read:

598 288.1226 Florida Tourism Industry Marketing Corporation;  
 599 use of property; board of directors; duties; audit.—

600 (9) PUBLIC RECORDS EXEMPTION.—The identity of any person



601 | who responds to a marketing project or advertising research  
 602 | project conducted by the corporation in the performance of its  
 603 | duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
 604 | ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
 605 | ~~activities,~~ are exempt from s. 119.07(1) and s. 24(a), Art. I of  
 606 | the State Constitution. ~~This subsection is subject to the Open~~  
 607 | ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
 608 | ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
 609 | ~~saved from repeal through reenactment by the Legislature.~~

610 |       Section 15. Paragraph (d) of subsection (3) of section  
 611 | 288.776, Florida Statutes, is amended to read:

612 |           288.776 Board of directors; powers and duties.—

613 |           (3) The board shall:

614 |           (d) Adopt policies, including criteria, establishing which  
 615 | exporters and export transactions shall be eligible for  
 616 | insurance, coinsurance, loan guarantees, and direct, guaranteed,  
 617 | or collateralized loans which may be extended by the  
 618 | corporation. Pursuant to this subsection, the board shall  
 619 | include the following criteria:

620 |           1. Any individual signing any corporation loan application  
 621 | and loan or guarantee agreement shall have an equity in the  
 622 | business applying for financial assistance.

623 |           2. Each program shall exclusively support the export of  
 624 | goods and services by small and medium-sized businesses which  
 625 | are domiciled in this state. Priority shall be given to goods

626 | which have value added in this state.

627 |         3. Financial assistance shall only be extended when at  
628 | least one of the following circumstances exists:

629 |         a. The assistance is required to secure the participation  
630 | of small and medium-sized export businesses in federal, state,  
631 | or private financing programs.

632 |         b. No conventional source of lender support is available  
633 | for the business from public or private financing sources.

634 |

635 | Personal financial records, ~~trade secrets~~, or proprietary  
636 | information of applicants shall be confidential and exempt from  
637 | the provisions of s. 119.07(1).

638 |         Section 16. Section 288.9520, Florida Statutes, is amended  
639 | to read:

640 |         288.9520 Public records exemption.—Materials that relate  
641 | to methods of manufacture or production, ~~potential trade~~  
642 | ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,  
643 | business transactions, financial and proprietary information,  
644 | and agreements or proposals to receive funding that are  
645 | received, generated, ascertained, or discovered by Enterprise  
646 | Florida, Inc., including its affiliates or subsidiaries and  
647 | partnership participants, such as private enterprises,  
648 | educational institutions, and other organizations, are  
649 | confidential and exempt from the provisions of s. 119.07(1) and  
650 | s. 24(a), Art. I of the State Constitution, except that a

651 recipient of Enterprise Florida, Inc., research funds shall make  
652 available, upon request, the title and description of the  
653 research project, the name of the researcher, and the amount and  
654 source of funding provided for the project.

655 Section 17. Subsection (5) of section 288.9607, Florida  
656 Statutes, is amended to read:

657 288.9607 Guaranty of bond issues.—

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

662 Section 18. Paragraph (f) of subsection (1), paragraph (a)  
663 of subsection (2), paragraph (a) of subsection (3), and  
664 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
665 Florida Statutes, are amended to read:

666 288.9626 Exemptions from public records and public  
667 meetings requirements for the Florida Opportunity Fund.—

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

669 (f)1. "Proprietary confidential business information"  
670 means information that has been designated by the proprietor  
671 when provided to the Florida Opportunity Fund as information  
672 that is owned or controlled by a proprietor; that is intended to  
673 be and is treated by the proprietor as private, the disclosure  
674 of which would harm the business operations of the proprietor  
675 and has not been intentionally disclosed by the proprietor

676 unless pursuant to a private agreement that provides that the  
677 information will not be released to the public except as  
678 required by law or legal process, or pursuant to law or an order  
679 of a court or administrative body; and that concerns:

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

681 ~~a.b.~~ Information provided to the Florida Opportunity Fund  
682 regarding an existing or prospective alternative investment in a  
683 private equity fund, venture capital fund, angel fund, or  
684 portfolio company that is proprietary to the provider of the  
685 information.

686 ~~b.e.~~ Financial statements and auditor reports of an  
687 alternative investment vehicle or portfolio company, unless  
688 publicly released by the alternative investment vehicle or  
689 portfolio company.

690 ~~c.d.~~ Meeting materials of an alternative investment  
691 vehicle or portfolio company relating to financial, operating,  
692 or marketing information of the alternative investment vehicle  
693 or portfolio company.

694 ~~d.e.~~ Information regarding the portfolio positions in  
695 which the alternative investment vehicles or Florida Opportunity  
696 Fund invest.

697 ~~e.f.~~ Capital call and distribution notices to investors or  
698 the Florida Opportunity Fund of an alternative investment  
699 vehicle.

700 ~~f.g.~~ Alternative investment agreements and related

701 records.

702 ~~g.h.~~ Information concerning investors, other than the  
 703 Florida Opportunity Fund, in an alternative investment vehicle  
 704 or portfolio company.

705 2. "Proprietary confidential business information" does  
 706 not include:

707 a. The name, address, and vintage year of an alternative  
 708 investment vehicle or Florida Opportunity Fund and the identity  
 709 of the principals involved in the management of the alternative  
 710 investment vehicle or Florida Opportunity Fund.

711 b. The dollar amount of the commitment made by the Florida  
 712 Opportunity Fund to each alternative investment vehicle since  
 713 inception, if any.

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

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

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

725 f. The net internal rate of return of each alternative

726 investment vehicle since inception.

727 g. The investment multiple of each alternative investment  
728 vehicle since inception.

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

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

735 (2) PUBLIC RECORDS EXEMPTION.—

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

739 1. Materials that relate to methods of manufacture or  
740 production, ~~potential trade secrets~~, or patentable material  
741 received, generated, ascertained, or discovered during the  
742 course of research or through research projects and that are  
743 provided by a proprietor.

744 2. Information that would identify an investor or  
745 potential investor who desires to remain anonymous in projects  
746 reviewed by the Florida Opportunity Fund.

747 3. Proprietary confidential business information regarding  
748 alternative investments for 7 years after the termination of the  
749 alternative investment.

750 (3) PUBLIC MEETINGS EXEMPTION.—

751 (a) That portion of a meeting of the board of directors  
752 of the Florida Opportunity Fund at which information is  
753 discussed which is confidential and exempt under subsection (2)  
754 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of  
755 the State Constitution.

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

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

765 1. That the requested record contains proprietary  
766 confidential business information and the specific location of  
767 such information within the record;

768 ~~2. If the proprietary confidential business information is~~  
769 ~~a trade secret, a verification that it is a trade secret as~~  
770 ~~defined in s. 688.002;~~

771 2.3. That the proprietary confidential business  
772 information is intended to be and is treated by the proprietor  
773 as private, is the subject of efforts of the proprietor to  
774 maintain its privacy, and is not readily ascertainable or  
775 publicly available from any other source; and

776        3.4. That the disclosure of the proprietary confidential  
777 business information to the public would harm the business  
778 operations of the proprietor.

779        (c)1. Any person may petition a court of competent  
780 jurisdiction for an order for the public release of those  
781 portions of any record made confidential and exempt by  
782 subsection (2).

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

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

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

792        a. b. A compelling public interest is served by the  
793 release of the record or portions thereof which exceed the  
794 public necessity for maintaining the confidentiality of such  
795 record; and

796        b. e. The release of the record will not cause damage to  
797 or adversely affect the interests of the proprietor of the  
798 released information, other private persons or business  
799 entities, or the Florida Opportunity Fund.

800        Section 19. Paragraph (b) of subsection (1), paragraph (a)



801 of subsection (2), paragraph (a) of subsection (3), and  
 802 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
 803 Florida Statutes, are amended to read:

804 288.9627 Exemptions from public records and public  
 805 meetings requirements for the Institute for Commercialization of  
 806 Florida Technology.—

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

808 (b)1. "Proprietary confidential business information"  
 809 means information that has been designated by the proprietor  
 810 when provided to the institute as information that is owned or  
 811 controlled by a proprietor; that is intended to be and is  
 812 treated by the proprietor as private, the disclosure of which  
 813 would harm the business operations of the proprietor and has not  
 814 been intentionally disclosed by the proprietor unless pursuant  
 815 to a private agreement that provides that the information will  
 816 not be released to the public except as required by law or legal  
 817 process, or pursuant to law or an order of a court or  
 818 administrative body; and that concerns:

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

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

824 b.e. Meeting materials related to financial, operating,  
 825 investment, or marketing information of the proprietor

826 corporation, partnership, or person.

827 c.d. Information concerning private investors in the  
828 proprietor corporation, partnership, or person.

829 2. "Proprietary confidential business information" does  
830 not include:

831 a. The identity and primary address of the proprietor's  
832 principals.

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

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

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

841 (2) PUBLIC RECORDS EXEMPTION.—

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

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

851           2. Information that would identify an investor or  
852 potential investor who desires to remain anonymous in projects  
853 reviewed by the institute for assistance.

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

858           4. Proprietary confidential business information for 7  
859 years after the termination of the institute's financial  
860 commitment to the company.

861           (3) PUBLIC MEETINGS EXEMPTION.—

862           (a) That portion of a meeting of the institute's board of  
863 directors at which information is discussed which is  
864 confidential and exempt under subsection (2) or s. 688.01 is  
865 exempt from s. 286.011 and s. 24(b), Art. I of the State  
866 Constitution.

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

868           (b) Notwithstanding the provisions of paragraph (2)(a), a  
869 request to inspect or copy a public record that contains  
870 proprietary confidential business information shall be granted  
871 if the proprietor of the information fails, within a reasonable  
872 period of time after the request is received by the institute,  
873 to verify the following to the institute through a written  
874 declaration in the manner provided by s. 92.525:

875           1. That the requested record contains proprietary

876 confidential business information and the specific location of  
877 such information within the record;

878 ~~2. If the proprietary confidential business information is~~  
879 ~~a trade secret, a verification that it is a trade secret as~~  
880 ~~defined in s. 688.002;~~

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

886 3.4. That the disclosure of the proprietary confidential  
887 business information to the public would harm the business  
888 operations of the proprietor.

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

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

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

900 ~~a. The record or portion thereof is not a trade secret as~~

901 ~~defined in s. 688.002;~~

902 ~~a.b.~~ A compelling public interest is served by the release  
903 of the record or portions thereof which exceed the public  
904 necessity for maintaining the confidentiality of such record;

905 and

906 ~~b.c.~~ The release of the record will not cause damage to or  
907 adversely affect the interests of the proprietor of the released  
908 information, other private persons or business entities, or the  
909 institute.

910 Section 20. Section 331.326, Florida Statutes, is amended  
911 to read:

912 331.326 Information relating to trade secrets  
913 confidential.—The records of Space Florida regarding matters  
914 encompassed by this act are public records subject to chapter  
915 119. ~~Any information held by Space Florida which is a trade~~  
916 ~~secret, as defined in s. 812.081, including trade secrets of~~  
917 ~~Space Florida, any spaceport user, or the space industry~~  
918 ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
919 ~~24(a), Art. I of the State Constitution and may not be~~  
920 ~~disclosed. If Space Florida determines that any information~~  
921 ~~requested by the public will reveal a trade secret, it shall, in~~  
922 ~~writing, inform the person making the request of that~~  
923 ~~determination. The determination is a final order as defined in~~  
924 ~~s. 120.52. Any meeting or portion of a meeting of Space~~  
925 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~

926 of the State Constitution when the board is discussing trade  
 927 secrets as defined in s. 688.01. Any public record generated  
 928 during the closed portions of the meetings, such as minutes,  
 929 tape recordings, and notes, is confidential and exempt from s.  
 930 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~  
 931 ~~section is subject to the Open Government Sunset Review Act in~~  
 932 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
 933 ~~2021, unless reviewed and saved from repeal through reenactment~~  
 934 ~~by the Legislature.~~

935 Section 21. Subsection (4) of section 334.049, Florida  
 936 Statutes, is amended to read:

937 334.049 Patents, copyrights, trademarks; notice to  
 938 Department of State; ~~confidentiality of trade secrets.~~

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

944 Section 22. Section 350.121, Florida Statutes, is amended  
 945 to read:

946 350.121 Commission inquiries; confidentiality of business  
 947 material.—If the commission undertakes an inquiry, any records,  
 948 documents, papers, maps, books, tapes, photographs, files, sound  
 949 recordings, or other business material, regardless of form or  
 950 characteristics, obtained by the commission incident to the

951 inquiry are considered confidential and exempt from s. 119.07(1)  
952 while the inquiry is pending. If at the conclusion of an inquiry  
953 the commission undertakes a formal proceeding, any matter  
954 determined by the commission or by a judicial or administrative  
955 body, federal or state, to be ~~trade secrets or~~ proprietary  
956 confidential business information coming into its possession  
957 pursuant to such inquiry shall be considered confidential and  
958 exempt from s. 119.07(1). Such material may be used in any  
959 administrative or judicial proceeding so long as the  
960 confidential or proprietary nature of the material is  
961 maintained.

962 Section 23. Paragraph (a) of subsection (3) of section  
963 364.183, Florida Statutes, is amended to read:

964 364.183 Access to company records.—

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

976 ~~(a) Trade secrets.~~

977 Section 24. Subsection (3) of section 365.174, Florida  
 978 Statutes, is amended to read:

979 365.174 Proprietary confidential business information.—

980 (3) As used in this section, the term "proprietary  
 981 confidential business information" means customer lists,  
 982 customer numbers, individual or aggregate customer data by  
 983 location, usage and capacity data, network facilities used to  
 984 serve subscribers, technology descriptions, or technical  
 985 information, ~~or trade secrets, including trade secrets as~~  
 986 ~~defined in s. 812.081,~~ and the actual or developmental costs of  
 987 E911 systems that are developed, produced, or received  
 988 internally by a provider or by a provider's employees,  
 989 directors, officers, or agents.

990 Section 25. Paragraph (a) of subsection (3) of section  
 991 366.093, Florida Statutes, is amended to read:

992 366.093 Public utility records; confidentiality.—

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



1001 private agreement that provides that the information will not be  
 1002 released to the public. Proprietary confidential business  
 1003 information includes, ~~but is not limited to:~~

1004 ~~(a) Trade secrets.~~

1005 Section 26. Paragraph (a) of subsection (3) of section  
 1006 367.156, Florida Statutes, is amended to read:

1007 367.156 Public utility records; confidentiality.—

1008 (3) Proprietary confidential business information means  
 1009 information, regardless of form or characteristics, which is  
 1010 owned or controlled by the person or company, is intended to be  
 1011 and is treated by the person or company as private in that the  
 1012 disclosure of the information would cause harm to the ratepayers  
 1013 or the person's or company's business operations, and has not  
 1014 been disclosed unless disclosed pursuant to a statutory  
 1015 provision, an order of a court or administrative body, or a  
 1016 private agreement that provides that the information will not be  
 1017 released to the public. Proprietary business information  
 1018 includes, ~~but is not limited to:~~

1019 ~~(a) Trade secrets.~~

1020 Section 27. Paragraph (a) of subsection (3) of section  
 1021 368.108, Florida Statutes, is amended to read:

1022 368.108 Confidentiality; discovery.—

1023 (3) "Proprietary confidential business information" means  
 1024 information, regardless of form or characteristics, which is  
 1025 owned or controlled by the person or company, is intended to be

1026 and is treated by the person or company as private in that the  
 1027 disclosure of the information would cause harm to the ratepayers  
 1028 or the person's or company's business operations, and has not  
 1029 been disclosed unless disclosed pursuant to a statutory  
 1030 provision, an order of a court or administrative body, or a  
 1031 private agreement that provides that the information will not be  
 1032 released to the public. "Proprietary confidential business  
 1033 information" includes, ~~but is not limited to:~~

1034 ~~(a) Trade secrets.~~

1035 Section 28. Section 381.83, Florida Statutes, is repealed.

1036 Section 29. Paragraph (c) of subsection (2) of section  
 1037 395.3035, Florida Statutes, is amended to read:

1038 395.3035 Confidentiality of hospital records and  
 1039 meetings.—

1040 (2) The following records and information of any hospital  
 1041 that is subject to chapter 119 and s. 24(a), Art. I of the State  
 1042 Constitution are confidential and exempt from the provisions of  
 1043 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1044 (c) ~~Trade secrets, as defined in s. 688.002, including~~  
 1045 Reimbursement methodologies and rates.

1046 Section 30. Subsection (2) and paragraph (b) of subsection  
 1047 (3) of section 403.7046, Florida Statutes, are amended to read:

1048 403.7046 Regulation of recovered materials.—

1049 (2) Notwithstanding s. 688.01, information reported  
 1050 pursuant to this section or any rule adopted pursuant to this

1051 section which, if disclosed, would reveal a trade secret, as  
1052 defined in s. 688.01, may be provided by the department ~~s.~~  
1053 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
1054 ~~24(a), Art. I of the State Constitution. For reporting or~~  
1055 ~~information purposes, however, the department may provide this~~  
1056 ~~information~~ in such form that the names of the persons reporting  
1057 such information and the specific information reported are not  
1058 revealed. ~~This subsection is subject to the Open Government~~  
1059 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1060 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1061 ~~repeal through reenactment by the Legislature.~~

1062 (3) Except as otherwise provided in this section or  
1063 pursuant to a special act in effect on or before January 1,  
1064 1993, a local government may not require a commercial  
1065 establishment that generates source-separated recovered  
1066 materials to sell or otherwise convey its recovered materials to  
1067 the local government or to a facility designated by the local  
1068 government, nor may the local government restrict such a  
1069 generator's right to sell or otherwise convey such recovered  
1070 materials to any properly certified recovered materials dealer  
1071 who has satisfied the requirements of this section. A local  
1072 government may not enact any ordinance that prevents such a  
1073 dealer from entering into a contract with a commercial  
1074 establishment to purchase, collect, transport, process, or  
1075 receive source-separated recovered materials.

1076           (b)~~1~~. Before engaging in business within the jurisdiction  
 1077 of the local government, a recovered materials dealer or  
 1078 pyrolysis facility must provide the local government with a copy  
 1079 of the certification provided for in this section. In addition,  
 1080 the local government may establish a registration process  
 1081 whereby a recovered materials dealer or pyrolysis facility must  
 1082 register with the local government before engaging in business  
 1083 within the jurisdiction of the local government. Such  
 1084 registration process is limited to requiring the dealer or  
 1085 pyrolysis facility to register its name, including the owner or  
 1086 operator of the dealer or pyrolysis facility, and, if the dealer  
 1087 or pyrolysis facility is a business entity, its general or  
 1088 limited partners, its corporate officers and directors, its  
 1089 permanent place of business, evidence of its certification under  
 1090 this section, and a certification that the recovered materials  
 1091 or post-use polymers will be processed at a recovered materials  
 1092 processing facility or pyrolysis facility satisfying the  
 1093 requirements of this section. The local government may not use  
 1094 the information provided in the registration application to  
 1095 compete unfairly with the recovered materials dealer until 90  
 1096 days after receipt of the application. All counties, and  
 1097 municipalities whose population exceeds 35,000 according to the  
 1098 population estimates determined pursuant to s. 186.901, may  
 1099 establish a reporting process that must be limited to the  
 1100 regulations, reporting format, and reporting frequency

1101 established by the department pursuant to this section, which  
 1102 must, at a minimum, include requiring the dealer or pyrolysis  
 1103 facility to identify the types and approximate amount of  
 1104 recovered materials or post-use polymers collected, recycled, or  
 1105 reused during the reporting period; the approximate percentage  
 1106 of recovered materials or post-use polymers reused, stored, or  
 1107 delivered to a recovered materials processing facility or  
 1108 pyrolysis facility or disposed of in a solid waste disposal  
 1109 facility; and the locations where any recovered materials or  
 1110 post-use polymers were disposed of as solid waste. The local  
 1111 government may charge the dealer or pyrolysis facility a  
 1112 registration fee commensurate with and no greater than the cost  
 1113 incurred by the local government in operating its registration  
 1114 program. Registration program costs are limited to those costs  
 1115 associated with the activities described in this paragraph  
 1116 ~~subparagraph~~. Any reporting or registration process established  
 1117 by a local government with regard to recovered materials or  
 1118 post-use polymers is governed by this section and department  
 1119 rules adopted pursuant thereto.

1120 ~~2. Information reported under this subsection which, if~~  
 1121 ~~disclosed, would reveal a trade secret, as defined in s.~~  
 1122 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
 1123 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
 1124 ~~subject to the Open Government Sunset Review Act in accordance~~  
 1125 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~

1126 | ~~unless reviewed and saved from repeal through reenactment by the~~  
 1127 | ~~Legislature.~~

1128 | Section 31. Section 403.73, Florida Statutes, is repealed.

1129 | Section 32. Paragraph (c) of subsection (1) of section  
 1130 | 408.061, Florida Statutes, is amended to read:

1131 | 408.061 Data collection; uniform systems of financial  
 1132 | reporting; information relating to physician charges;  
 1133 | confidential information; immunity.—

1134 | (1) The agency shall require the submission by health care  
 1135 | facilities, health care providers, and health insurers of data  
 1136 | necessary to carry out the agency's duties and to facilitate  
 1137 | transparency in health care pricing data and quality measures.  
 1138 | Specifications for data to be collected under this section shall  
 1139 | be developed by the agency and applicable contract vendors, with  
 1140 | the assistance of technical advisory panels including  
 1141 | representatives of affected entities, consumers, purchasers, and  
 1142 | such other interested parties as may be determined by the  
 1143 | agency.

1144 | (c) Data to be submitted by health insurers may include,  
 1145 | but are not limited to: claims, payments to health care  
 1146 | facilities and health care providers as specified by rule,  
 1147 | premium, administration, and financial information. Data  
 1148 | submitted shall be certified by the chief financial officer, an  
 1149 | appropriate and duly authorized representative, or an employee  
 1150 | of the insurer that the information submitted is true and

1151 accurate. ~~Information that is considered a trade secret under s.~~  
1152 ~~812.081 shall be clearly designated.~~

1153 Section 33. Subsection (1) of section 408.185, Florida  
1154 Statutes, is amended to read:

1155 408.185 Information submitted for review of antitrust  
1156 issues; confidentiality.—The following information held by the  
1157 Office of the Attorney General, which is submitted by a member  
1158 of the health care community pursuant to a request for an  
1159 antitrust no-action letter shall be confidential and exempt from  
1160 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1161 Constitution for 1 year after the date of submission.

1162 ~~(1) Documents that reveal trade secrets as defined in s.~~  
1163 ~~688.002.~~

1164 Section 34. Paragraph (a) of subsection (14) of section  
1165 408.910, Florida Statutes, is amended to read:

1166 408.910 Florida Health Choices Program.—

1167 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1168 (a) Definitions.—For purposes of this subsection, the  
1169 term:

1170 1. "Buyer's representative" means a participating  
1171 insurance agent as described in paragraph (4) (g).

1172 2. "Enrollee" means an employer who is eligible to enroll  
1173 in the program pursuant to paragraph (4) (a).

1174 3. "Participant" means an individual who is eligible to  
1175 participate in the program pursuant to paragraph (4) (b).

1176 4. "Proprietary confidential business information" means  
 1177 information, regardless of form or characteristics, that is  
 1178 owned or controlled by a vendor requesting confidentiality under  
 1179 this section; that is intended to be and is treated by the  
 1180 vendor as private in that the disclosure of the information  
 1181 would cause harm to the business operations of the vendor; that  
 1182 has not been disclosed unless disclosed pursuant to a statutory  
 1183 provision, an order of a court or administrative body, or a  
 1184 private agreement providing that the information may be released  
 1185 to the public; and that is information concerning:

- 1186 a. Business plans.
- 1187 b. Internal auditing controls and reports of internal  
 1188 auditors.
- 1189 c. Reports of external auditors for privately held  
 1190 companies.
- 1191 d. Client and customer lists.
- 1192 e. Potentially patentable material.
- 1193 ~~f. A trade secret as defined in s. 688.002.~~

1194 5. "Vendor" means a participating insurer or other  
 1195 provider of services as described in paragraph (4) (d).

1196 Section 35. Section 409.91196, Florida Statutes, is  
 1197 amended to read:

1198 409.91196 Supplemental rebate agreements; public records  
 1199 and public meetings exemption.—

1200 (1) The rebate amount, percent of rebate, manufacturer's



1201 pricing, and supplemental rebate, ~~and other trade secrets as~~  
1202 ~~defined in s. 688.002 that the agency has identified for use in~~  
1203 ~~negotiations,~~ held by the Agency for Health Care Administration  
1204 under s. 409.912(5)(a)7. are confidential and exempt from s.  
1205 119.07(1) and s. 24(a), Art. I of the State Constitution.

1206 (2) That portion of a meeting of the Medicaid  
1207 Pharmaceutical and Therapeutics Committee at which the rebate  
1208 amount, percent of rebate, manufacturer's pricing, or  
1209 supplemental rebate, or confidential and exempt ~~other~~ trade  
1210 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
1211 the agency has identified for use in negotiations, are discussed  
1212 is exempt from s. 286.011 and s. 24(b), Art. I of the State  
1213 Constitution. A record shall be made of each exempt portion of a  
1214 meeting. Such record must include the times of commencement and  
1215 termination, all discussions and proceedings, the names of all  
1216 persons present at any time, and the names of all persons  
1217 speaking. No exempt portion of a meeting may be held off the  
1218 record.

1219 Section 36. Paragraph (b) of subsection (2) of section  
1220 440.108, Florida Statutes, is amended to read:

1221 440.108 Investigatory records relating to workers'  
1222 compensation employer compliance; confidentiality.—

1223 (2) After an investigation is completed or ceases to be  
1224 active, information in records relating to the investigation  
1225 remains confidential and exempt from the provisions of s.

1226 | 119.07(1) and s. 24(a), Art. I of the State Constitution if  
 1227 | disclosure of that information would:

1228 | ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1229 | Section 37. Paragraph (c) of subsection (1) of section  
 1230 | 494.00125, Florida Statutes, is amended to read:

1231 | 494.00125 Public records exemptions.—

1232 | (1) INVESTIGATIONS OR EXAMINATIONS.—

1233 | (c) Except as necessary for the office to enforce the  
 1234 | provisions of this chapter, a consumer complaint and other  
 1235 | information relative to an investigation or examination shall  
 1236 | remain confidential and exempt from s. 119.07(1) after the  
 1237 | investigation or examination is completed or ceases to be active  
 1238 | to the extent disclosure would:

1239 | 1. Jeopardize the integrity of another active  
 1240 | investigation or examination.

1241 | 2. Reveal the name, address, telephone number, social  
 1242 | security number, or any other identifying number or information  
 1243 | of any complainant, customer, or account holder.

1244 | 3. Disclose the identity of a confidential source.

1245 | 4. Disclose investigative techniques or procedures.

1246 | ~~5. Reveal a trade secret as defined in s. 688.002.~~

1247 | Section 38. Subsection (4) of section 497.172, Florida  
 1248 | Statutes, is amended to read:

1249 | 497.172 Public records exemptions; public meetings  
 1250 | exemptions.—

1251 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~  
 1252 ~~688.002, held by the department or board, are confidential and~~  
 1253 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
 1254 ~~Constitution.~~

1255 Section 39. Paragraph (c) of subsection (3) of section  
 1256 499.012, Florida Statutes, is amended to read:

1257 499.012 Permit application requirements.—

1258 (3)

1259 ~~(c) Information submitted by an applicant on an~~  
 1260 ~~application required pursuant to this subsection which is a~~  
 1261 ~~trade secret, as defined in s. 812.081, shall be maintained by~~  
 1262 ~~the department as trade secret information pursuant to s.~~  
 1263 ~~499.051(7).~~

1264 Section 40. Paragraph (b) of subsection (7) of section  
 1265 499.0121, Florida Statutes, is amended to read:

1266 499.0121 Storage and handling of prescription drugs;  
 1267 recordkeeping.—The department shall adopt rules to implement  
 1268 this section as necessary to protect the public health, safety,  
 1269 and welfare. Such rules shall include, but not be limited to,  
 1270 requirements for the storage and handling of prescription drugs  
 1271 and for the establishment and maintenance of prescription drug  
 1272 distribution records.

1273 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1274 ~~(b) Such portions of the information required pursuant to~~  
 1275 ~~this subsection which are a trade secret, as defined in s.~~

1276 ~~812.081, shall be maintained by the department as trade secret~~  
1277 ~~information is required to be maintained under s. 499.051. This~~  
1278 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
1279 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1280 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1281 ~~by the Legislature.~~

1282 Section 41. Paragraph (g) of subsection (1) of section  
1283 499.05, Florida Statutes, is amended to read:

1284 499.05 Rules.—

1285 (1) The department shall adopt rules to implement and  
1286 enforce this chapter with respect to:

1287 (g) Inspections and investigations conducted under s.  
1288 499.051 or s. 499.93, ~~and the identification of information~~  
1289 ~~claimed to be a trade secret and exempt from the public records~~  
1290 ~~law as provided in s. 499.051(7).~~

1291 Section 42. Paragraph (b) of subsection (7) of section  
1292 499.051, Florida Statutes, is amended to read:

1293 499.051 Inspections and investigations.—

1294 (7)

1295 ~~(b) Information that constitutes a trade secret, as~~  
1296 ~~defined in s. 812.081, contained in the complaint or obtained by~~  
1297 ~~the department pursuant to the investigation must remain~~  
1298 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1299 ~~of the State Constitution as long as the information is held by~~  
1300 ~~the department. This paragraph is subject to the Open Government~~

1301 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1302 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
 1303 ~~repeal through reenactment by the Legislature.~~

1304 Section 43. Section 499.931, Florida Statutes, is  
 1305 repealed.

1306 Section 44. Paragraph (d) of subsection (11) of section  
 1307 501.171, Florida Statutes, is amended to read:

1308 501.171 Security of confidential personal information.—

1309 (11) PUBLIC RECORDS EXEMPTION.—

1310 (d) For purposes of this subsection, the term "proprietary  
 1311 information" means information that:

1312 1. Is owned or controlled by the covered entity.

1313 2. Is intended to be private and is treated by the covered  
 1314 entity as private because disclosure would harm the covered  
 1315 entity or its business operations.

1316 3. Has not been disclosed except as required by law or a  
 1317 private agreement that provides that the information will not be  
 1318 released to the public.

1319 4. Is not publicly available or otherwise readily  
 1320 ascertainable through proper means from another source in the  
 1321 same configuration as received by the department.

1322 5. Includes:

1323 ~~a. Trade secrets as defined in s. 688.002.~~

1324 ~~b.~~ competitive interests, the disclosure of which would  
 1325 impair the competitive business of the covered entity who is the

1326 | subject of the information.

1327 |       Section 45. Section 502.222, Florida Statutes, is  
 1328 | repealed.

1329 |       Section 46. Paragraph (b) of subsection (1) of section  
 1330 | 517.2015, Florida Statutes, is amended to read:

1331 |       517.2015 Confidentiality of information relating to  
 1332 | investigations and examinations.—

1333 |       (1)

1334 |       (b) Except as necessary for the office to enforce the  
 1335 | provisions of this chapter, a consumer complaint and other  
 1336 | information relative to an investigation or examination shall  
 1337 | remain confidential and exempt from s. 119.07(1) after the  
 1338 | investigation or examination is completed or ceases to be active  
 1339 | to the extent disclosure would:

1340 |       1. Jeopardize the integrity of another active  
 1341 | investigation or examination.

1342 |       2. Reveal the name, address, telephone number, social  
 1343 | security number, or any other identifying number or information  
 1344 | of any complainant, customer, or account holder.

1345 |       3. Disclose the identity of a confidential source.

1346 |       4. Disclose investigative techniques or procedures.

1347 |       ~~5. Reveal a trade secret as defined in s. 688.002.~~

1348 |       Section 47. Paragraph (b) of subsection (1) of section  
 1349 | 520.9965, Florida Statutes, is amended to read:

1350 |       520.9965 Confidentiality of information relating to

1351 investigations and examinations.—

1352 (1)

1353 (b) Except as necessary for the office to enforce the  
 1354 provisions of this chapter, a consumer complaint and other  
 1355 information relative to an investigation or examination shall  
 1356 remain confidential and exempt from s. 119.07(1) after the  
 1357 investigation or examination is completed or ceases to be active  
 1358 to the extent disclosure would:

1359 1. Jeopardize the integrity of another active  
 1360 investigation or examination.

1361 2. Reveal the name, address, telephone number, social  
 1362 security number, or any other identifying number or information  
 1363 of any complainant, customer, or account holder.

1364 3. Disclose the identity of a confidential source.

1365 4. Disclose investigative techniques or procedures.

1366 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1367 Section 48. Subsection (2) of section 526.311, Florida  
 1368 Statutes, is amended to read:

1369 526.311 Enforcement; civil penalties; injunctive relief.—

1370 (2) The Department of Agriculture and Consumer Services  
 1371 shall investigate any complaints regarding violations of this  
 1372 act and may request in writing the production of documents and  
 1373 records as part of its investigation of a complaint. If the  
 1374 person upon whom such request was made fails to produce the  
 1375 documents or records within 30 days after the date of the

1376 request, the department, through the department's office of  
1377 general counsel, may issue and serve a subpoena to compel the  
1378 production of such documents and records. If any person shall  
1379 refuse to comply with a subpoena issued under this section, the  
1380 department may petition a court of competent jurisdiction to  
1381 enforce the subpoena and assess such sanctions as the court may  
1382 direct. Refiners shall afford the department reasonable access  
1383 to the refiners' posted terminal price. Any records, documents,  
1384 papers, maps, books, tapes, photographs, files, sound  
1385 recordings, or other business material, regardless of form or  
1386 characteristics, obtained by the department are confidential and  
1387 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1388 of the State Constitution while the investigation is pending. At  
1389 the conclusion of an investigation, any matter determined by the  
1390 department or by a judicial or administrative body, federal or  
1391 state, to be ~~a trade secret or~~ proprietary confidential business  
1392 information held by the department pursuant to such  
1393 investigation shall be considered confidential and exempt from  
1394 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1395 Constitution. Such materials may be used in any administrative  
1396 or judicial proceeding so long as the confidential or  
1397 proprietary nature of the material is maintained.

1398 Section 49. Paragraph (e) of subsection (1) of section  
1399 548.062, Florida Statutes, is amended to read:

1400 548.062 Public records exemption.—



1401 (1) As used in this section, the term "proprietary  
1402 confidential business information" means information that:

1403 (e) Concerns any of the following:

1404 1. The number of ticket sales for a match;

1405 2. The amount of gross receipts after a match;

1406 ~~3. A trade secret, as defined in s. 688.002;~~

1407 3.4. Business plans;

1408 4.5. Internal auditing controls and reports of internal  
1409 auditors; or

1410 5.6. Reports of external auditors.

1411 Section 50. Paragraph (a) of subsection (1) of section  
1412 556.113, Florida Statutes, is amended to read:

1413 556.113 Sunshine State One-Call of Florida, Inc.; public  
1414 records exemption.—

1415 (1) As used in this section, the term "proprietary  
1416 confidential business information" means information provided  
1417 by:

1418 (a) A member operator which is a map, plan, facility  
1419 location diagram, internal damage investigation report or  
1420 analysis, or dispatch methodology, ~~or trade secret as defined in~~  
1421 ~~s. 688.002,~~ or which describes the exact location of a utility  
1422 underground facility or the protection, repair, or restoration  
1423 thereof, and:

1424 1. Is intended to be and is treated by the member operator  
1425 as confidential;

1426           2. The disclosure of which would likely be used by a  
 1427 competitor to harm the business interests of the member operator  
 1428 or could be used for the purpose of inflicting damage on  
 1429 underground facilities; and

1430           3. Is not otherwise readily ascertainable or publicly  
 1431 available by proper means by other persons from another source  
 1432 in the same configuration as provided to Sunshine State One-Call  
 1433 of Florida, Inc.

1434           Section 51. Paragraph (b) of subsection (2) of section  
 1435 559.5558, Florida Statutes, is amended to read:

1436           559.5558 Public records exemption; investigations and  
 1437 examinations.—

1438           (2)

1439           (b) Information made confidential and exempt pursuant to  
 1440 this section is no longer confidential and exempt once the  
 1441 investigation or examination is completed or ceases to be active  
 1442 unless disclosure of the information would:

1443           1. Jeopardize the integrity of another active  
 1444 investigation or examination.

1445           2. Reveal the personal identifying information of a  
 1446 consumer, unless the consumer is also the complainant. A  
 1447 complainant's personal identifying information is subject to  
 1448 disclosure after the investigation or examination is completed  
 1449 or ceases to be active. However, a complainant's personal  
 1450 financial and health information remains confidential and

1451 exempt.

1452 3. Reveal the identity of a confidential source.

1453 4. Reveal investigative or examination techniques or  
1454 procedures.

1455 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1456 Section 52. Paragraph (c) of subsection (3) of section  
1457 559.9285, Florida Statutes, is amended to read:

1458 559.9285 Certification of business activities.—

1459 (3) The department shall specify by rule the form of each  
1460 certification under this section which shall include the  
1461 following information:

1462 (c) The legal name, any trade names or fictitious names,  
1463 mailing address, physical address, telephone number or numbers,  
1464 facsimile number or numbers, and all Internet and electronic  
1465 contact information of every other commercial entity with which  
1466 the certifying party engages in business or commerce that is  
1467 related in any way to the certifying party's business or  
1468 commerce with any terrorist state. The information disclosed  
1469 pursuant to this paragraph does not constitute customer lists  
1470 or ~~customer names, or trade secrets~~ protected under s.  
1471 570.544(8) or trade secrets protected under s. 688.01.

1472 Section 53. Subsection (2) of section 560.129, Florida  
1473 Statutes, is amended to read:

1474 560.129 Confidentiality.—

1475 (2) All information obtained by the office in the course

1476 of its investigation or examination ~~which is a trade secret, as~~  
 1477 ~~defined in s. 688.002, or~~ which is personal financial  
 1478 information shall remain confidential and exempt from s.  
 1479 119.07(1) and s. 24(a), Art. I of the State Constitution. If any  
 1480 administrative, civil, or criminal proceeding against a money  
 1481 services business, its authorized vendor, or an affiliated party  
 1482 is initiated and the office seeks to use matter that a licensee  
 1483 believes to be ~~a trade secret or~~ personal financial information,  
 1484 such records shall be subject to an in camera review by the  
 1485 administrative law judge, if the matter is before the Division  
 1486 of Administrative Hearings, or a judge of any court of this  
 1487 state, any other state, or the United States, as appropriate,  
 1488 for the purpose of determining if the matter is ~~a trade secret~~  
 1489 ~~or is~~ personal financial information. ~~If it is determined that~~  
 1490 ~~the matter is a trade secret, the matter shall remain~~  
 1491 ~~confidential.~~ If it is determined that the matter is personal  
 1492 financial information, the matter shall remain confidential  
 1493 unless the administrative law judge or judge determines that, in  
 1494 the interests of justice, the matter should become public.

1495 Section 54. Subsection (3) of section 570.48, Florida  
 1496 Statutes, is amended to read:

1497 570.48 Division of Fruit and Vegetables; powers and  
 1498 duties; records.—The duties of the Division of Fruit and  
 1499 Vegetables include, but are not limited to:

1500 (3) Maintaining the records of the division. The records

1501 of the division are public records. ~~however, trade secrets as~~  
1502 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1503 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
1504 ~~subsection is subject to the Open Government Sunset Review Act~~  
1505 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
1506 ~~2, 2021, unless reviewed and saved from repeal through~~  
1507 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
1508 ~~construed to prohibit:~~

1509 ~~(a) A disclosure necessary to enforcement procedures.~~

1510 ~~(b) The department from releasing information to other~~  
1511 ~~governmental agencies. Other governmental agencies that receive~~  
1512 ~~confidential information from the department under this~~  
1513 ~~subsection shall maintain the confidentiality of that~~  
1514 ~~information.~~

1515 ~~(c) the department or other agencies from compiling and~~  
1516 ~~publishing appropriate data regarding procedures, yield,~~  
1517 ~~recovery, quality, and related matters, provided such released~~  
1518 ~~data do not reveal by whom the activity to which the data relate~~  
1519 ~~was conducted.~~

1520 Section 55. Subsection (8) of section 570.544, Florida  
1521 Statutes, is amended to read:

1522 570.544 Division of Consumer Services; director; powers;  
1523 processing of complaints; records.—

1524 (8) The records of the Division of Consumer Services are  
1525 public records. However, customer lists and ~~customer names, and~~

1526 ~~trade secrets~~ are confidential and exempt from the provisions of  
 1527 s. 119.07(1). Disclosure necessary to enforcement procedures  
 1528 does not violate this prohibition.

1529 Section 56. Subsection (2) of section 573.123, Florida  
 1530 Statutes, is amended to read:

1531 573.123 Maintenance and production of records.—

1532 ~~(2) Information that, if disclosed, would reveal a trade~~  
 1533 ~~secret, as defined in s. 812.081, of any person subject to a~~  
 1534 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
 1535 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
 1536 ~~disclosed except to an attorney who provides legal advice to the~~  
 1537 ~~division about enforcing a marketing order or by court order. A~~  
 1538 ~~person who receives confidential information under this~~  
 1539 ~~subsection shall maintain the confidentiality of that~~  
 1540 ~~information. This subsection is subject to the Open Government~~  
 1541 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1542 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
 1543 ~~repeal through reenactment by the Legislature.~~

1544 Section 57. Section 581.199, Florida Statutes, is  
 1545 repealed.

1546 Section 58. Paragraph (b) of subsection (8) of section  
 1547 601.10, Florida Statutes, is amended to read:

1548 601.10 Powers of the Department of Citrus.—The department  
 1549 shall have and shall exercise such general and specific powers  
 1550 as are delegated to it by this chapter and other statutes of the

1551 state, which powers shall include, but are not limited to, the  
 1552 following:

1553 (8)

1554 ~~(b) Any information provided to the department which~~  
 1555 ~~constitutes a trade secret as defined in s. 812.081 is~~  
 1556 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
 1557 ~~of the State Constitution. This paragraph is subject to the Open~~  
 1558 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
 1559 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
 1560 ~~saved from repeal through reenactment by the Legislature.~~

1561 Section 59. Paragraph (d) of subsection (7) of section  
 1562 601.15, Florida Statutes, is amended to read:

1563 601.15 Advertising campaign; methods of conducting;  
 1564 assessments; emergency reserve fund; citrus research.—

1565 (7) All assessments levied and collected under this  
 1566 chapter shall be paid into the State Treasury on or before the  
 1567 15th day of each month. Such moneys shall be accounted for in a  
 1568 special fund to be designated as the Florida Citrus Advertising  
 1569 Trust Fund, and all moneys in such fund are appropriated to the  
 1570 department for the following purposes:

1571 (d)1. The pro rata portion of moneys allocated to each  
 1572 type of citrus product in noncommodity programs shall be used by  
 1573 the department to encourage substantial increases in the  
 1574 effectiveness, frequency, and volume of noncommodity  
 1575 advertising, merchandising, publicity, and sales promotion of

1576 such citrus products through rebates and incentive payments to  
1577 handlers and trade customers for these activities. The  
1578 department shall adopt rules providing for the use of such  
1579 moneys. The rules shall establish alternate incentive programs,  
1580 including at least one incentive program for product sold under  
1581 advertised brands, one incentive program for product sold under  
1582 private label brands, and one incentive program for product sold  
1583 in bulk. For each incentive program, the rules must establish  
1584 eligibility and performance requirements and must provide  
1585 appropriate limitations on amounts payable to a handler or trade  
1586 customer for a particular season. Such limitations may relate to  
1587 the amount of citrus assessments levied and collected on the  
1588 citrus product handled by such handler or trade customer during  
1589 a 12-month representative period.

1590 2. The department may require from participants in  
1591 noncommodity advertising and promotional programs commercial  
1592 information necessary to determine eligibility for and  
1593 performance in such programs. ~~Any information required which~~  
1594 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1595 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1596 ~~of the State Constitution. This subparagraph is subject to the~~  
1597 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1598 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
1599 ~~saved from repeal through reenactment by the Legislature.~~

1600 Section 60. Paragraph (c) of subsection (8) of section



1601 601.152, Florida Statutes, is amended to read:

1602 601.152 Special marketing orders.—

1603 (8)

1604 (c)~~1.~~ Every handler shall, at such times as the department  
 1605 may require, file with the department a return, not under oath,  
 1606 on forms to be prescribed and furnished by the department,  
 1607 certified as true and correct, stating the quantity of the type,  
 1608 variety, and form of citrus fruit or citrus product specified in  
 1609 the marketing order first handled in the primary channels of  
 1610 trade in the state by such handler during the period of time  
 1611 specified in the marketing order. Such returns must contain any  
 1612 further information deemed by the department to be reasonably  
 1613 necessary to properly administer or enforce this section or any  
 1614 marketing order implemented under this section.

1615 ~~2. Information that, if disclosed, would reveal a trade~~  
 1616 ~~secret, as defined in s. 812.081, of any person subject to a~~  
 1617 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
 1618 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
 1619 ~~subject to the Open Government Sunset Review Act in accordance~~  
 1620 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
 1621 ~~unless reviewed and saved from repeal through reenactment by the~~  
 1622 ~~Legislature.~~

1623 Section 61. Section 601.76, Florida Statutes, is amended  
 1624 to read:

1625 601.76 Manufacturer to furnish formula and other

1626 information.—Any formula required to be filed with the  
1627 Department of Agriculture ~~shall be deemed a trade secret as~~  
1628 ~~defined in s. 812.081,~~ is confidential and exempt from s.  
1629 119.07(1) and s. 24(a), Art. I of the State Constitution, and  
1630 may be divulged only to the Department of Agriculture or to its  
1631 duly authorized representatives or upon court order when  
1632 necessary in the enforcement of this law. A person who receives  
1633 such a formula from the Department of Agriculture under this  
1634 section shall maintain the confidentiality of the formula. ~~This~~  
1635 ~~section is subject to the Open Government Sunset Review Act in~~  
1636 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1637 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1638 ~~by the Legislature.~~

1639 Section 62. Subsection (6) of section 607.0505, Florida  
1640 Statutes, is amended to read:

1641 607.0505 Registered agent; duties.—

1642 (6) Information provided to, and records and  
1643 transcriptions of testimony obtained by, the Department of Legal  
1644 Affairs pursuant to this section are confidential and exempt  
1645 from the provisions of s. 119.07(1) while the investigation is  
1646 active. For purposes of this section, an investigation shall be  
1647 considered "active" while such investigation is being conducted  
1648 with a reasonable, good faith belief that it may lead to the  
1649 filing of an administrative, civil, or criminal proceeding. An  
1650 investigation does not cease to be active so long as the

1651 department is proceeding with reasonable dispatch and there is a  
1652 good faith belief that action may be initiated by the department  
1653 or other administrative or law enforcement agency. Except for  
1654 active criminal intelligence or criminal investigative  
1655 information, as defined in s. 119.011, and information which, if  
1656 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1657 ~~688.002,~~ or would jeopardize the safety of an individual, all  
1658 information, records, and transcriptions become public record  
1659 when the investigation is completed or ceases to be active. The  
1660 department shall not disclose confidential information, records,  
1661 or transcriptions of testimony except pursuant to the  
1662 authorization by the Attorney General in any of the following  
1663 circumstances:

1664 (a) To a law enforcement agency participating in or  
1665 conducting a civil investigation under chapter 895, or  
1666 participating in or conducting a criminal investigation.

1667 (b) In the course of filing, participating in, or  
1668 conducting a judicial proceeding instituted pursuant to this  
1669 section or chapter 895.

1670 (c) In the course of filing, participating in, or  
1671 conducting a judicial proceeding to enforce an order or judgment  
1672 entered pursuant to this section or chapter 895.

1673 (d) In the course of a criminal or civil proceeding.

1674

1675 A person or law enforcement agency which receives any

1676 information, record, or transcription of testimony that has been  
1677 made confidential by this subsection shall maintain the  
1678 confidentiality of such material and shall not disclose such  
1679 information, record, or transcription of testimony except as  
1680 provided for herein. Any person who willfully discloses any  
1681 information, record, or transcription of testimony that has been  
1682 made confidential by this subsection, except as provided for  
1683 herein, is guilty of a misdemeanor of the first degree,  
1684 punishable as provided in s. 775.082 or s. 775.083. If any  
1685 information, record, or testimony obtained pursuant to  
1686 subsection (2) is offered in evidence in any judicial  
1687 proceeding, the court may, in its discretion, seal that portion  
1688 of the record to further the policies of confidentiality set  
1689 forth herein.

1690 Section 63. Subsection (6) of section 617.0503, Florida  
1691 Statutes, is amended to read:

1692 617.0503 Registered agent; duties; confidentiality of  
1693 investigation records.—

1694 (6) Information provided to, and records and  
1695 transcriptions of testimony obtained by, the Department of Legal  
1696 Affairs pursuant to this section are confidential and exempt  
1697 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the  
1698 State Constitution while the investigation is active. For  
1699 purposes of this section, an investigation shall be considered  
1700 "active" while such investigation is being conducted with a

1701 reasonable, good faith belief that it may lead to the filing of  
1702 an administrative, civil, or criminal proceeding. An  
1703 investigation does not cease to be active so long as the  
1704 department is proceeding with reasonable dispatch and there is a  
1705 good faith belief that action may be initiated by the department  
1706 or other administrative or law enforcement agency. Except for  
1707 active criminal intelligence or criminal investigative  
1708 information, as defined in s. 119.011, and information which, if  
1709 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1710 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1711 information, records, and transcriptions become available to the  
1712 public when the investigation is completed or ceases to be  
1713 active. The department shall not disclose confidential  
1714 information, records, or transcriptions of testimony except  
1715 pursuant to authorization by the Attorney General in any of the  
1716 following circumstances:

1717 (a) To a law enforcement agency participating in or  
1718 conducting a civil investigation under chapter 895, or  
1719 participating in or conducting a criminal investigation.

1720 (b) In the course of filing, participating in, or  
1721 conducting a judicial proceeding instituted pursuant to this  
1722 section or chapter 895.

1723 (c) In the course of filing, participating in, or  
1724 conducting a judicial proceeding to enforce an order or judgment  
1725 entered pursuant to this section or chapter 895.

1726 (d) In the course of a criminal proceeding.

1727  
 1728 A person or law enforcement agency that receives any  
 1729 information, record, or transcription of testimony that has been  
 1730 made confidential by this subsection shall maintain the  
 1731 confidentiality of such material and shall not disclose such  
 1732 information, record, or transcription of testimony except as  
 1733 provided for herein. Any person who willfully discloses any  
 1734 information, record, or transcription of testimony that has been  
 1735 made confidential by this subsection, except as provided for in  
 1736 this subsection, commits a misdemeanor of the first degree,  
 1737 punishable as provided in s. 775.082 or s. 775.083. If any  
 1738 information, record, or testimony obtained pursuant to  
 1739 subsection (2) is offered in evidence in any judicial  
 1740 proceeding, the court may, in its discretion, seal that portion  
 1741 of the record to further the policies of confidentiality set  
 1742 forth in this subsection.

1743 Section 64. Subsection (4) of section 624.307, Florida  
 1744 Statutes, is amended to read:

1745 624.307 General powers; duties.—

1746 (4) The department and office may each collect, propose,  
 1747 publish, and disseminate information relating to the subject  
 1748 matter of any duties imposed upon it by law. Notwithstanding any  
 1749 other provision of law, information reported to and collected by  
 1750 the office may be made available on an aggregate basis. The

1751 office may report, publish, or otherwise make available such  
1752 information from all insurers on an aggregate basis by line of  
1753 business and by county, even if marked trade secret pursuant to  
1754 s. 688.01, but shall otherwise maintain trade secret  
1755 confidentiality in accordance with s. 688.01.

1756 Section 65. Subsection (4) is added to section 624.315,  
1757 Florida Statutes, to read:

1758 624.315 Department; annual report.—

1759 (4) Notwithstanding any other provision of law, the office  
1760 may make the information in subsection (2) available on an  
1761 aggregate basis. The office may include such statistical  
1762 information from all insurers on an aggregate basis by line of  
1763 business and by county, even if marked trade secret pursuant to  
1764 s. 688.01, but shall otherwise maintain trade secret  
1765 confidentiality in accordance with s. 688.01.

1766 Section 66. Paragraph (c) of subsection (1) and subsection  
1767 (5) of section 624.4212, Florida Statutes, are amended to read:

1768 624.4212 Confidentiality of proprietary business and other  
1769 information.—

1770 (1) As used in this section, the term "proprietary  
1771 business information" means information, regardless of form or  
1772 characteristics, which is owned or controlled by an insurer, or  
1773 a person or an affiliated person who seeks acquisition of  
1774 controlling stock in a domestic stock insurer or controlling  
1775 company, and which:

1776 (c) Includes:

1777 ~~1. Trade secrets as defined in s. 688.002 which comply~~  
1778 ~~with s. 624.4213.~~

1779 1.2. Information relating to competitive interests, the  
1780 disclosure of which would impair the competitive business of the  
1781 provider of the information.

1782 2.3. The source, nature, and amount of the consideration  
1783 used or to be used in carrying out a merger or other acquisition  
1784 of control in the ordinary course of business, including the  
1785 identity of the lender, if the person filing a statement  
1786 regarding consideration so requests.

1787 3.4. Information relating to bids or other contractual  
1788 data, the disclosure of which would impair the efforts of the  
1789 insurer or its affiliates to contract for goods or services on  
1790 favorable terms.

1791 4.5. Internal auditing controls and reports of internal  
1792 auditors.

1793 (5) The office may disclose information made confidential  
1794 and exempt under this section or s. 688.01:

1795 (a) If the insurer to which it pertains gives prior  
1796 written consent;

1797 (b) Pursuant to a court order;

1798 (c) To the Actuarial Board for Counseling and Discipline  
1799 upon a request stating that the information is for the purpose  
1800 of professional disciplinary proceedings and specifying



1801 | procedures satisfactory to the office for preserving the  
 1802 | confidentiality of the information;

1803 |       (d) To other states, federal and international agencies,  
 1804 | the National Association of Insurance Commissioners and its  
 1805 | affiliates and subsidiaries, and state, federal, and  
 1806 | international law enforcement authorities, including members of  
 1807 | a supervisory college described in s. 628.805 if the recipient  
 1808 | agrees in writing to maintain the confidential and exempt status  
 1809 | of the document, material, or other information and has  
 1810 | certified in writing its legal authority to maintain such  
 1811 | confidentiality; or

1812 |       (e) For the purpose of aggregating information on an  
 1813 | industrywide basis and disclosing the information to the public  
 1814 | only if the specific identities of the insurers, or persons or  
 1815 | affiliated persons, are not revealed.

1816 |       Section 67. Section 624.4213, Florida Statutes, is  
 1817 | repealed.

1818 |       Section 68. Paragraph (d) of subsection (1) of section  
 1819 | 626.84195, Florida Statutes, is amended to read:

1820 |       626.84195 Confidentiality of information supplied by title  
 1821 | insurance agencies and insurers.-

1822 |       (1) As used in this section, the term "proprietary  
 1823 | business information" means information that:

1824 |       (d) Concerns:

1825 |       1. Business plans;

1826           2. Internal auditing controls and reports of internal  
1827 auditors;

1828           3. Reports of external auditors for privately held  
1829 companies;

1830           ~~4. Trade secrets, as defined in s. 688.002, or~~  
1831           4.5. Financial information, including revenue data, loss  
1832 expense data, gross receipts, taxes paid, capital investment,  
1833 and employee wages.

1834           Section 69. Subsection (2) of section 626.884, Florida  
1835 Statutes, is amended to read:

1836           626.884 Maintenance of records by administrator; access;  
1837 confidentiality.—

1838           (2) The office shall have access to books and records  
1839 maintained by the administrator for the purpose of examination,  
1840 audit, and inspection. ~~Information contained in such books and~~  
1841 ~~records is confidential and exempt from the provisions of s.~~  
1842 ~~119.07(1) if the disclosure of such information would reveal a~~  
1843 ~~trade secret as defined in s. 688.002. However,~~ The office may  
1844 use such information in any proceeding instituted against the  
1845 administrator.

1846           Section 70. Paragraph (a) of subsection (1) of section  
1847 626.9936, Florida Statutes, is amended to read:

1848           626.9936 Access to records.—

1849           (1) Notwithstanding subsections (1) and (2) of Article  
1850 VIII, subsection (2) of Article X, and subsection (6) of Article

1851 XII of the Interstate Insurance Product Regulation Compact, a  
 1852 request by a resident of this state for public inspection and  
 1853 copying of information, data, or official records that includes:

1854 (a) An insurer's trade secrets shall be referred to the  
 1855 commissioner who shall respond to the request, with the  
 1856 cooperation and assistance of the commission, in accordance with  
 1857 s. 688.01 ~~s. 624.4213~~; or

1858 Section 71. Paragraph (g) of subsection (3) of section  
 1859 627.0628, Florida Statutes, is amended to read:

1860 627.0628 Florida Commission on Hurricane Loss Projection  
 1861 Methodology; public records exemption; public meetings  
 1862 exemption.—

1863 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1864 (g)1. ~~A trade secret, as defined in s. 688.002, which is  
 1865 used in designing and constructing a hurricane or flood loss  
 1866 model and which is provided pursuant to this section, by a  
 1867 private company, to the commission, office, or consumer advocate  
 1868 appointed pursuant to s. 627.0613 is confidential and exempt  
 1869 from s. 119.07(1) and s. 24(a), Art. I of the State  
 1870 Constitution.~~

1871 1.2.a. That portion of a meeting of the commission or of a  
 1872 rate proceeding on an insurer's rate filing at which a trade  
 1873 secret made confidential and exempt pursuant to s. 688.01 ~~by  
 1874 this paragraph~~ is discussed is exempt from s. 286.011 and s.  
 1875 24(b), Art. I of the State Constitution. The closed meeting must

1876 | be recorded, and no portion of the closed meeting may be off the  
 1877 | record.

1878 | 2.b. The recording of a closed portion of a meeting is  
 1879 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1880 | Constitution.

1881 | ~~e. This paragraph is subject to the Open Government Sunset~~  
 1882 | ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
 1883 | ~~on October 2, 2019, unless reviewed and saved from repeal~~  
 1884 | ~~through reenactment by the Legislature.~~

1885 | Section 72. Paragraph (a) of subsection (11) of section  
 1886 | 627.3518, Florida Statutes, is amended to read:

1887 | 627.3518 Citizens Property Insurance Corporation  
 1888 | policyholder eligibility clearinghouse program.—The purpose of  
 1889 | this section is to provide a framework for the corporation to  
 1890 | implement a clearinghouse program by January 1, 2014.

1891 | (11) Proprietary business information provided to the  
 1892 | corporation's clearinghouse by insurers with respect to  
 1893 | identifying and selecting risks for an offer of coverage is  
 1894 | confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 1895 | of the State Constitution.

1896 | (a) As used in this subsection, the term "proprietary  
 1897 | business information" means information, regardless of form or  
 1898 | characteristics, which is owned or controlled by an insurer and:

1899 | 1. Is identified by the insurer as proprietary business  
 1900 | information and is intended to be and is treated by the insurer

1901 as private in that the disclosure of the information would cause  
 1902 harm to the insurer, an individual, or the company's business  
 1903 operations and has not been disclosed unless disclosed pursuant  
 1904 to a statutory requirement, an order of a court or  
 1905 administrative body, or a private agreement that provides that  
 1906 the information will not be released to the public;

1907 2. Is not otherwise readily ascertainable or publicly  
 1908 available by proper means by other persons from another source  
 1909 in the same configuration as provided to the clearinghouse; and

1910 3. Includes:

1911 ~~a. Trade secrets, as defined in s. 688.002.~~

1912 ~~b.~~ information relating to competitive interests, the  
 1913 disclosure of which would impair the competitive business of the  
 1914 provider of the information.

1915  
 1916 Proprietary business information may be found in underwriting  
 1917 criteria or instructions which are used to identify and select  
 1918 risks through the program for an offer of coverage and are  
 1919 shared with the clearinghouse to facilitate the shopping of  
 1920 risks with the insurer.

1921 Section 73. Subsections (4), (5), (14), and (15) of  
 1922 section 655.057, Florida Statutes, are amended to read:

1923 655.057 Records; limited restrictions upon public access.—

1924 ~~(4) Except as otherwise provided in this section and~~  
 1925 ~~except for those portions that are otherwise public record,~~

1926 ~~trade secrets as defined in s. 688.002 which comply with s.~~  
 1927 ~~655.0591 and which are held by the office in accordance with its~~  
 1928 ~~statutory duties with respect to the financial institutions~~  
 1929 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
 1930 ~~24(a), Art. I of the State Constitution.~~

1931 (4) ~~(5)~~ Neither this section nor s. 688.01 prevents ~~does~~  
 1932 ~~not prevent~~ or restricts ~~restrict~~:

1933 (a) Publishing reports that are required to be submitted  
 1934 to the office pursuant to s. 655.045(2) or required by  
 1935 applicable federal statutes or regulations to be published.

1936 (b) Furnishing records or information to any other state,  
 1937 federal, or foreign agency responsible for the regulation or  
 1938 supervision of financial institutions.

1939 (c) Disclosing or publishing summaries of the condition  
 1940 of financial institutions and general economic and similar  
 1941 statistics and data, provided that the identity of a particular  
 1942 financial institution is not disclosed.

1943 (d) Reporting any suspected criminal activity, with  
 1944 supporting documents and information, to appropriate law  
 1945 enforcement and prosecutorial agencies.

1946 (e) Furnishing information upon request to the Chief  
 1947 Financial Officer or the Division of Treasury of the Department  
 1948 of Financial Services regarding the financial condition of any  
 1949 financial institution that is, or has applied to be, designated  
 1950 as a qualified public depository pursuant to chapter 280.

1951 (f) Furnishing information to Federal Home Loan Banks  
1952 regarding its member institutions pursuant to an information  
1953 sharing agreement between the Federal Home Loan Banks and the  
1954 office.

1955  
1956 Any confidential information or records obtained from the office  
1957 pursuant to this subsection shall be maintained as confidential  
1958 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1959 Constitution.

1960 (14) This section is ~~Subsections (3) and (4) are subject~~  
1961 ~~to the Open Government Sunset Review Act in accordance with s.~~  
1962 ~~119.15 and are repealed on October 2, 2019, unless reviewed and~~  
1963 ~~saved from repeal through reenactment by the Legislature.~~

1964 ~~(15) Subsections (1), (2), (5), and (9) are subject to the~~  
1965 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1966 ~~and is ~~are~~ repealed on October 2, 2022, unless reviewed and~~  
1967 ~~saved from repeal through reenactment by the Legislature.~~

1968 Section 74. Section 655.0591, Florida Statutes, is  
1969 repealed.

1970 Section 75. Subsection (11) of section 663.533, Florida  
1971 Statutes, is amended to read:

1972 663.533 Applicability of the financial institutions  
1973 codes.—A qualified limited service affiliate is subject to the  
1974 financial institutions codes. Without limiting the foregoing,  
1975 the following provisions are applicable to a qualified limited

1976 service affiliate:

1977 (11) Section 688.01 ~~655.0591~~, relating to trade secret  
1978 documents.

1979

1980 This section does not prohibit the office from investigating or  
1981 examining an entity to ensure that it is not in violation of  
1982 this chapter or applicable provisions of the financial  
1983 institutions codes.

1984 Section 76. Section 721.071, Florida Statutes, is  
1985 repealed.

1986 Section 77. Subsections (3) and (4) of section 815.04,  
1987 Florida Statutes, are amended to read:

1988 815.04 Offenses against intellectual property; ~~public~~  
1989 ~~records exemption.~~-

1990 ~~(3) Data, programs, or supporting documentation that is a~~  
1991 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
1992 ~~as defined in chapter 119, and that resides or exists internal~~  
1993 ~~or external to a computer, computer system, computer network, or~~  
1994 ~~electronic device is confidential and exempt from the provisions~~  
1995 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
1996 ~~This subsection is subject to the Open Government Sunset Review~~  
1997 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
1998 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
1999 ~~reenactment by the Legislature.~~

2000 (3)(4) A person who willfully, knowingly, and without



2001 authorization discloses or takes data, programs, or supporting  
2002 documentation that is a trade secret as defined in s. 812.081 ~~or~~  
2003 ~~is confidential as provided by law~~ residing or existing internal  
2004 or external to a computer, computer system, computer network, or  
2005 electronic device commits an offense against intellectual  
2006 property.

2007 Section 78. Section 815.045, Florida Statutes, is  
2008 repealed.

2009 Section 79. Subsection (2) of section 1004.22, Florida  
2010 Statutes, is amended to read:

2011 1004.22 Divisions of sponsored research at state  
2012 universities.—

2013 (2) The university shall set such policies to regulate the  
2014 activities of the divisions of sponsored research as it may  
2015 consider necessary to administer the research programs in a  
2016 manner which assures efficiency and effectiveness, producing the  
2017 maximum benefit for the educational programs and maximum service  
2018 to the state. To this end, materials that relate to methods of  
2019 manufacture or production, ~~potential trade secrets,~~ potentially  
2020 patentable material, ~~actual~~ trade secrets, as defined in s.  
2021 688.01, business transactions, or proprietary information  
2022 received, generated, ascertained, or discovered during the  
2023 course of research conducted within the state universities shall  
2024 be confidential and exempt from the provisions of s. 119.07(1),  
2025 except that a division of sponsored research shall make

2026 available upon request the title and description of a research  
 2027 project, the name of the researcher, and the amount and source  
 2028 of funding provided for such project.

2029 Section 80. Paragraph (c) of subsection (2) and  
 2030 subsections (3), (4), and (7) of section 1004.30, Florida  
 2031 Statutes, are amended to read:

2032 1004.30 University health services support organization;  
 2033 confidentiality of information.—

2034 (2) The following university health services support  
 2035 organization's records and information are confidential and  
 2036 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
 2037 of the State Constitution:

2038 ~~(c) Trade secrets, as defined in s. 688.002, including~~  
 2039 ~~reimbursement methodologies and rates.~~

2040 (3) Any portion of a governing board or peer review panel  
 2041 or committee meeting during which a confidential and exempt  
 2042 contract, document, record, or marketing plan, ~~or trade secret,~~  
 2043 as provided for in subsection (2), or a confidential and exempt  
 2044 trade secret, as provided for in s. 688.01, is discussed is  
 2045 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of  
 2046 the State Constitution.

2047 (4) Those portions of any public record, such as a tape  
 2048 recording, minutes, and notes, generated during that portion of  
 2049 a governing board or peer review panel or committee meeting  
 2050 which is closed to the public pursuant to this section, ~~which~~

2051 ~~contain information relating to contracts, documents, records,~~  
2052 ~~marketing plans, or trade secrets which are made confidential~~  
2053 ~~and exempt by this section,~~ are confidential and exempt from the  
2054 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
2055 Constitution.

2056 (7) Those portions of any public record, such as a tape  
2057 recording, minutes, or notes, generated during that portion of a  
2058 governing board meeting at which negotiations for contracts for  
2059 managed-care arrangements occur, are reported on, or are acted  
2060 on by the governing board, which record is made confidential and  
2061 exempt by subsection (4), shall become public records 2 years  
2062 after the termination or completion of the term of the contract  
2063 to which such negotiations relate or, if no contract was  
2064 executed, 2 years after the termination of the negotiations.  
2065 Notwithstanding paragraph (2)(a) and subsection (4), a  
2066 university health services support organization must make  
2067 available, upon request, the title and general description of a  
2068 contract for managed-care arrangements, the names of the  
2069 contracting parties, and the duration of the contract term. All  
2070 contracts for managed-care arrangements which are made  
2071 confidential and exempt by paragraph (2)(a), except those  
2072 portions of any contract containing trade secrets which are made  
2073 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall  
2074 become public 2 years after the termination or completion of the  
2075 term of the contract.

2076 Section 81. Paragraph (b) of subsection (8) of section  
 2077 1004.43, Florida Statutes, is amended to read:  
 2078 1004.43 H. Lee Moffitt Cancer Center and Research  
 2079 Institute.—There is established the H. Lee Moffitt Cancer Center  
 2080 and Research Institute, a statewide resource for basic and  
 2081 clinical research and multidisciplinary approaches to patient  
 2082 care.  
 2083 (8)  
 2084 (b) Proprietary confidential business information is  
 2085 confidential and exempt from the provisions of s. 119.07(1) and  
 2086 s. 24(a), Art. I of the State Constitution. However, the Auditor  
 2087 General, the Office of Program Policy Analysis and Government  
 2088 Accountability, and the Board of Governors, pursuant to their  
 2089 oversight and auditing functions, must be given access to all  
 2090 proprietary confidential business information upon request and  
 2091 without subpoena and must maintain the confidentiality of  
 2092 information so received. As used in this paragraph, the term  
 2093 "proprietary confidential business information" means  
 2094 information, regardless of its form or characteristics, which is  
 2095 owned or controlled by the not-for-profit corporation or its  
 2096 subsidiaries; is intended to be and is treated by the not-for-  
 2097 profit corporation or its subsidiaries as private and the  
 2098 disclosure of which would harm the business operations of the  
 2099 not-for-profit corporation or its subsidiaries; has not been  
 2100 intentionally disclosed by the corporation or its subsidiaries

2101 unless pursuant to law, an order of a court or administrative  
 2102 body, a legislative proceeding pursuant to s. 5, Art. III of the  
 2103 State Constitution, or a private agreement that provides that  
 2104 the information may be released to the public; and which is  
 2105 information concerning:

2106 1. Internal auditing controls and reports of internal  
 2107 auditors;

2108 2. Matters reasonably encompassed in privileged attorney-  
 2109 client communications;

2110 3. Contracts for managed-care arrangements, including  
 2111 preferred provider organization contracts, health maintenance  
 2112 organization contracts, and exclusive provider organization  
 2113 contracts, and any documents directly relating to the  
 2114 negotiation, performance, and implementation of any such  
 2115 contracts for managed-care arrangements;

2116 4. Bids or other contractual data, banking records, and  
 2117 credit agreements the disclosure of which would impair the  
 2118 efforts of the not-for-profit corporation or its subsidiaries to  
 2119 contract for goods or services on favorable terms;

2120 5. Information relating to private contractual data, the  
 2121 disclosure of which would impair the competitive interest of the  
 2122 provider of the information;

2123 6. Corporate officer and employee personnel information;

2124 7. Information relating to the proceedings and records of  
 2125 credentialing panels and committees and of the governing board

2126 of the not-for-profit corporation or its subsidiaries relating  
 2127 to credentialing;

2128 8. Minutes of meetings of the governing board of the not-  
 2129 for-profit corporation and its subsidiaries, except minutes of  
 2130 meetings open to the public pursuant to subsection (9);

2131 9. Information that reveals plans for marketing services  
 2132 that the corporation or its subsidiaries reasonably expect to be  
 2133 provided by competitors;

2134 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,  
 2135 including:

2136 a. Information relating to methods of manufacture or  
 2137 production, ~~potential trade secrets~~, potentially patentable  
 2138 materials, or proprietary information received, generated,  
 2139 ascertained, or discovered during the course of research  
 2140 conducted by the not-for-profit corporation or its subsidiaries;  
 2141 and

2142 b. Reimbursement methodologies or rates;

2143 11. The identity of donors or prospective donors of  
 2144 property who wish to remain anonymous or any information  
 2145 identifying such donors or prospective donors. The anonymity of  
 2146 these donors or prospective donors must be maintained in the  
 2147 auditor's report; or

2148 12. Any information received by the not-for-profit  
 2149 corporation or its subsidiaries from an agency in this or  
 2150 another state or nation or the Federal Government which is

2151 otherwise exempt or confidential pursuant to the laws of this or  
 2152 another state or nation or pursuant to federal law.

2153  
 2154 As used in this paragraph, the term "managed care" means systems  
 2155 or techniques generally used by third-party payors or their  
 2156 agents to affect access to and control payment for health care  
 2157 services. Managed-care techniques most often include one or more  
 2158 of the following: prior, concurrent, and retrospective review of  
 2159 the medical necessity and appropriateness of services or site of  
 2160 services; contracts with selected health care providers;  
 2161 financial incentives or disincentives related to the use of  
 2162 specific providers, services, or service sites; controlled  
 2163 access to and coordination of services by a case manager; and  
 2164 payor efforts to identify treatment alternatives and modify  
 2165 benefit restrictions for high-cost patient care.

2166 Section 82. Paragraph (a) of subsection (2) of section  
 2167 1004.4472, Florida Statutes, is amended to read:

2168 1004.4472 Florida Institute for Human and Machine  
 2169 Cognition, Inc.; public records exemption; public meetings  
 2170 exemption.—

2171 (2) The following information held by the corporation or  
 2172 its subsidiary is confidential and exempt from s. 119.07(1) and  
 2173 s. 24(a), Art. I of the State Constitution:

2174 (a) Material relating to methods of manufacture or  
 2175 production, ~~potential trade secrets~~, patentable material, ~~actual~~

2176 trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary  
 2177 information received, generated, ascertained, or discovered  
 2178 during the course of research conducted by or through the  
 2179 corporation or a subsidiary, and business transactions resulting  
 2180 from such research.

2181 Section 83. Subsection (2) of section 1004.78, Florida  
 2182 Statutes, is amended to read:

2183 1004.78 Technology transfer centers at Florida College  
 2184 System institutions.—

2185 (2) The Florida College System institution board of  
 2186 trustees shall set such policies to regulate the activities of  
 2187 the technology transfer center as it may consider necessary to  
 2188 effectuate the purposes of this section and to administer the  
 2189 programs of the center in a manner which assures efficiency and  
 2190 effectiveness, producing the maximum benefit for the educational  
 2191 programs and maximum service to the state. To this end,  
 2192 materials that relate to methods of manufacture or production,  
 2193 ~~potential trade secrets,~~ potentially patentable material, ~~actual~~  
 2194 trade secrets as defined in s. 688.01, business transactions, or  
 2195 proprietary information received, generated, ascertained, or  
 2196 discovered during the course of activities conducted within the  
 2197 Florida College System institutions shall be confidential and  
 2198 exempt from the provisions of s. 119.07(1), except that a  
 2199 Florida College System institution shall make available upon  
 2200 request the title and description of a project, the name of the



2201 investigator, and the amount and source of funding provided for  
 2202 such project.

2203 Section 84. Section 601.80, Florida Statutes, is amended  
 2204 to read:

2205 601.80 Unlawful to use uncertified coloring matter.—It is  
 2206 unlawful for any person to use on oranges or citrus hybrids any  
 2207 coloring matter which has not first received the approval of the  
 2208 Department of Agriculture ~~as provided under s. 601.76.~~

2209 Section 85. Subsection (11) of section 663.533, Florida  
 2210 Statutes, is amended to read:

2211 663.533 Applicability of the financial institutions  
 2212 codes.—A qualified limited service affiliate is subject to the  
 2213 financial institutions codes. Without limiting the foregoing,  
 2214 the following provisions are applicable to a qualified limited  
 2215 service affiliate:

2216 ~~(11) Section 655.0591, relating to trade secret documents.~~

2217  
 2218 This section does not prohibit the office from investigating or  
 2219 examining an entity to ensure that it is not in violation of  
 2220 this chapter or applicable provisions of the financial  
 2221 institutions codes.

2222 Section 86. Paragraph (c) of subsection (12) of section  
 2223 721.13, Florida Statutes, is amended to read:

2224 721.13 Management.—

2225 (12)

2226 (c) The managing entity shall maintain copies of all  
 2227 records, data, and information supporting the processes,  
 2228 analyses, procedures, and methods utilized by the managing  
 2229 entity in its determination to reserve accommodations of the  
 2230 timeshare plan pursuant to this subsection for a period of 5  
 2231 years from the date of such determination. In the event of an  
 2232 investigation by the division for failure of a managing entity  
 2233 to comply with this subsection, the managing entity shall make  
 2234 all such records, data, and information available to the  
 2235 division for inspection, ~~provided that if the managing entity~~  
 2236 ~~complies with the provisions of s. 721.071, any such records,~~  
 2237 ~~data, and information provided to the division shall constitute~~  
 2238 ~~a trade secret pursuant to that section.~~

2239 Section 87. Paragraphs (a) and (c) of subsection (3) of  
 2240 section 921.0022, Florida Statutes, are amended to read:

2241 921.0022 Criminal Punishment Code; offense severity  
 2242 ranking chart.—

2243 (3) OFFENSE SEVERITY RANKING CHART

2244 (a) LEVEL 1

2245

Florida	Felony	Description
Statute	Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.

2246

2247	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2248	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2249	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2250	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2251	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2252	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2253	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully

2254	322.212 (4)	3rd	issued driver license; possession of simulated identification.
2255	322.212 (5) (a)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2256	414.39 (3) (a)	3rd	False application for driver license or identification card.
2257	443.071 (1)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2258	509.151 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
2259			Defraud an innkeeper, food or lodging value greater than \$300.

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2260	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2261	562.27 (1)	3rd	Possess still or still apparatus.
2262	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
2263	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2264	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2265	<u>815.04 (4) (a)</u> <del>815.04 (5) (a)</del>	3rd	Offense against intellectual property (i.e., computer programs, data).
	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.

2266	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2267	826.01	3rd	Bigamy.
2268	828.122 (3)	3rd	Fighting or baiting animals.
2269	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
2270	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
2271	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
2272	832.05 (2) (b) &	3rd	Knowing, making, issuing

	(4) (c)		worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
2273			
	838.15 (2)	3rd	Commercial bribe receiving.
2274			
	838.16	3rd	Commercial bribery.
2275			
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2276			
	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2277			
	849.01	3rd	Keeping gambling house.
2278			
	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.
2279			
	849.23	3rd	Gambling-related machines;

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2280			"common offender" as to property rights.
2281	849.25 (2)	3rd	Engaging in bookmaking.
2282	860.08	3rd	Interfere with a railroad signal.
2283	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2284	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2285	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2286	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2287	(c) LEVEL 3		
2288	Florida	Felony	
2289	Statute	Degree	Description



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2290	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2291	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2292	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2293	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2294	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2295	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2296	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.

2297	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2298	327.35 (2) (b)	3rd	Felony BUI.
2299	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2300	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2301	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine

2302	379.2431 (1) (e) 6.	3rd	<p>turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.</p>
2303	379.2431 (1) (e) 7.	3rd	<p>Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.</p>
2304	400.9935 (4) (a) or (b)	3rd	<p>Operating a clinic, or offering services requiring licensure, without a license.</p>
2305	400.9935 (4) (e)	3rd	<p>Filing a false license application or other required information or failing to report information.</p>

2306	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2307	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2308	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2309	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2310	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2311	697.08	3rd	Equity skimming.
2312	790.15 (3)	3rd	Person directs another to

			discharge firearm from a vehicle.
2313	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2314	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2315	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2316	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2317	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2318	<u>815.04 (4) (b)</u> <del>815.04 (5) (b)</del>	2nd	Computer offense devised to defraud or obtain property.

2319	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2320	817.233	3rd	Burning to defraud insurer.
2321	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2322	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2323	817.236	3rd	Filing a false motor vehicle insurance application.
2324	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2325	817.413 (2)	3rd	Sale of used goods as new.
2326			

2327	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2328	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2329	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2330	843.19	3rd	Injure, disable, or kill police dog or horse.
2331	860.15 (3)	3rd	Overcharging for repairs and parts.
2332	870.01 (2)	3rd	Riot; inciting or encouraging.
	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., (2) (c) 7., (2) (c) 8., (2) (c) 9.,

2333	893.13(1)(d)2.	2nd	(2)(c)10., (3), or (4) drugs). 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.
2334	893.13(1)(f)2.	2nd	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.
2335	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2336	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.



2337	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2338	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2339	893.13 (7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
2340	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2341	893.13 (8) (a) 1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or

2342	893.13(8)(a)2.	3rd	fraudulent representations in or related to the practitioner's practice.
2343	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.
2344	893.13(8)(a)4.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2345	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, <del>destroy</del> , or conceal investigation evidence.

