

By Senator Baxley

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1                                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       73.0155, F.S.; deleting provisions relating to public  
4       records exemptions for trade secrets held by  
5       governmental condemning authorities; amending s.  
6       119.071, F.S.; deleting a provision declaring that  
7       certain data processing software exempt from public  
8       records requirements is considered a trade secret;  
9       deleting a scheduled repeal; amending s. 119.0713,  
10      F.S.; removing trade secrets from the list of what  
11      constitutes proprietary confidential business  
12      information; amending s. 125.0104, F.S.; deleting  
13      provisions exempting trade secrets held by county  
14      tourism development agencies from public records  
15      requirements; amending ss. 163.01 and 202.195, F.S.;  
16      revising the definition of "proprietary confidential  
17      business information"; amending s. 215.4401, F.S.;  
18      revising the definition of "proprietary confidential  
19      business information" to no longer include certain  
20      trade secrets; deleting provisions relating to  
21      confidentiality of trade secrets held by the State  
22      Board of Administration; amending s. 252.88, F.S.;  
23      deleting provisions exempting certain information from  
24      public records requirements under the Florida  
25      Emergency Planning and Community Right-to-Know Act;  
26      repealing s. 252.943, F.S., relating to a public  
27      records exemption under the Florida Accidental Release  
28      Prevention and Risk Management Planning Act; amending  
29      s. 287.0943, F.S.; revising the definition of

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30 "proprietary confidential business information" to no  
31 longer include certain trade secrets and contract  
32 costs; amending s. 288.047, F.S.; deleting provisions  
33 exempting potential trade secrets from public records  
34 requirements; amending s. 288.075, F.S.; deleting the  
35 definition of the term "trade secret"; deleting a  
36 provision relating to a public records exemption for  
37 trade secrets held by economic development agencies;  
38 amending s. 288.1226, F.S.; deleting provisions  
39 relating to a public records exemption for trade  
40 secrets held by the Florida Tourism Industry Marketing  
41 Corporation; deleting a scheduled repeal; amending s.  
42 288.776, F.S.; deleting a provision relating to a  
43 public records exemption for trade secrets held by the  
44 Florida Export Finance Corporation; amending s.  
45 288.9520, F.S.; deleting provisions relating to a  
46 public records exemption for trade secrets and  
47 potential trade secrets held by Enterprise Florida,  
48 Inc., and related entities; amending s. 288.9607,  
49 F.S.; deleting a provision relating to a public  
50 records exemption for trade secrets held by the  
51 Florida Development Finance Corporation; amending s.  
52 288.9626, F.S.; revising the definition of  
53 "proprietary confidential business information" to no  
54 longer include certain trade secrets; revising public  
55 records and public meetings exemptions relating to  
56 trade secrets; conforming provisions to changes made  
57 by the act; amending s. 288.9627, F.S.; revising the  
58 definition of "proprietary confidential business

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59 information" to no longer include certain trade  
60 secrets; revising public records and public meetings  
61 exemptions relating to trade secrets; conforming  
62 provisions to changes made by the act; amending s.  
63 331.326, F.S.; deleting provisions relating to a  
64 public records exemption for trade secrets held by  
65 Space Florida; removing a scheduled repeal; amending  
66 s. 334.049, F.S.; deleting a provision relating to a  
67 public records exemption for trade secrets held by the  
68 Department of Transportation; amending s. 350.121,  
69 F.S.; deleting a provision relating to public records  
70 exemptions for trade secrets held by the Florida  
71 Public Service Commission; amending ss. 364.183,  
72 365.174, 366.093, 367.156, and 368.108, F.S.; revising  
73 the definition of "proprietary confidential business  
74 information" to no longer include certain trade  
75 secrets; repealing s. 381.83, F.S., relating to  
76 confidentiality of certain information containing  
77 trade secrets obtained by the Department of Health;  
78 amending s. 395.3035, F.S.; deleting provisions  
79 relating to a public records exemption for trade  
80 secrets of hospitals; amending s. 403.7046, F.S.;  
81 revising provisions relating to an exemption for trade  
82 secrets contained in certain reports to the Department  
83 of Environmental Protection; removing a scheduled  
84 repeal; repealing s. 403.73, F.S., relating to  
85 confidentiality of certain information containing  
86 trade secrets obtained by the Department of  
87 Environmental Protection; amending s. 408.061, F.S.;

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88 deleting a requirement that certain trade secret  
89 information submitted to the Agency for Health Care  
90 Administration be clearly designated as such; amending  
91 s. 408.185, F.S.; deleting provisions relating to  
92 public records exemptions for certain trade secrets  
93 held by the Office of the Attorney General; amending  
94 s. 408.910, F.S.; revising the definition of  
95 "proprietary confidential business information" to no  
96 longer include certain trade secrets; amending s.  
97 409.91196, F.S.; revising provisions relating to  
98 public records exemptions and public meetings  
99 exemptions for trade secrets held by the Agency for  
100 Health Care Administration; amending s. 440.108, F.S.;  
101 deleting provisions relating to public records  
102 exemptions for trade secrets held by the Department of  
103 Financial Services; amending s. 494.00125, F.S.;  
104 deleting provisions relating to public records  
105 exemptions for trade secrets held by the Office of  
106 Financial Regulation; amending s. 497.172, F.S.;  
107 deleting provisions relating to public records  
108 exemptions for trade secrets held by the Department of  
109 Financial Services or the Board of Funeral, Cemetery,  
110 and Consumer Services; amending ss. 499.012, 499.0121,  
111 499.05, and 499.051, F.S.; deleting provisions  
112 relating to public records exemptions for trade  
113 secrets held by the Department of Business and  
114 Professional Regulation; removing a scheduled repeal;  
115 repealing s. 499.931, F.S., relating to maintenance of  
116 information held by the Department of Business and

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117 Professional Regulation which is deemed to be a trade  
118 secret; amending s. 501.171, F.S.; revising the  
119 definition of "proprietary confidential business  
120 information" to no longer include certain trade  
121 secrets; repealing s. 502.222, F.S., relating to trade  
122 secrets of a dairy business which are held by the  
123 Department of Agriculture and Consumer Services;  
124 amending ss. 517.2015 and 520.9965, F.S.; deleting  
125 provisions relating to public records exemptions for  
126 trade secrets held by the Office of Financial  
127 Regulation; amending s. 526.311, F.S.; deleting  
128 provisions relating to public records exemptions for  
129 trade secrets held by the Department of Agriculture  
130 and Consumer Services; amending ss. 548.062 and  
131 556.113, F.S.; revising the definition of "proprietary  
132 confidential business information" to no longer  
133 include certain trade secrets; amending s. 559.5558,  
134 F.S.; deleting provisions relating to public records  
135 exemptions for trade secrets held by the Office of  
136 Financial Regulation; amending s. 559.9285, F.S.;  
137 revising provisions specifying that certain  
138 information provided to the Department of Agriculture  
139 and Consumer Services does not constitute a trade  
140 secret; amending s. 560.129, F.S.; deleting provisions  
141 relating to public records exemptions for trade  
142 secrets held by the Office of Financial Regulation;  
143 amending s. 570.48, F.S.; deleting provisions relating  
144 to public records exemptions for trade secrets held by  
145 the Division of Fruit and Vegetables; removing a

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146 scheduled repeal; revising construction; amending ss.  
147 570.544 and 573.123, F.S.; deleting provisions  
148 relating to public records exemptions for trade  
149 secrets held by the Division of Consumer Services;  
150 removing a scheduled repeal; repealing s. 581.199,  
151 F.S., relating to a prohibition on the use of trade  
152 secret information obtained under specified provisions  
153 for personal use or gain; amending ss. 601.10, 601.15,  
154 and 601.152, F.S.; deleting provisions relating to  
155 public records exemptions for trade secrets held by  
156 the Department of Citrus; removing scheduled repeals;  
157 amending s. 601.76, F.S.; deleting provisions relating  
158 to a public records exemption for certain formulas  
159 filed with the Department of Agriculture; removing a  
160 scheduled repeal; amending ss. 607.0505 and 617.0503,  
161 F.S.; deleting provisions relating to public records  
162 exemptions for certain information that might reveal  
163 trade secrets held by the Department of Legal Affairs;  
164 amending s. 624.307, F.S.; authorizing the Office of  
165 Insurance Regulation to report, publish, or make  
166 available certain information on an aggregate basis;  
167 amending s. 624.315, F.S.; authorizing the Office of  
168 Insurance Regulation to make certain information  
169 available on an aggregate basis; amending s. 624.4212,  
170 F.S.; revising the definition of "proprietary  
171 confidential business information" to no longer  
172 include certain trade secrets; revising what  
173 confidential and exempt information the Office of  
174 Insurance Regulation may disclose; repealing s.

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175 624.4213, F.S., relating to trade secret documents  
176 submitted to the Department of Financial Services or  
177 the Office of Insurance Regulation; amending s.  
178 626.84195, F.S.; revising the definition of  
179 "proprietary confidential business information" to no  
180 longer include certain trade secrets; amending s.  
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.; revising provisions relating to public  
188 records exemptions for trade secrets held by the  
189 Florida Commission on Hurricane Loss Projection  
190 Methodology or the Citizens Property Insurance  
191 Corporation; amending s. 655.057, F.S.; revising  
192 provisions relating to a public records exemption for  
193 trade secrets held by the Office of Financial  
194 Regulation; repealing s. 655.0591, F.S., relating to  
195 trade secret documents held by the Office of Financial  
196 Regulation; amending s. 663.533, F.S.; revising a  
197 cross-reference; repealing s. 721.071, F.S., relating  
198 to trade secret material filed with the Division of  
199 Florida Condominiums, Timeshares, and Mobile Homes of  
200 the Department of Business and Professional  
201 Regulation; amending s. 815.04, F.S.; deleting a  
202 public records exemption for certain trade secret  
203 information relating to offenses against intellectual

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204 property; removing a scheduled repeal; repealing s.  
205 815.045, F.S., relating to trade secret information;  
206 amending s. 1004.22, F.S.; revising provisions  
207 relating to public records exemptions for trade  
208 secrets and potential trade secrets received,  
209 generated, ascertained, or discovered during the  
210 course of research conducted within the state  
211 universities; amending s. 1004.30, F.S.; revising  
212 provisions relating to public records exemptions for  
213 trade secrets held by state university health support  
214 organizations; amending s. 1004.43, F.S.; revising  
215 provisions relating to public records exemptions for  
216 trade secrets and potential trade secrets held by the  
217 H. Lee Moffitt Cancer Center and Research Institute;  
218 amending s. 1004.4472, F.S.; revising provisions  
219 relating to public records exemptions for trade  
220 secrets and potential trade secrets held by the  
221 Florida Institute for Human and Machine Cognition,  
222 Inc.; amending s. 1004.78, F.S.; revising provisions  
223 relating to public records exemptions for trade  
224 secrets and potential trade secrets held by the  
225 technology transfers centers at Florida College System  
226 institutions; amending s. 601.80, F.S.; making a  
227 technical change; amending ss. 663.533, 721.13, and  
228 921.0022, F.S.; conforming provisions to changes made  
229 by the act; reenacting s. 408.185(5), F.S., relating  
230 to the confidentiality of information submitted for  
231 review of antitrust issues; reenacting s. 425.045(2),  
232 F.S., relating to meetings of trustees of certain



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233 entities; providing a contingent effective date.

234  
235 Be It Enacted by the Legislature of the State of Florida:

236  
237 Section 1. Paragraph (e) of subsection (1) of section  
238 73.0155, Florida Statutes, is amended to read:

239 73.0155 Confidentiality; business information provided to a  
240 governmental condemning authority.—

241 (1) The following business information provided by the  
242 owner of a business to a governmental condemning authority as  
243 part of an offer of business damages under s. 73.015 is  
244 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
245 of the State Constitution if the owner requests in writing that  
246 the business information be held confidential and exempt:

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

250 Section 2. Paragraph (f) of subsection (1) of section  
251 119.071, Florida Statutes, is amended to read:

252 119.071 General exemptions from inspection or copying of  
253 public records.—

254 (1) AGENCY ADMINISTRATION.—

255 (f) ~~Data processing software obtained by an agency under a~~  
256 ~~licensing agreement that prohibits its disclosure and which~~  
257 ~~software is a trade secret, as defined in s. 812.081, and~~  
258 Agency-produced data processing software that is sensitive is  
259 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
260 Constitution. The designation of agency-produced software as  
261 sensitive does not prohibit an agency head from sharing or

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262 exchanging such software with another public agency. ~~This~~  
263 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
264 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
265 ~~2021, unless reviewed and saved from repeal through reenactment~~  
266 ~~by the Legislature.~~

267 Section 3. Paragraph (a) of subsection (4) of section  
268 119.0713, Florida Statutes, is amended to read:

269 119.0713 Local government agency exemptions from inspection  
270 or copying of public records.—

271 (4) (a) Proprietary confidential business information means  
272 information, regardless of form or characteristics, which is  
273 held by an electric utility that is subject to this chapter, is  
274 intended to be and is treated by the entity that provided the  
275 information to the electric utility as private in that the  
276 disclosure of the information would cause harm to the entity  
277 providing the information or its business operations, and has  
278 not been disclosed unless disclosed pursuant to a statutory  
279 provision, an order of a court or administrative body, or a  
280 private agreement that provides that the information will not be  
281 released to the public. Proprietary confidential business  
282 information includes:

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

284 1.2. Internal auditing controls and reports of internal  
285 auditors.

286 2.3. Security measures, systems, or procedures.

287 3.4. Information concerning bids or other contractual data,  
288 the disclosure of which would impair the efforts of the electric  
289 utility to contract for goods or services on favorable terms.

290 4.5. Information relating to competitive interests, the

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291 disclosure of which would impair the competitive business of the  
292 provider of the information.

293 Section 4. Paragraph (d) of subsection (9) of section  
294 125.0104, Florida Statutes, is amended to read:

295 125.0104 Tourist development tax; procedure for levying;  
296 authorized uses; referendum; enforcement.—

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

301 (d) Undertake marketing research and advertising research  
302 studies and provide reservations services and convention and  
303 meetings booking services consistent with the authorized uses of  
304 revenue as set forth in subsection (5).

305 1. Information given to a county tourism promotion agency  
306 which, if released, would reveal the identity of persons or  
307 entities who provide data or other information as a response to  
308 a sales promotion effort, an advertisement, or a research  
309 project or whose names, addresses, meeting or convention plan  
310 information or accommodations or other visitation needs become  
311 booking or reservation list data, is exempt from s. 119.07(1)  
312 and s. 24(a), Art. I of the State Constitution.

313 2. ~~The following information,~~ When held by a county tourism  
314 promotion agency, booking business records, as defined in s.  
315 255.047, ~~are~~ is exempt from s. 119.07(1) and s. 24(a), Art. I of  
316 the State Constitution.±

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

318 ~~b. Trade secrets and commercial or financial information~~  
319 ~~gathered from a person and privileged or confidential, as~~

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320 ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~  
321 ~~amendments thereto.~~

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

329 Section 5. Paragraph (m) of subsection (15) of section  
330 163.01, Florida Statutes, is amended to read:

331 163.01 Florida Interlocal Cooperation Act of 1969.—

332 (15) Notwithstanding any other provision of this section or  
333 of any other law except s. 361.14, any public agency of this  
334 state which is an electric utility, or any separate legal entity  
335 created pursuant to the provisions of this section, the  
336 membership of which consists only of electric utilities, and  
337 which exercises or proposes to exercise the powers granted by  
338 part II of chapter 361, the Joint Power Act, may exercise any or  
339 all of the following powers:

340 (m) In the event that any public agency or any such legal  
341 entity, or both, should receive, in connection with its joint  
342 ownership or right to the services, output, capacity, or energy  
343 of an electric project, as defined in paragraph (3)(d), any  
344 material which is designated by the person supplying such  
345 material as proprietary confidential business information or  
346 which a court of competent jurisdiction has designated as  
347 confidential or secret shall be kept confidential and shall be  
348 exempt from the provisions of s. 119.07(1). As used in this

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349 paragraph, "proprietary confidential business information"  
350 includes, ~~but is not limited to, trade secrets;~~ internal  
351 auditing controls and reports of internal auditors; security  
352 measures, systems, or procedures; ~~information concerning bids or~~  
353 ~~other contractual data, the disclosure of which would impair the~~  
354 ~~efforts of the utility to contract for services on favorable~~  
355 ~~terms;~~ employee personnel information unrelated to compensation,  
356 duties, qualifications, or responsibilities; and formulas,  
357 patterns, devices, combinations of devices, ~~contract costs,~~ or  
358 other information the disclosure of which would injure the  
359 affected entity in the marketplace.

360 Section 6. Subsection (2) of section 202.195, Florida  
361 Statutes, is amended to read:

362 202.195 Proprietary confidential business information;  
363 public records exemption.—

364 (2) For the purposes of this exemption, "proprietary  
365 confidential business information" includes maps, plans, billing  
366 and payment records, ~~trade secrets,~~ or other information  
367 relating to the provision of or facilities for communications  
368 service:

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

371 (b) The disclosure of which would be reasonably likely to  
372 be used by a competitor to harm the business interests of the  
373 company; and

374 (c) That is not otherwise readily ascertainable or publicly  
375 available by proper means by other persons from another source  
376 in the same configuration as requested by the local governmental  
377 entity.

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379 Proprietary confidential business information does not include  
380 schematics indicating the location of facilities for a specific  
381 site that are provided in the normal course of the local  
382 governmental entity's permitting process.

383 Section 7. Paragraphs (a), (c), and (d) of subsection (3)  
384 of section 215.4401, Florida Statutes, are amended to read:

385 215.4401 Board of Administration; public record  
386 exemptions.-

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

388 1. "Alternative investment" means an investment by the  
389 State Board of Administration in a private equity fund, venture  
390 fund, hedge fund, or distress fund or a direct investment in a  
391 portfolio company through an investment manager.

392 2. "Alternative investment vehicle" means the limited  
393 partnership, limited liability company, or similar legal  
394 structure or investment manager through which the State Board of  
395 Administration invests in a portfolio company.

396 3. "Portfolio company" means a corporation or other issuer,  
397 any of whose securities are owned by an alternative investment  
398 vehicle or the State Board of Administration and any subsidiary  
399 of such corporation or other issuer.

400 4. "Portfolio positions" means individual investments in  
401 portfolio companies which are made by the alternative investment  
402 vehicles, including information or specific investment terms  
403 associated with any portfolio company investment.

404 5. "Proprietor" means an alternative investment vehicle, a  
405 portfolio company in which the alternative investment vehicle is  
406 invested, or an outside consultant, including the respective

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407 authorized officers, employees, agents, or successors in  
408 interest, which controls or owns information provided to the  
409 State Board of Administration.

410 6. "Proprietary confidential business information" means  
411 information that has been designated by the proprietor when  
412 provided to the State Board of Administration as information  
413 that is owned or controlled by a proprietor; that is intended to  
414 be and is treated by the proprietor as private, the disclosure  
415 of which would harm the business operations of the proprietor  
416 and has not been intentionally disclosed by the proprietor  
417 unless pursuant to a private agreement that provides that the  
418 information will not be released to the public except as  
419 required by law or legal process, or pursuant to law or an order  
420 of a court or administrative body; and that concerns:

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

422 ~~a.b.~~ Information provided to the State Board of  
423 Administration regarding a prospective investment in a private  
424 equity fund, venture fund, hedge fund, distress fund, or  
425 portfolio company which is proprietary to the provider of the  
426 information.

427 ~~b.e.~~ Financial statements and auditor reports of an  
428 alternative investment vehicle.

429 ~~c.d.~~ Meeting materials of an alternative investment vehicle  
430 relating to financial, operating, or marketing information of  
431 the alternative investment vehicle.

432 ~~d.e.~~ Information regarding the portfolio positions in which  
433 the alternative investment vehicles invest.

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

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

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

439 7. "Proprietary confidential business information" does not  
440 include:

441 a. The name, address, and vintage year of an alternative  
442 investment vehicle and the identity of the principals involved  
443 in the management of the alternative investment vehicle.

444 b. The dollar amount of the commitment made by the State  
445 Board of Administration to each alternative investment vehicle  
446 since inception.

447 c. The dollar amount and date of cash contributions made by  
448 the State Board of Administration to each alternative investment  
449 vehicle since inception.

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

453 e. The dollar amount, on a fiscal-year-end basis, of cash  
454 distributions received by the State Board of Administration plus  
455 the remaining value of alternative-vehicle assets that are  
456 attributable to the State Board of Administration's investment  
457 in each alternative investment vehicle.

458 f. The net internal rate of return of each alternative  
459 investment vehicle since inception.

460 g. The investment multiple of each alternative investment  
461 vehicle since inception.

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



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

468 j. A description of any compensation, fees, or expenses,  
469 including the amount or value, paid or agreed to be paid by a  
470 proprietor to any person to solicit the board to make an  
471 alternative investment or investment through an alternative  
472 investment vehicle. This does not apply to an executive officer,  
473 general partner, managing member, or other employee of the  
474 proprietor, who is paid by the proprietor to solicit the board  
475 to make such investments.

476 (c)1. Notwithstanding the provisions of paragraph (b), a  
477 request to inspect or copy a record under s. 119.07(1) that  
478 contains proprietary confidential business information shall be  
479 granted if the proprietor of the information fails, within a  
480 reasonable period of time after the request is received by the  
481 State Board of Administration, to verify the following to the  
482 State Board of Administration through a written declaration in  
483 the manner provided by s. 92.525:

484 a. That the requested record contains proprietary  
485 confidential business information and the specific location of  
486 such information within the record;

487 ~~b. If the proprietary confidential business information is~~  
488 ~~a trade secret, a verification that it is a trade secret as~~  
489 ~~defined in s. 688.002;~~

490 b.e. That the proprietary confidential business information  
491 is intended to be and is treated by the proprietor as private,  
492 is the subject of efforts of the proprietor to maintain its  
493 privacy, and is not readily ascertainable or publicly available

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494 from any other source; and

495 ~~c.d.~~ That the disclosure of the proprietary confidential  
496 business information to the public would harm the business  
497 operations of the proprietor.

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

501 (d) Any person may petition a court of competent  
502 jurisdiction for an order for the public release of those  
503 portions of any record made confidential and exempt by paragraph  
504 (b). Any action under this paragraph must be brought in Leon  
505 County, Florida, and the petition or other initial pleading  
506 shall be served on the State Board of Administration and, if  
507 determinable upon diligent inquiry, on the proprietor of the  
508 information sought to be released. In any order for the public  
509 release of a record under this paragraph, the court shall make a  
510 finding ~~that the record or portion thereof is not a trade secret~~  
511 ~~as defined in s. 688.002,~~ that a compelling public interest is  
512 served by the release of the record or portions thereof which  
513 exceed the public necessity for maintaining the confidentiality  
514 of such record, and that the release of the record will not  
515 cause damage to or adversely affect the interests of the  
516 proprietor of the released information, other private persons or  
517 business entities, the State Board of Administration, or any  
518 trust fund, the assets of which are invested by the State Board  
519 of Administration.

520 Section 8. Subsection (1) of section 252.88, Florida  
521 Statutes, is amended to read:

522 252.88 Public records.—

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523 (1) Whenever EPCRA authorizes an employer to exclude trade  
524 secret information from its submittals, the employer shall  
525 furnish the information so excluded to the commission upon  
526 request. ~~Such information shall be confidential and exempt from~~  
527 ~~the provisions of s. 119.07(1). The commission shall not~~  
528 ~~disclose such information except pursuant to a final~~  
529 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
530 ~~Environmental Protection Agency that such information is not~~  
531 ~~entitled to trade secret protection, or pursuant to an order of~~  
532 ~~court.~~

533 Section 9. Section 252.943, Florida Statutes, is repealed.

534 Section 10. Paragraph (h) of subsection (2) of section  
535 287.0943, Florida Statutes, is amended to read:

536 287.0943 Certification of minority business enterprises.—

537 (2)

538 (h) The certification procedures should allow an applicant  
539 seeking certification to designate on the application form the  
540 information the applicant considers to be proprietary,  
541 confidential business information. As used in this paragraph,  
542 "proprietary, confidential business information" includes, ~~but~~  
543 ~~is not limited to,~~ any information that would be exempt from  
544 public inspection pursuant to the provisions of chapter 119;  
545 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~  
546 ~~costs;~~ or other information the disclosure of which would injure  
547 the affected party in the marketplace or otherwise violate s.  
548 286.041. The executor in receipt of the application shall issue  
549 written and final notice of any information for which  
550 noninspection is requested but not provided for by law.

551 Section 11. Subsection (7) of section 288.047, Florida

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552 Statutes, is amended to read:

553 288.047 Quick-response training for economic development.—

554 (7) In providing instruction pursuant to this section,  
555 materials that relate to methods of manufacture or production,  
556 ~~potential trade secrets,~~ business transactions, or proprietary  
557 information received, produced, ascertained, or discovered by  
558 employees of the respective departments, district school boards,  
559 community college district boards of trustees, or other  
560 personnel employed for the purposes of this section is  
561 confidential and exempt from the provisions of s. 119.07(1). The  
562 state may seek copyright protection for instructional materials  
563 and ancillary written documents developed wholly or partially  
564 with state funds as a result of instruction provided pursuant to  
565 this section, except for materials that are confidential and  
566 exempt from the provisions of s. 119.07(1).

567 Section 12. Paragraph (c) of subsection (1) and subsection  
568 (3) of section 288.075, Florida Statutes, are amended to read:

569 288.075 Confidentiality of records.—

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

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

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

575 Section 13. Subsection (9) of section 288.1226, Florida  
576 Statutes, is amended to read:

577 288.1226 Florida Tourism Industry Marketing Corporation;  
578 use of property; board of directors; duties; audit.—

579 (9) PUBLIC RECORDS EXEMPTION.—The identity of any person  
580 who responds to a marketing project or advertising research

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581 project conducted by the corporation in the performance of its  
582 duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
583 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
584 ~~activities, are exempt from s. 119.07(1) and s. 24(a), Art. I of~~  
585 ~~the State Constitution. This subsection is subject to the Open~~  
586 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
587 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
588 ~~saved from repeal through reenactment by the Legislature.~~

589 Section 14. Paragraph (d) of subsection (3) of section  
590 288.776, Florida Statutes, is amended to read:

591 288.776 Board of directors; powers and duties.—

592 (3) The board shall:

593 (d) Adopt policies, including criteria, establishing which  
594 exporters and export transactions shall be eligible for  
595 insurance, coinsurance, loan guarantees, and direct, guaranteed,  
596 or collateralized loans which may be extended by the  
597 corporation. Pursuant to this subsection, the board shall  
598 include the following criteria:

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

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

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

608 a. The assistance is required to secure the participation  
609 of small and medium-sized export businesses in federal, state,

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610 or private financing programs.

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

613  
614 Personal financial records, ~~trade secrets~~, or proprietary  
615 information of applicants shall be confidential and exempt from  
616 the provisions of s. 119.07(1).

617 Section 15. Section 288.9520, Florida Statutes, is amended  
618 to read:

619 288.9520 Public records exemption.—Materials that relate to  
620 methods of manufacture or production, ~~potential trade secrets~~,  
621 potentially patentable material, ~~actual trade secrets~~, business  
622 transactions, financial and proprietary information, and  
623 agreements or proposals to receive funding that are received,  
624 generated, ascertained, or discovered by Enterprise Florida,  
625 Inc., including its affiliates or subsidiaries and partnership  
626 participants, such as private enterprises, educational  
627 institutions, and other organizations, are confidential and  
628 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
629 of the State Constitution, except that a recipient of Enterprise  
630 Florida, Inc., research funds shall make available, upon  
631 request, the title and description of the research project, the  
632 name of the researcher, and the amount and source of funding  
633 provided for the project.

634 Section 16. Subsection (5) of section 288.9607, Florida  
635 Statutes, is amended to read:

636 288.9607 Guaranty of bond issues.—

637 (5) Personal financial records, ~~trade secrets~~, or  
638 proprietary information of applicants delivered to or obtained

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639 by the corporation shall be confidential and exempt from the  
640 provisions of s. 119.07(1).

641 Section 17. Paragraph (f) of subsection (1), paragraph (a)  
642 of subsection (2), paragraph (a) of subsection (3), and  
643 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
644 Florida Statutes, are amended to read:

645 288.9626 Exemptions from public records and public meetings  
646 requirements for the Florida Opportunity Fund.—

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

648 (f)1. "Proprietary confidential business information" means  
649 information that has been designated by the proprietor when  
650 provided to the Florida Opportunity Fund as information that is  
651 owned or controlled by a proprietor; that is intended to be and  
652 is treated by the proprietor as private, the disclosure of which  
653 would harm the business operations of the proprietor and has not  
654 been intentionally disclosed by the proprietor unless pursuant  
655 to a private agreement that provides that the information will  
656 not be released to the public except as required by law or legal  
657 process, or pursuant to law or an order of a court or  
658 administrative body; and that concerns:

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

660 a.b. Information provided to the Florida Opportunity Fund  
661 regarding an existing or prospective alternative investment in a  
662 private equity fund, venture capital fund, angel fund, or  
663 portfolio company that is proprietary to the provider of the  
664 information.

665 ~~b.e.~~ Financial statements and auditor reports of an  
666 alternative investment vehicle or portfolio company, unless  
667 publicly released by the alternative investment vehicle or

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668 portfolio company.

669 ~~c.d.~~ Meeting materials of an alternative investment vehicle  
670 or portfolio company relating to financial, operating, or  
671 marketing information of the alternative investment vehicle or  
672 portfolio company.

673 ~~d.e.~~ Information regarding the portfolio positions in which  
674 the alternative investment vehicles or Florida Opportunity Fund  
675 invest.

676 ~~e.f.~~ Capital call and distribution notices to investors or  
677 the Florida Opportunity Fund of an alternative investment  
678 vehicle.

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

680 ~~g.h.~~ Information concerning investors, other than the  
681 Florida Opportunity Fund, in an alternative investment vehicle  
682 or portfolio company.

683 2. "Proprietary confidential business information" does not  
684 include:

685 a. The name, address, and vintage year of an alternative  
686 investment vehicle or Florida Opportunity Fund and the identity  
687 of the principals involved in the management of the alternative  
688 investment vehicle or Florida Opportunity Fund.

689 b. The dollar amount of the commitment made by the Florida  
690 Opportunity Fund to each alternative investment vehicle since  
691 inception, if any.

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

695 d. The dollar amount, on a fiscal-year-end basis, of cash  
696 or other fungible distributions received by the Florida



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697 Opportunity Fund from each alternative investment vehicle.

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

703 f. The net internal rate of return of each alternative  
704 investment vehicle since inception.

705 g. The investment multiple of each alternative investment  
706 vehicle since inception.

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

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

713 (2) PUBLIC RECORDS EXEMPTION.—

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

717 1. Materials that relate to methods of manufacture or  
718 production, ~~potential trade secrets,~~ or patentable material  
719 received, generated, ascertained, or discovered during the  
720 course of research or through research projects and that are  
721 provided by a proprietor.

722 2. Information that would identify an investor or potential  
723 investor who desires to remain anonymous in projects reviewed by  
724 the Florida Opportunity Fund.

725 3. Proprietary confidential business information regarding

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726 alternative investments for 7 years after the termination of the  
727 alternative investment.

728 (3) PUBLIC MEETINGS EXEMPTION.—

729 (a) That portion of a meeting of the board of directors of  
730 the Florida Opportunity Fund at which information is discussed  
731 which is confidential and exempt under subsection (2) or s.  
732 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of the  
733 State Constitution.

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

735 (b) Notwithstanding the provisions of paragraph (2)(a), a  
736 request to inspect or copy a public record that contains  
737 proprietary confidential business information shall be granted  
738 if the proprietor of the information fails, within a reasonable  
739 period of time after the request is received by the Florida  
740 Opportunity Fund, to verify the following to the Florida  
741 Opportunity Fund through a written declaration in the manner  
742 provided by s. 92.525:

743 1. That the requested record contains proprietary  
744 confidential business information and the specific location of  
745 such information within the record;

746 ~~2. If the proprietary confidential business information is~~  
747 ~~a trade secret, a verification that it is a trade secret as~~  
748 ~~defined in s. 688.002;~~

749 ~~2.3.~~ That the proprietary confidential business information  
750 is intended to be and is treated by the proprietor as private,  
751 is the subject of efforts of the proprietor to maintain its  
752 privacy, and is not readily ascertainable or publicly available  
753 from any other source; and

754 ~~3.4.~~ That the disclosure of the proprietary confidential

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755 business information to the public would harm the business  
756 operations of the proprietor.

757 (c)1. Any person may petition a court of competent  
758 jurisdiction for an order for the public release of those  
759 portions of any record made confidential and exempt by  
760 subsection (2).

761 2. Any action under this subsection must be brought in  
762 Orange County, and the petition or other initial pleading shall  
763 be served on the Florida Opportunity Fund and, if determinable  
764 upon diligent inquiry, on the proprietor of the information  
765 sought to be released.

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

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

770 ~~a.b.~~ A compelling public interest is served by the release  
771 of the record or portions thereof which exceed the public  
772 necessity for maintaining the confidentiality of such record;  
773 and

774 ~~b.e.~~ The release of the record will not cause damage to or  
775 adversely affect the interests of the proprietor of the released  
776 information, other private persons or business entities, or the  
777 Florida Opportunity Fund.

778 Section 18. Paragraph (b) of subsection (1), paragraph (a)  
779 of subsection (2), paragraph (a) of subsection (3), and  
780 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
781 Florida Statutes, are amended to read:

782 288.9627 Exemptions from public records and public meetings  
783 requirements for the Institute for Commercialization of Florida

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784 Technology.—

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

786 (b)1. “Proprietary confidential business information” means  
787 information that has been designated by the proprietor when  
788 provided to the institute as information that is owned or  
789 controlled by a proprietor; that is intended to be and is  
790 treated by the proprietor as private, the disclosure of which  
791 would harm the business operations of the proprietor and has not  
792 been intentionally disclosed by the proprietor unless pursuant  
793 to a private agreement that provides that the information will  
794 not be released to the public except as required by law or legal  
795 process, or pursuant to law or an order of a court or  
796 administrative body; and that concerns:

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

798 a.b. Financial statements and internal or external auditor  
799 reports of a proprietor corporation, partnership, or person  
800 requesting confidentiality under this statute, unless publicly  
801 released by the proprietor.

802 ~~b.c.~~ Meeting materials related to financial, operating,  
803 investment, or marketing information of the proprietor  
804 corporation, partnership, or person.

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

807 2. “Proprietary confidential business information” does not  
808 include:

809 a. The identity and primary address of the proprietor’s  
810 principals.

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

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

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

819 (2) PUBLIC RECORDS EXEMPTION.—

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

823 1. Materials that relate to methods of manufacture or  
824 production, ~~potential trade secrets~~, or patentable material  
825 received, generated, ascertained, or discovered during the  
826 course of research or through research projects conducted by  
827 universities and other publicly supported organizations in this  
828 state and that are provided to the institute by a proprietor.

829 2. Information that would identify an investor or potential  
830 investor who desires to remain anonymous in projects reviewed by  
831 the institute for assistance.

832 3. Any information received from a person from another  
833 state or nation or the Federal Government which is otherwise  
834 confidential or exempt pursuant to the laws of that state or  
835 nation or pursuant to federal law.

836 4. Proprietary confidential business information for 7  
837 years after the termination of the institute's financial  
838 commitment to the company.

839 (3) PUBLIC MEETINGS EXEMPTION.—

840 (a) That portion of a meeting of the institute's board of  
841 directors at which information is discussed which is

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842 confidential and exempt under subsection (2) or s. 688.01 is  
843 exempt from s. 286.011 and s. 24(b), Art. I of the State  
844 Constitution.

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

846 (b) Notwithstanding the provisions of paragraph (2)(a), a  
847 request to inspect or copy a public record that contains  
848 proprietary confidential business information shall be granted  
849 if the proprietor of the information fails, within a reasonable  
850 period of time after the request is received by the institute,  
851 to verify the following to the institute through a written  
852 declaration in the manner provided by s. 92.525:

853 1. That the requested record contains proprietary  
854 confidential business information and the specific location of  
855 such information within the record;

856 ~~2. If the proprietary confidential business information is~~  
857 ~~a trade secret, a verification that it is a trade secret as~~  
858 ~~defined in s. 688.002;~~

859 ~~2.3.~~ That the proprietary confidential business information  
860 is intended to be and is treated by the proprietor as private,  
861 is the subject of efforts of the proprietor to maintain its  
862 privacy, and is not readily ascertainable or publicly available  
863 from any other source; and

864 ~~3.4.~~ That the disclosure of the proprietary confidential  
865 business information to the public would harm the business  
866 operations of the proprietor.

867 (c)1. Any person may petition a court of competent  
868 jurisdiction for an order for the public release of those  
869 portions of any record made confidential and exempt by  
870 subsection (2).

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871           2. Any action under this subsection must be brought in Palm  
 872 Beach County or Alachua County, and the petition or other  
 873 initial pleading shall be served on the institute and, if  
 874 determinable upon diligent inquiry, on the proprietor of the  
 875 information sought to be released.

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

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

880           a.b. A compelling public interest is served by the release  
 881 of the record or portions thereof which exceed the public  
 882 necessity for maintaining the confidentiality of such record;  
 883 and

884           ~~b.e.~~ The release of the record will not cause damage to or  
 885 adversely affect the interests of the proprietor of the released  
 886 information, other private persons or business entities, or the  
 887 institute.

888           Section 19. Section 331.326, Florida Statutes, is amended  
 889 to read:

890           331.326 Information relating to trade secrets  
 891 confidential.—The records of Space Florida regarding matters  
 892 encompassed by this act are public records subject to chapter  
 893 119. ~~Any information held by Space Florida which is a trade~~  
 894 ~~secret, as defined in s. 812.081, including trade secrets of~~  
 895 ~~Space Florida, any spaceport user, or the space industry~~  
 896 ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
 897 ~~24(a), Art. I of the State Constitution and may not be~~  
 898 ~~disclosed. If Space Florida determines that any information~~  
 899 ~~requested by the public will reveal a trade secret, it shall, in~~

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900 ~~writing, inform the person making the request of that~~  
901 ~~determination. The determination is a final order as defined in~~  
902 ~~s. 120.52. Any meeting or portion of a meeting of Space~~  
903 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~  
904 ~~of the State Constitution when the board is discussing trade~~  
905 ~~secrets as defined in s. 688.01. Any public record generated~~  
906 ~~during the closed portions of the meetings, such as minutes,~~  
907 ~~tape recordings, and notes, is confidential and exempt from s.~~  
908 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
909 ~~section is subject to the Open Government Sunset Review Act in~~  
910 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
911 ~~2021, unless reviewed and saved from repeal through reenactment~~  
912 ~~by the Legislature.~~

913 Section 20. Section 334.049, Florida Statutes, is amended  
914 to read:

915 334.049 Patents, copyrights, trademarks; notice to  
916 Department of State; ~~confidentiality of trade secrets.~~

917 (1) Notwithstanding any other provision of law to the  
918 contrary, the Department of Transportation is authorized, in its  
919 own name, to:

920 (a) Perform all things necessary to secure letters of  
921 patent, copyrights, and trademarks on any legitimately acquired  
922 work products, and to enforce its rights therein.

923 (b) License, lease, assign, or otherwise give written  
924 consent to any person, firm, or corporation for the manufacture  
925 or use of any product protected by patent, copyright, or  
926 trademark, whether on a royalty basis or for such other  
927 consideration as the department may deem proper.

928 (c) Take any action necessary, including legal action, to



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929 enforce its rights under any agreement and to protect its  
930 property rights from improper or unlawful use or infringement.

931 (d) Enforce the collection of any payments or other  
932 obligations due the department for the manufacture or use of any  
933 product by any other party.

934 (e) Sell any product, except where otherwise provided by  
935 public records laws, which the department may create or cause to  
936 be created, whether or not the product is protected by a  
937 department patent, copyright, or trademark, and to execute all  
938 instruments necessary to consummate any such sale.

939 (f) Do all other acts necessary and proper for the  
940 execution of powers and duties herein conferred upon the  
941 department.

942 (2) The department shall notify the Department of State in  
943 writing whenever property rights by patent, copyright, or  
944 trademark are secured or exploited by the department.

945 (3) Any proceeds from the sale of products or the right to  
946 manufacture or use a product shall be deposited in the State  
947 Transportation Trust Fund and may be appropriated to finance  
948 activities of the department. The department's legislative  
949 budget request should give special consideration to using such  
950 funds for research and development projects.

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

956 ~~(5)~~ As used in this section the term "product" includes any  
957 and all inventions, methodologies, techniques, and creations

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958 that may be properly protected by patent, copyright, or  
959 trademark.

960 Section 21. Section 350.121, Florida Statutes, is amended  
961 to read:

962 350.121 Commission inquiries; confidentiality of business  
963 material.—If the commission undertakes an inquiry, any records,  
964 documents, papers, maps, books, tapes, photographs, files, sound  
965 recordings, or other business material, regardless of form or  
966 characteristics, obtained by the commission incident to the  
967 inquiry are considered confidential and exempt from s. 119.07(1)  
968 while the inquiry is pending. If at the conclusion of an inquiry  
969 the commission undertakes a formal proceeding, any matter  
970 determined by the commission or by a judicial or administrative  
971 body, federal or state, to be ~~trade secrets or proprietary~~  
972 confidential business information coming into its possession  
973 pursuant to such inquiry shall be considered confidential and  
974 exempt from s. 119.07(1). Such material may be used in any  
975 administrative or judicial proceeding so long as the  
976 confidential or proprietary nature of the material is  
977 maintained.

978 Section 22. Subsection (3) of section 364.183, Florida  
979 Statutes, is amended to read:

980 364.183 Access to company records.—

981 (3) The term "proprietary confidential business  
982 information" means information, regardless of form or  
983 characteristics, which is owned or controlled by the person or  
984 company, is intended to be and is treated by the person or  
985 company as private in that the disclosure of the information  
986 would cause harm to the ratepayers or the person's or company's

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987 business operations, and has not been disclosed unless disclosed  
988 pursuant to a statutory provision, an order of a court or  
989 administrative body, or private agreement that provides that the  
990 information will not be released to the public. The term  
991 includes, ~~but is not limited to:~~

992 ~~(a) Trade secrets.~~

993 ~~(b)~~ Internal auditing controls and reports of internal  
994 auditors.

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

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

1000 (d)~~(e)~~ Information relating to competitive interests, the  
1001 disclosure of which would impair the competitive business of the  
1002 provider of information.

1003 (e)~~(f)~~ Employee personnel information unrelated to  
1004 compensation, duties, qualifications, or responsibilities.

1005 Section 23. Subsection (3) of section 365.174, Florida  
1006 Statutes, is amended to read:

1007 365.174 Proprietary confidential business information.—

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

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1016 internally by a provider or by a provider's employees,  
1017 directors, officers, or agents.

1018 Section 24. Subsection (3) of section 366.093, Florida  
1019 Statutes, is amended to read:

1020 366.093 Public utility records; confidentiality.—

1021 (3) Proprietary confidential business information means  
1022 information, regardless of form or characteristics, which is  
1023 owned or controlled by the person or company, is intended to be  
1024 and is treated by the person or company as private in that the  
1025 disclosure of the information would cause harm to the ratepayers  
1026 or the person's or company's business operations, and has not  
1027 been disclosed unless disclosed pursuant to a statutory  
1028 provision, an order of a court or administrative body, or  
1029 private agreement that provides that the information will not be  
1030 released to the public. Proprietary confidential business  
1031 information includes, ~~but is not limited to:~~

1032 (a) ~~Trade secrets.~~

1033 ~~(b)~~ Internal auditing controls and reports of internal  
1034 auditors.

1035 (b)~~(e)~~ Security measures, systems, or procedures.

1036 (c)~~(d)~~ Information concerning bids or other contractual  
1037 data, the disclosure of which would impair the efforts of the  
1038 public utility or its affiliates to contract for goods or  
1039 services on favorable terms.

1040 (d)~~(e)~~ Information relating to competitive interests, the  
1041 disclosure of which would impair the competitive business of the  
1042 provider of the information.

1043 (e)~~(f)~~ Employee personnel information unrelated to  
1044 compensation, duties, qualifications, or responsibilities.

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1045 Section 25. Subsection (3) of section 367.156, Florida  
1046 Statutes, is amended to read:

1047 367.156 Public utility records; confidentiality.—

1048 (3) Proprietary confidential business information means  
1049 information, regardless of form or characteristics, which is  
1050 owned or controlled by the person or company, is intended to be  
1051 and is treated by the person or company as private in that the  
1052 disclosure of the information would cause harm to the ratepayers  
1053 or the person's or company's business operations, and has not  
1054 been disclosed unless disclosed pursuant to a statutory  
1055 provision, an order of a court or administrative body, or a  
1056 private agreement that provides that the information will not be  
1057 released to the public. Proprietary business information  
1058 includes, ~~but is not limited to:~~

1059 (a) ~~Trade secrets.~~

1060 ~~(b)~~ Internal auditing controls and reports of internal  
1061 auditors.

1062 (b)~~(e)~~ Security measures, systems, or procedures.

1063 (c)~~(d)~~ Information concerning bids or other contractual  
1064 data, the disclosure of which would impair the efforts of the  
1065 utility or its affiliates to contract for goods or services on  
1066 favorable terms.

1067 (d)~~(e)~~ Information relating to competitive interests, the  
1068 disclosure of which would impair the competitive businesses of  
1069 the provider of the information.

1070 (e)~~(f)~~ Employee personnel information unrelated to  
1071 compensation, duties, qualifications, or responsibilities.

1072 Section 26. Subsection (3) of section 368.108, Florida  
1073 Statutes, is amended to read:

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1074 368.108 Confidentiality; discovery.—

1075 (3) "Proprietary confidential business information" means

1076 information, regardless of form or characteristics, which is

1077 owned or controlled by the person or company, is intended to be

1078 and is treated by the person or company as private in that the

1079 disclosure of the information would cause harm to the ratepayers

1080 or the person's or company's business operations, and has not

1081 been disclosed unless disclosed pursuant to a statutory

1082 provision, an order of a court or administrative body, or a

1083 private agreement that provides that the information will not be

1084 released to the public. "Proprietary confidential business

1085 information" includes, ~~but is not limited to:~~

1086 (a) ~~Trade secrets.~~

1087 ~~(b)~~ Internal auditing controls and reports of internal

1088 auditors.

1089 (b) ~~(e)~~ Security measures, systems, or procedures.

1090 (c) ~~(d)~~ Information concerning bids or other contractual

1091 data, the disclosure of which would impair the efforts of the

1092 natural gas transmission company or its affiliates to contract

1093 for goods or services on favorable terms.

1094 (d) ~~(e)~~ Information relating to competitive interests, the

1095 disclosure of which would impair the competitive business of the

1096 provider of the information.

1097 (e) ~~(f)~~ Employee personnel information unrelated to

1098 compensation, duties, qualifications, or responsibilities.

1099 Section 27. Section 381.83, Florida Statutes, is repealed.

1100 Section 28. Paragraph (c) of subsection (2) of section

1101 395.3035, Florida Statutes, is amended to read:

1102 395.3035 Confidentiality of hospital records and meetings.—

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1103 (2) The following records and information of any hospital  
1104 that is subject to chapter 119 and s. 24(a), Art. I of the State  
1105 Constitution are confidential and exempt from the provisions of  
1106 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1107 (c) ~~Trade secrets, as defined in s. 688.002, including~~  
1108 Reimbursement methodologies and rates.

1109 Section 29. Subsection (2) and paragraph (b) of subsection  
1110 (3) of section 403.7046, Florida Statutes, are amended to read:  
1111 403.7046 Regulation of recovered materials.-

1112 (2) Notwithstanding s. 688.01, information reported  
1113 pursuant to this section or any rule adopted pursuant to this  
1114 section which, if disclosed, would reveal a trade secret, as  
1115 defined in s. 688.01, may be provided by the department ~~s.~~  
1116 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
1117 ~~24(a), Art. I of the State Constitution. For reporting or~~  
1118 ~~information purposes, however, the department may provide this~~  
1119 ~~information~~ in such form that the names of the persons reporting  
1120 such information and the specific information reported are not  
1121 revealed. ~~This subsection is subject to the Open Government~~  
1122 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1123 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1124 ~~repeal through reenactment by the Legislature.~~

1125 (3) Except as otherwise provided in this section or  
1126 pursuant to a special act in effect on or before January 1,  
1127 1993, a local government may not require a commercial  
1128 establishment that generates source-separated recovered  
1129 materials to sell or otherwise convey its recovered materials to  
1130 the local government or to a facility designated by the local  
1131 government, nor may the local government restrict such a

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1132 generator's right to sell or otherwise convey such recovered  
1133 materials to any properly certified recovered materials dealer  
1134 who has satisfied the requirements of this section. A local  
1135 government may not enact any ordinance that prevents such a  
1136 dealer from entering into a contract with a commercial  
1137 establishment to purchase, collect, transport, process, or  
1138 receive source-separated recovered materials.

1139 (b)~~1~~. Before engaging in business within the jurisdiction  
1140 of the local government, a recovered materials dealer or  
1141 pyrolysis facility must provide the local government with a copy  
1142 of the certification provided for in this section. In addition,  
1143 the local government may establish a registration process  
1144 whereby a recovered materials dealer or pyrolysis facility must  
1145 register with the local government before engaging in business  
1146 within the jurisdiction of the local government. Such  
1147 registration process is limited to requiring the dealer or  
1148 pyrolysis facility to register its name, including the owner or  
1149 operator of the dealer or pyrolysis facility, and, if the dealer  
1150 or pyrolysis facility is a business entity, its general or  
1151 limited partners, its corporate officers and directors, its  
1152 permanent place of business, evidence of its certification under  
1153 this section, and a certification that the recovered materials  
1154 or post-use polymers will be processed at a recovered materials  
1155 processing facility or pyrolysis facility satisfying the  
1156 requirements of this section. The local government may not use  
1157 the information provided in the registration application to  
1158 compete unfairly with the recovered materials dealer until 90  
1159 days after receipt of the application. All counties, and  
1160 municipalities whose population exceeds 35,000 according to the



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1161 population estimates determined pursuant to s. 186.901, may  
1162 establish a reporting process that must be limited to the  
1163 regulations, reporting format, and reporting frequency  
1164 established by the department pursuant to this section, which  
1165 must, at a minimum, include requiring the dealer or pyrolysis  
1166 facility to identify the types and approximate amount of  
1167 recovered materials or post-use polymers collected, recycled, or  
1168 reused during the reporting period; the approximate percentage  
1169 of recovered materials or post-use polymers reused, stored, or  
1170 delivered to a recovered materials processing facility or  
1171 pyrolysis facility or disposed of in a solid waste disposal  
1172 facility; and the locations where any recovered materials or  
1173 post-use polymers were disposed of as solid waste. The local  
1174 government may charge the dealer or pyrolysis facility a  
1175 registration fee commensurate with and no greater than the cost  
1176 incurred by the local government in operating its registration  
1177 program. Registration program costs are limited to those costs  
1178 associated with the activities described in this paragraph  
1179 ~~subparagraph~~. Any reporting or registration process established  
1180 by a local government with regard to recovered materials or  
1181 post-use polymers is governed by this section and department  
1182 rules adopted pursuant thereto.

1183 ~~2. Information reported under this subsection which, if~~  
1184 ~~disclosed, would reveal a trade secret, as defined in s.~~  
1185 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
1186 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
1187 ~~subject to the Open Government Sunset Review Act in accordance~~  
1188 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1189 ~~unless reviewed and saved from repeal through reenactment by the~~

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1190 ~~Legislature.~~1191 Section 30. Section 403.73, Florida Statutes, is repealed.1192 Section 31. Paragraph (c) of subsection (1) of section  
1193 408.061, Florida Statutes, is amended to read:1194 408.061 Data collection; uniform systems of financial  
1195 reporting; information relating to physician charges;  
1196 confidential information; immunity.—1197 (1) The agency shall require the submission by health care  
1198 facilities, health care providers, and health insurers of data  
1199 necessary to carry out the agency's duties and to facilitate  
1200 transparency in health care pricing data and quality measures.  
1201 Specifications for data to be collected under this section shall  
1202 be developed by the agency and applicable contract vendors, with  
1203 the assistance of technical advisory panels including  
1204 representatives of affected entities, consumers, purchasers, and  
1205 such other interested parties as may be determined by the  
1206 agency.1207 (c) Data to be submitted by health insurers may include,  
1208 but are not limited to: claims, payments to health care  
1209 facilities and health care providers as specified by rule,  
1210 premium, administration, and financial information. Data  
1211 submitted shall be certified by the chief financial officer, an  
1212 appropriate and duly authorized representative, or an employee  
1213 of the insurer that the information submitted is true and  
1214 accurate. ~~Information that is considered a trade secret under s.~~  
1215 ~~812.081 shall be clearly designated.~~1216 Section 32. Subsection (1) of section 408.185, Florida  
1217 Statutes, is amended to read:

1218 408.185 Information submitted for review of antitrust

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1219 issues; confidentiality.—The following information held by the  
1220 Office of the Attorney General, which is submitted by a member  
1221 of the health care community pursuant to a request for an  
1222 antitrust no-action letter shall be confidential and exempt from  
1223 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1224 Constitution for 1 year after the date of submission.

1225 ~~(1) Documents that reveal trade secrets as defined in s.~~  
1226 ~~688.002.~~

1227 Section 33. Paragraph (a) of subsection (14) of section  
1228 408.910, Florida Statutes, is amended to read:

1229 408.910 Florida Health Choices Program.—

1230 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1231 (a) *Definitions.*—For purposes of this subsection, the term:

1232 1. "Buyer's representative" means a participating insurance  
1233 agent as described in paragraph (4) (g).

1234 2. "Enrollee" means an employer who is eligible to enroll  
1235 in the program pursuant to paragraph (4) (a).

1236 3. "Participant" means an individual who is eligible to  
1237 participate in the program pursuant to paragraph (4) (b).

1238 4. "Proprietary confidential business information" means  
1239 information, regardless of form or characteristics, that is  
1240 owned or controlled by a vendor requesting confidentiality under  
1241 this section; that is intended to be and is treated by the  
1242 vendor as private in that the disclosure of the information  
1243 would cause harm to the business operations of the vendor; that  
1244 has not been disclosed unless disclosed pursuant to a statutory  
1245 provision, an order of a court or administrative body, or a  
1246 private agreement providing that the information may be released  
1247 to the public; and that is information concerning:

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- 1248 a. Business plans.
- 1249 b. Internal auditing controls and reports of internal
- 1250 auditors.
- 1251 c. Reports of external auditors for privately held
- 1252 companies.
- 1253 d. Client and customer lists.
- 1254 e. Potentially patentable material.
- 1255 ~~f. A trade secret as defined in s. 688.002.~~

1256 5. "Vendor" means a participating insurer or other provider  
 1257 of services as described in paragraph (4) (d).

1258 Section 34. Section 409.91196, Florida Statutes, is amended  
 1259 to read:

1260 409.91196 Supplemental rebate agreements; public records  
 1261 and public meetings exemption.—

1262 (1) The rebate amount, percent of rebate, manufacturer's  
 1263 pricing, and supplemental rebate, ~~and other trade secrets as~~  
 1264 ~~defined in s. 688.002 that the agency has identified for use in~~  
 1265 ~~negotiations,~~ held by the Agency for Health Care Administration  
 1266 under s. 409.912(5) (a)7. are confidential and exempt from s.  
 1267 119.07(1) and s. 24(a), Art. I of the State Constitution.

1268 (2) That portion of a meeting of the Medicaid  
 1269 Pharmaceutical and Therapeutics Committee at which the rebate  
 1270 amount, percent of rebate, manufacturer's pricing, or  
 1271 supplemental rebate, or confidential and exempt ~~other~~ trade  
 1272 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
 1273 the agency has identified for use in negotiations, are discussed  
 1274 is exempt from s. 286.011 and s. 24(b), Art. I of the State  
 1275 Constitution. A record shall be made of each exempt portion of a  
 1276 meeting. Such record must include the times of commencement and

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1277 termination, all discussions and proceedings, the names of all  
 1278 persons present at any time, and the names of all persons  
 1279 speaking. No exempt portion of a meeting may be held off the  
 1280 record.

1281 Section 35. Subsection (2) of section 440.108, Florida  
 1282 Statutes, is amended to read:

1283 440.108 Investigatory records relating to workers'  
 1284 compensation employer compliance; confidentiality.—

1285 (2) After an investigation is completed or ceases to be  
 1286 active, information in records relating to the investigation  
 1287 remains confidential and exempt from the provisions of s.  
 1288 119.07(1) and s. 24(a), Art. I of the State Constitution if  
 1289 disclosure of that information would:

1290 (a) Jeopardize the integrity of another active  
 1291 investigation;

1292 (b) ~~Reveal a trade secret, as defined in s. 688.002;~~

1293 ~~(e)~~ Reveal business or personal financial information;

1294 (c) ~~(d)~~ Reveal personal identifying information regarding  
 1295 the identity of a confidential source;

1296 (d) ~~(e)~~ Defame or cause unwarranted damage to the good name  
 1297 or reputation of an individual or jeopardize the safety of an  
 1298 individual; or

1299 (e) ~~(f)~~ Reveal investigative techniques or procedures.

1300 Section 36. Paragraph (c) of subsection (1) of section  
 1301 494.00125, Florida Statutes, is amended to read:

1302 494.00125 Public records exemptions.—

1303 (1) INVESTIGATIONS OR EXAMINATIONS.—

1304 (c) Except as necessary for the office to enforce the  
 1305 provisions of this chapter, a consumer complaint and other

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1306 information relative to an investigation or examination shall  
 1307 remain confidential and exempt from s. 119.07(1) after the  
 1308 investigation or examination is completed or ceases to be active  
 1309 to the extent disclosure would:

1310 1. Jeopardize the integrity of another active investigation  
 1311 or examination.

1312 2. Reveal the name, address, telephone number, social  
 1313 security number, or any other identifying number or information  
 1314 of any complainant, customer, or account holder.

1315 3. Disclose the identity of a confidential source.

1316 4. Disclose investigative techniques or procedures.

1317 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1318 Section 37. Subsection (4) of section 497.172, Florida  
 1319 Statutes, is amended to read:

1320 497.172 Public records exemptions; public meetings  
 1321 exemptions.—

1322 ~~(4) TRADE SECRETS. Trade secrets, as defined in s. 688.002,~~  
 1323 ~~held by the department or board, are confidential and exempt~~  
 1324 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
 1325 ~~Constitution.~~

1326 Section 38. Paragraph (c) of subsection (3) of section  
 1327 499.012, Florida Statutes, is amended to read:

1328 499.012 Permit application requirements.—

1329 (3)

1330 ~~(c) Information submitted by an applicant on an application~~  
 1331 ~~required pursuant to this subsection which is a trade secret, as~~  
 1332 ~~defined in s. 812.081, shall be maintained by the department as~~  
 1333 ~~trade secret information pursuant to s. 499.051(7).~~

1334 Section 39. Subsection (7) of section 499.0121, Florida

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1335 Statutes, is amended to read:

1336       499.0121 Storage and handling of prescription drugs;  
1337 recordkeeping.—The department shall adopt rules to implement  
1338 this section as necessary to protect the public health, safety,  
1339 and welfare. Such rules shall include, but not be limited to,  
1340 requirements for the storage and handling of prescription drugs  
1341 and for the establishment and maintenance of prescription drug  
1342 distribution records.

1343       (7) PRESCRIPTION DRUG PURCHASE LIST.—

1344       ~~(a)~~ Each wholesale distributor, except for a manufacturer,  
1345 shall annually provide the department with a written list of all  
1346 wholesale distributors and manufacturers from whom the wholesale  
1347 distributor purchases prescription drugs. A wholesale  
1348 distributor, except a manufacturer, shall notify the department  
1349 not later than 10 days after any change to either list.

1350       ~~(b) Such portions of the information required pursuant to~~  
1351 ~~this subsection which are a trade secret, as defined in s.~~  
1352 ~~812.081, shall be maintained by the department as trade secret~~  
1353 ~~information is required to be maintained under s. 499.051. This~~  
1354 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
1355 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1356 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1357 ~~by the Legislature.~~

1358       Section 40. Paragraph (g) of subsection (1) of section  
1359 499.05, Florida Statutes, is amended to read:

1360       499.05 Rules.—

1361       (1) The department shall adopt rules to implement and  
1362 enforce this chapter with respect to:

1363       (g) Inspections and investigations conducted under s.

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1364 499.051 or s. 499.93, ~~and the identification of information~~  
1365 ~~claimed to be a trade secret and exempt from the public records~~  
1366 ~~law as provided in s. 499.051(7).~~

1367 Section 41. Paragraph (b) of subsection (7) of section  
1368 499.051, Florida Statutes, is amended to read:

1369 499.051 Inspections and investigations.—

1370 (7)

1371 ~~(b) Information that constitutes a trade secret, as defined~~  
1372 ~~in s. 812.081, contained in the complaint or obtained by the~~  
1373 ~~department pursuant to the investigation must remain~~  
1374 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1375 ~~of the State Constitution as long as the information is held by~~  
1376 ~~the department. This paragraph is subject to the Open Government~~  
1377 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1378 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1379 ~~repeal through reenactment by the Legislature.~~

1380 Section 42. Section 499.931, Florida Statutes, is repealed.

1381 Section 43. Paragraph (d) of subsection (11) of section  
1382 501.171, Florida Statutes, is amended to read:

1383 501.171 Security of confidential personal information.—

1384 (11) PUBLIC RECORDS EXEMPTION.—

1385 (d) For purposes of this subsection, the term "proprietary  
1386 information" means information that:

1387 1. Is owned or controlled by the covered entity.

1388 2. Is intended to be private and is treated by the covered  
1389 entity as private because disclosure would harm the covered  
1390 entity or its business operations.

1391 3. Has not been disclosed except as required by law or a  
1392 private agreement that provides that the information will not be



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1393 released to the public.

1394 4. Is not publicly available or otherwise readily  
1395 ascertainable through proper means from another source in the  
1396 same configuration as received by the department.

1397 5. Includes:

1398 ~~a. Trade secrets as defined in s. 688.002.~~

1399 ~~b.~~ competitive interests, the disclosure of which would  
1400 impair the competitive business of the covered entity who is the  
1401 subject of the information.

1402 Section 44. Section 502.222, Florida Statutes, is repealed.

1403 Section 45. Paragraph (b) of subsection (1) of section  
1404 517.2015, Florida Statutes, is amended to read:

1405 517.2015 Confidentiality of information relating to  
1406 investigations and examinations.—

1407 (1)

1408 (b) Except as necessary for the office to enforce the  
1409 provisions of this chapter, a consumer complaint and other  
1410 information relative to an investigation or examination shall  
1411 remain confidential and exempt from s. 119.07(1) after the  
1412 investigation or examination is completed or ceases to be active  
1413 to the extent disclosure would:

1414 1. Jeopardize the integrity of another active investigation  
1415 or examination.

1416 2. Reveal the name, address, telephone number, social  
1417 security number, or any other identifying number or information  
1418 of any complainant, customer, or account holder.

1419 3. Disclose the identity of a confidential source.

1420 4. Disclose investigative techniques or procedures.

1421 ~~5. Reveal a trade secret as defined in s. 688.002.~~

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1422 Section 46. Paragraph (b) of subsection (1) of section  
1423 520.9965, Florida Statutes, is amended to read:

1424 520.9965 Confidentiality of information relating to  
1425 investigations and examinations.—

1426 (1)

1427 (b) Except as necessary for the office to enforce the  
1428 provisions of this chapter, a consumer complaint and other  
1429 information relative to an investigation or examination shall  
1430 remain confidential and exempt from s. 119.07(1) after the  
1431 investigation or examination is completed or ceases to be active  
1432 to the extent disclosure would:

1433 1. Jeopardize the integrity of another active investigation  
1434 or examination.

1435 2. Reveal the name, address, telephone number, social  
1436 security number, or any other identifying number or information  
1437 of any complainant, customer, or account holder.

1438 3. Disclose the identity of a confidential source.

1439 4. Disclose investigative techniques or procedures.

1440 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1441 Section 47. Subsection (2) of section 526.311, Florida  
1442 Statutes, is amended to read:

1443 526.311 Enforcement; civil penalties; injunctive relief.—

1444 (2) The Department of Agriculture and Consumer Services  
1445 shall investigate any complaints regarding violations of this  
1446 act and may request in writing the production of documents and  
1447 records as part of its investigation of a complaint. If the  
1448 person upon whom such request was made fails to produce the  
1449 documents or records within 30 days after the date of the  
1450 request, the department, through the department's office of

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1451 general counsel, may issue and serve a subpoena to compel the  
1452 production of such documents and records. If any person shall  
1453 refuse to comply with a subpoena issued under this section, the  
1454 department may petition a court of competent jurisdiction to  
1455 enforce the subpoena and assess such sanctions as the court may  
1456 direct. Refiners shall afford the department reasonable access  
1457 to the refiners' posted terminal price. Any records, documents,  
1458 papers, maps, books, tapes, photographs, files, sound  
1459 recordings, or other business material, regardless of form or  
1460 characteristics, obtained by the department are confidential and  
1461 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1462 of the State Constitution while the investigation is pending. At  
1463 the conclusion of an investigation, any matter determined by the  
1464 department or by a judicial or administrative body, federal or  
1465 state, to be a ~~trade secret or~~ proprietary confidential business  
1466 information held by the department pursuant to such  
1467 investigation shall be considered confidential and exempt from  
1468 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1469 Constitution. Such materials may be used in any administrative  
1470 or judicial proceeding so long as the confidential or  
1471 proprietary nature of the material is maintained.

1472 Section 48. Paragraph (e) of subsection (1) of section  
1473 548.062, Florida Statutes, is amended to read:

1474 548.062 Public records exemption.—

1475 (1) As used in this section, the term "proprietary  
1476 confidential business information" means information that:

1477 (e) Concerns any of the following:

- 1478 1. The number of ticket sales for a match;
- 1479 2. The amount of gross receipts after a match;

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1480       ~~3. A trade secret, as defined in s. 688.002;~~  
1481       3.4. Business plans;  
1482       ~~4.5.~~ Internal auditing controls and reports of internal  
1483 auditors; or  
1484       ~~5.6.~~ Reports of external auditors.  
1485       Section 49. Paragraph (a) of subsection (1) of section  
1486 556.113, Florida Statutes, is amended to read:  
1487       556.113 Sunshine State One-Call of Florida, Inc.; public  
1488 records exemption.—  
1489       (1) As used in this section, the term "proprietary  
1490 confidential business information" means information provided  
1491 by:  
1492       (a) A member operator which is a map, plan, facility  
1493 location diagram, internal damage investigation report or  
1494 analysis, or dispatch methodology, ~~or trade secret as defined in~~  
1495 ~~s. 688.002,~~ or which describes the exact location of a utility  
1496 underground facility or the protection, repair, or restoration  
1497 thereof, and:  
1498       1. Is intended to be and is treated by the member operator  
1499 as confidential;  
1500       2. The disclosure of which would likely be used by a  
1501 competitor to harm the business interests of the member operator  
1502 or could be used for the purpose of inflicting damage on  
1503 underground facilities; and  
1504       3. Is not otherwise readily ascertainable or publicly  
1505 available by proper means by other persons from another source  
1506 in the same configuration as provided to Sunshine State One-Call  
1507 of Florida, Inc.  
1508       Section 50. Paragraph (b) of subsection (2) of section

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1509 559.5558, Florida Statutes, is amended to read:

1510 559.5558 Public records exemption; investigations and  
1511 examinations.—

1512 (2)

1513 (b) Information made confidential and exempt pursuant to  
1514 this section is no longer confidential and exempt once the  
1515 investigation or examination is completed or ceases to be active  
1516 unless disclosure of the information would:

1517 1. Jeopardize the integrity of another active investigation  
1518 or examination.

1519 2. Reveal the personal identifying information of a  
1520 consumer, unless the consumer is also the complainant. A  
1521 complainant's personal identifying information is subject to  
1522 disclosure after the investigation or examination is completed  
1523 or ceases to be active. However, a complainant's personal  
1524 financial and health information remains confidential and  
1525 exempt.

1526 3. Reveal the identity of a confidential source.

1527 4. Reveal investigative or examination techniques or  
1528 procedures.

1529 ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1530 Section 51. Paragraph (c) of subsection (3) of section  
1531 559.9285, Florida Statutes, is amended to read:

1532 559.9285 Certification of business activities.—

1533 (3) The department shall specify by rule the form of each  
1534 certification under this section which shall include the  
1535 following information:

1536 (c) The legal name, any trade names or fictitious names,  
1537 mailing address, physical address, telephone number or numbers,

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1538 facsimile number or numbers, and all Internet and electronic  
1539 contact information of every other commercial entity with which  
1540 the certifying party engages in business or commerce that is  
1541 related in any way to the certifying party's business or  
1542 commerce with any terrorist state. The information disclosed  
1543 pursuant to this paragraph does not constitute customer lists  
1544 ~~or~~ customer names, ~~or trade secrets~~ protected under s.  
1545 570.544(8) or trade secrets protected under s. 688.01.

1546 Section 52. Subsection (2) of section 560.129, Florida  
1547 Statutes, is amended to read:

1548 560.129 Confidentiality.—

1549 (2) All information obtained by the office in the course of  
1550 its investigation or examination ~~which is a trade secret, as~~  
1551 ~~defined in s. 688.002, or~~ which is personal financial  
1552 information shall remain confidential and exempt from s.  
1553 119.07(1) and s. 24(a), Art. I of the State Constitution. If any  
1554 administrative, civil, or criminal proceeding against a money  
1555 services business, its authorized vendor, or an affiliated party  
1556 is initiated and the office seeks to use matter that a licensee  
1557 believes to be ~~a trade secret or~~ personal financial information,  
1558 such records shall be subject to an in camera review by the  
1559 administrative law judge, if the matter is before the Division  
1560 of Administrative Hearings, or a judge of any court of this  
1561 state, any other state, or the United States, as appropriate,  
1562 for the purpose of determining if the matter is ~~a trade secret~~  
1563 ~~or is~~ personal financial information. ~~If it is determined that~~  
1564 ~~the matter is a trade secret, the matter shall remain~~  
1565 ~~confidential.~~ If it is determined that the matter is personal  
1566 financial information, the matter shall remain confidential

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1567 unless the administrative law judge or judge determines that, in  
1568 the interests of justice, the matter should become public.

1569 Section 53. Subsection (3) of section 570.48, Florida  
1570 Statutes, is amended to read:

1571 570.48 Division of Fruit and Vegetables; powers and duties;  
1572 records.—The duties of the Division of Fruit and Vegetables  
1573 include, but are not limited to:

1574 (3) Maintaining the records of the division. The records of  
1575 the division are public records. ~~however, trade secrets as~~  
1576 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1577 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
1578 ~~subsection is subject to the Open Government Sunset Review Act~~  
1579 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
1580 ~~2, 2021, unless reviewed and saved from repeal through~~  
1581 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
1582 ~~construed to prohibit:~~

1583 ~~(a) A disclosure necessary to enforcement procedures.~~

1584 ~~(b) The department from releasing information to other~~  
1585 ~~governmental agencies. Other governmental agencies that receive~~  
1586 ~~confidential information from the department under this~~  
1587 ~~subsection shall maintain the confidentiality of that~~  
1588 ~~information.~~

1589 ~~(c) the department or other agencies from compiling and~~  
1590 ~~publishing appropriate data regarding procedures, yield,~~  
1591 ~~recovery, quality, and related matters, provided such released~~  
1592 ~~data do not reveal by whom the activity to which the data relate~~  
1593 ~~was conducted.~~

1594 Section 54. Subsection (8) of section 570.544, Florida  
1595 Statutes, is amended to read:

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1596 570.544 Division of Consumer Services; director; powers;  
1597 processing of complaints; records.—

1598 (8) The records of the Division of Consumer Services are  
1599 public records. However, customer lists and, customer names, ~~and~~  
1600 ~~trade secrets~~ are confidential and exempt from the provisions of  
1601 s. 119.07(1). Disclosure necessary to enforcement procedures  
1602 does not violate this prohibition.

1603 Section 55. Subsection (2) of section 573.123, Florida  
1604 Statutes, is amended to read:

1605 573.123 Maintenance and production of records.—

1606 ~~(2) Information that, if disclosed, would reveal a trade~~  
1607 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1608 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1609 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
1610 ~~dislosed except to an attorney who provides legal advice to the~~  
1611 ~~division about enforcing a marketing order or by court order. A~~  
1612 ~~person who receives confidential information under this~~  
1613 ~~subsection shall maintain the confidentiality of that~~  
1614 ~~information. This subsection is subject to the Open Government~~  
1615 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1616 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1617 ~~repeal through reenactment by the Legislature.~~

1618 Section 56. Section 581.199, Florida Statutes, is repealed.

1619 Section 57. Paragraph (b) of subsection (8) of section  
1620 601.10, Florida Statutes, is amended to read:

1621 601.10 Powers of the Department of Citrus.—The department  
1622 shall have and shall exercise such general and specific powers  
1623 as are delegated to it by this chapter and other statutes of the  
1624 state, which powers shall include, but are not limited to, the



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1625 following:

1626 (8)

1627 ~~(b) Any information provided to the department which~~  
1628 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1629 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1630 ~~of the State Constitution. This paragraph is subject to the Open~~  
1631 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
1632 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
1633 ~~saved from repeal through reenactment by the Legislature.~~

1634 Section 58. Paragraph (d) of subsection (7) of section  
1635 601.15, Florida Statutes, is amended to read:

1636 601.15 Advertising campaign; methods of conducting;  
1637 assessments; emergency reserve fund; citrus research.—

1638 (7) All assessments levied and collected under this chapter  
1639 shall be paid into the State Treasury on or before the 15th day  
1640 of each month. Such moneys shall be accounted for in a special  
1641 fund to be designated as the Florida Citrus Advertising Trust  
1642 Fund, and all moneys in such fund are appropriated to the  
1643 department for the following purposes:

1644 (d)1. The pro rata portion of moneys allocated to each type  
1645 of citrus product in noncommodity programs shall be used by the  
1646 department to encourage substantial increases in the  
1647 effectiveness, frequency, and volume of noncommodity  
1648 advertising, merchandising, publicity, and sales promotion of  
1649 such citrus products through rebates and incentive payments to  
1650 handlers and trade customers for these activities. The  
1651 department shall adopt rules providing for the use of such  
1652 moneys. The rules shall establish alternate incentive programs,  
1653 including at least one incentive program for product sold under

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1654 advertised brands, one incentive program for product sold under  
1655 private label brands, and one incentive program for product sold  
1656 in bulk. For each incentive program, the rules must establish  
1657 eligibility and performance requirements and must provide  
1658 appropriate limitations on amounts payable to a handler or trade  
1659 customer for a particular season. Such limitations may relate to  
1660 the amount of citrus assessments levied and collected on the  
1661 citrus product handled by such handler or trade customer during  
1662 a 12-month representative period.

1663         2. The department may require from participants in  
1664 noncommodity advertising and promotional programs commercial  
1665 information necessary to determine eligibility for and  
1666 performance in such programs. ~~Any information required which~~  
1667 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1668 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1669 ~~of the State Constitution. This subparagraph is subject to the~~  
1670 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1671 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
1672 ~~saved from repeal through reenactment by the Legislature.~~

1673         Section 59. Paragraph (c) of subsection (8) of section  
1674 601.152, Florida Statutes, is amended to read:

1675         601.152 Special marketing orders.—

1676         (8)

1677         (c)~~1~~. Every handler shall, at such times as the department  
1678 may require, file with the department a return, not under oath,  
1679 on forms to be prescribed and furnished by the department,  
1680 certified as true and correct, stating the quantity of the type,  
1681 variety, and form of citrus fruit or citrus product specified in  
1682 the marketing order first handled in the primary channels of

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1683 trade in the state by such handler during the period of time  
1684 specified in the marketing order. Such returns must contain any  
1685 further information deemed by the department to be reasonably  
1686 necessary to properly administer or enforce this section or any  
1687 marketing order implemented under this section.

1688 ~~2. Information that, if disclosed, would reveal a trade~~  
1689 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1690 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1691 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
1692 ~~subject to the Open Government Sunset Review Act in accordance~~  
1693 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1694 ~~unless reviewed and saved from repeal through reenactment by the~~  
1695 ~~Legislature.~~

1696 Section 60. Section 601.76, Florida Statutes, is amended to  
1697 read:

1698 601.76 Manufacturer to furnish formula and other  
1699 information.—Any formula required to be filed with the  
1700 Department of Agriculture ~~shall be deemed a trade secret as~~  
1701 ~~defined in s. 812.081,~~ is confidential and exempt from s.  
1702 119.07(1) and s. 24(a), Art. I of the State Constitution, and  
1703 may be divulged only to the Department of Agriculture or to its  
1704 duly authorized representatives or upon court order when  
1705 necessary in the enforcement of this law. A person who receives  
1706 such a formula from the Department of Agriculture under this  
1707 section shall maintain the confidentiality of the formula. ~~This~~  
1708 ~~section is subject to the Open Government Sunset Review Act in~~  
1709 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1710 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1711 ~~by the Legislature.~~

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1712 Section 61. Subsection (6) of section 607.0505, Florida  
1713 Statutes, is amended to read:

1714 607.0505 Registered agent; duties.—

1715 (6) Information provided to, and records and transcriptions  
1716 of testimony obtained by, the Department of Legal Affairs  
1717 pursuant to this section are confidential and exempt from the  
1718 provisions of s. 119.07(1) while the investigation is active.  
1719 For purposes of this section, an investigation shall be  
1720 considered "active" while such investigation is being conducted  
1721 with a reasonable, good faith belief that it may lead to the  
1722 filing of an administrative, civil, or criminal proceeding. An  
1723 investigation does not cease to be active so long as the  
1724 Department of Legal Affairs is proceeding with reasonable  
1725 dispatch and there is a good faith belief that action may be  
1726 initiated by the Department of Legal Affairs or other  
1727 administrative or law enforcement agency. Except for active  
1728 criminal intelligence or criminal investigative information, as  
1729 defined in s. 119.011, and information which, if disclosed,  
1730 ~~would reveal a trade secret, as defined in s. 688.002, or would~~  
1731 jeopardize the safety of an individual, all information,  
1732 records, and transcriptions become public record when the  
1733 investigation is completed or ceases to be active. The  
1734 Department of Legal Affairs shall not disclose confidential  
1735 information, records, or transcriptions of testimony except  
1736 pursuant to the authorization by the Attorney General in any of  
1737 the following circumstances:

1738 (a) To a law enforcement agency participating in or  
1739 conducting a civil investigation under chapter 895, or  
1740 participating in or conducting a criminal investigation.

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1741 (b) In the course of filing, participating in, or  
1742 conducting a judicial proceeding instituted pursuant to this  
1743 section or chapter 895.

1744 (c) In the course of filing, participating in, or  
1745 conducting a judicial proceeding to enforce an order or judgment  
1746 entered pursuant to this section or chapter 895.

1747 (d) In the course of a criminal or civil proceeding.

1748

1749 A person or law enforcement agency which receives any  
1750 information, record, or transcription of testimony that has been  
1751 made confidential by this subsection shall maintain the  
1752 confidentiality of such material and shall not disclose such  
1753 information, record, or transcription of testimony except as  
1754 provided for herein. Any person who willfully discloses any  
1755 information, record, or transcription of testimony that has been  
1756 made confidential by this subsection, except as provided for  
1757 herein, is guilty of a misdemeanor of the first degree,  
1758 punishable as provided in s. 775.082 or s. 775.083. If any  
1759 information, record, or testimony obtained pursuant to  
1760 subsection (2) is offered in evidence in any judicial  
1761 proceeding, the court may, in its discretion, seal that portion  
1762 of the record to further the policies of confidentiality set  
1763 forth herein.

1764 Section 62. Subsection (6) of section 617.0503, Florida  
1765 Statutes, is amended to read:

1766 617.0503 Registered agent; duties; confidentiality of  
1767 investigation records.-

1768 (6) Information provided to, and records and transcriptions  
1769 of testimony obtained by, the Department of Legal Affairs

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1770 pursuant to this section are confidential and exempt from the  
1771 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1772 Constitution while the investigation is active. For purposes of  
1773 this section, an investigation shall be considered "active"  
1774 while such investigation is being conducted with a reasonable,  
1775 good faith belief that it may lead to the filing of an  
1776 administrative, civil, or criminal proceeding. An investigation  
1777 does not cease to be active so long as the department is  
1778 proceeding with reasonable dispatch and there is a good faith  
1779 belief that action may be initiated by the department or other  
1780 administrative or law enforcement agency. Except for active  
1781 criminal intelligence or criminal investigative information, as  
1782 defined in s. 119.011, and information which, if disclosed,  
1783 ~~would reveal a trade secret, as defined in s. 688.002, or would~~  
1784 jeopardize the safety of an individual, all information,  
1785 records, and transcriptions become available to the public when  
1786 the investigation is completed or ceases to be active. The  
1787 department shall not disclose confidential information, records,  
1788 or transcriptions of testimony except pursuant to authorization  
1789 by the Attorney General in any of the following circumstances:

1790 (a) To a law enforcement agency participating in or  
1791 conducting a civil investigation under chapter 895, or  
1792 participating in or conducting a criminal investigation.

1793 (b) In the course of filing, participating in, or  
1794 conducting a judicial proceeding instituted pursuant to this  
1795 section or chapter 895.

1796 (c) In the course of filing, participating in, or  
1797 conducting a judicial proceeding to enforce an order or judgment  
1798 entered pursuant to this section or chapter 895.

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1799 (d) In the course of a criminal proceeding.

1800  
1801 A person or law enforcement agency that receives any  
1802 information, record, or transcription of testimony that has been  
1803 made confidential by this subsection shall maintain the  
1804 confidentiality of such material and shall not disclose such  
1805 information, record, or transcription of testimony except as  
1806 provided for herein. Any person who willfully discloses any  
1807 information, record, or transcription of testimony that has been  
1808 made confidential by this subsection, except as provided for in  
1809 this subsection, commits a misdemeanor of the first degree,  
1810 punishable as provided in s. 775.082 or s. 775.083. If any  
1811 information, record, or testimony obtained pursuant to  
1812 subsection (2) is offered in evidence in any judicial  
1813 proceeding, the court may, in its discretion, seal that portion  
1814 of the record to further the policies of confidentiality set  
1815 forth in this subsection.

1816 Section 63. Subsection (4) of section 624.307, Florida  
1817 Statutes, is amended to read:

1818 624.307 General powers; duties.—

1819 (4) The department and office may each collect, propose,  
1820 publish, and disseminate information relating to the subject  
1821 matter of any duties imposed upon it by law. Notwithstanding any  
1822 other provision of law, information reported to and collected by  
1823 the office may be made available on an aggregate basis. The  
1824 office may report, publish, or otherwise make available such  
1825 information from all insurers on an aggregate basis by line of  
1826 business and by county, even if marked trade secret pursuant to  
1827 s. 688.01, but shall otherwise maintain trade secret

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1828 confidentiality in accordance with s. 688.01.

1829 Section 64. Subsection (4) is added to section 624.315,  
1830 Florida Statutes, and subsection (2) of that section is  
1831 republished, to read:

1832 624.315 Department; annual report.—

1833 (2) The office shall maintain the following information and  
1834 make such information available upon request:

1835 (a) Calendar year profitability, including investment  
1836 income from policyholders' unearned premium and loss reserves  
1837 (Florida and countrywide).

1838 (b) Aggregate Florida loss reserves.

1839 (c) Premiums written (Florida and countrywide).

1840 (d) Premiums earned (Florida and countrywide).

1841 (e) Incurred losses (Florida and countrywide).

1842 (f) Paid losses (Florida and countrywide).

1843 (g) Allocated Florida loss adjustment expenses.

1844 (h) Renewal ratio (countrywide).

1845 (i) Variation of premiums charged by the industry as  
1846 compared to rates promulgated by the Insurance Services Office  
1847 (Florida and countrywide).

1848 (j) An analysis of policy size limits (Florida and  
1849 countrywide).

1850 (k) Insureds' selection of claims-made versus occurrence  
1851 coverage (Florida and countrywide).

1852 (l) A subreport on the involuntary market in Florida  
1853 encompassing such joint underwriting plans and assigned risk  
1854 plans operating in the state.

1855 (m) A subreport providing information relevant to emerging  
1856 markets and alternate marketing mechanisms, such as self-insured



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1857 trusts, risk retention groups, purchasing groups, and the  
1858 excess-surplus lines market.

1859 (n) Trends; emerging trends as exemplified by the  
1860 percentage change in frequency and severity of both paid and  
1861 incurred claims, and pure premium (Florida and countrywide).

1862 (o) Fast track loss ratios as defined and assimilated by  
1863 the Insurance Services Office (Florida and countrywide).

1864 (4) Notwithstanding any other provision of law, the office  
1865 may make the information in subsection (2) available on an  
1866 aggregate basis. The office may include such statistical  
1867 information from all insurers on an aggregate basis by line of  
1868 business and by county, even if marked trade secret pursuant to  
1869 s. 688.01, but shall otherwise maintain trade secret  
1870 confidentiality in accordance with s. 688.01.

1871 Section 65. Paragraph (c) of subsection (1) and subsection  
1872 (5) of section 624.4212, Florida Statutes, are amended to read:  
1873 624.4212 Confidentiality of proprietary business and other  
1874 information.—

1875 (1) As used in this section, the term "proprietary business  
1876 information" means information, regardless of form or  
1877 characteristics, which is owned or controlled by an insurer, or  
1878 a person or an affiliated person who seeks acquisition of  
1879 controlling stock in a domestic stock insurer or controlling  
1880 company, and which:

1881 (c) Includes:

1882 ~~1. Trade secrets as defined in s. 688.002 which comply with~~  
1883 ~~s. 624.4213.~~

1884 1.2. Information relating to competitive interests, the  
1885 disclosure of which would impair the competitive business of the

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1886 provider of the information.

1887 ~~2.3.~~ The source, nature, and amount of the consideration  
1888 used or to be used in carrying out a merger or other acquisition  
1889 of control in the ordinary course of business, including the  
1890 identity of the lender, if the person filing a statement  
1891 regarding consideration so requests.

1892 ~~3.4.~~ Information relating to bids or other contractual  
1893 data, the disclosure of which would impair the efforts of the  
1894 insurer or its affiliates to contract for goods or services on  
1895 favorable terms.

1896 ~~4.5.~~ Internal auditing controls and reports of internal  
1897 auditors.

1898 (5) The office may disclose information made confidential  
1899 and exempt under this section or s. 688.01:

1900 (a) If the insurer to which it pertains gives prior written  
1901 consent;

1902 (b) Pursuant to a court order;

1903 (c) To the Actuarial Board for Counseling and Discipline  
1904 upon a request stating that the information is for the purpose  
1905 of professional disciplinary proceedings and specifying  
1906 procedures satisfactory to the office for preserving the  
1907 confidentiality of the information;

1908 (d) To other states, federal and international agencies,  
1909 the National Association of Insurance Commissioners and its  
1910 affiliates and subsidiaries, and state, federal, and  
1911 international law enforcement authorities, including members of  
1912 a supervisory college described in s. 628.805 if the recipient  
1913 agrees in writing to maintain the confidential and exempt status  
1914 of the document, material, or other information and has

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1915 certified in writing its legal authority to maintain such  
1916 confidentiality; or

1917 (e) For the purpose of aggregating information on an  
1918 industrywide basis and disclosing the information to the public  
1919 only if the specific identities of the insurers, or persons or  
1920 affiliated persons, are not revealed.

1921 Section 66. Section 624.4213, Florida Statutes, is  
1922 repealed.

1923 Section 67. Paragraph (d) of subsection (1) of section  
1924 626.84195, Florida Statutes, is amended to read:

1925 626.84195 Confidentiality of information supplied by title  
1926 insurance agencies and insurers.—

1927 (1) As used in this section, the term “proprietary business  
1928 information” means information that:

1929 (d) Concerns:

1930 1. Business plans;

1931 2. Internal auditing controls and reports of internal  
1932 auditors;

1933 3. Reports of external auditors for privately held  
1934 companies;

1935 ~~4. Trade secrets, as defined in s. 688.002; or~~

1936 4.5. Financial information, including revenue data, loss  
1937 expense data, gross receipts, taxes paid, capital investment,  
1938 and employee wages.

1939 Section 68. Subsection (2) of section 626.884, Florida  
1940 Statutes, is amended to read:

1941 626.884 Maintenance of records by administrator; access;  
1942 confidentiality.—

1943 (2) The office shall have access to books and records

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1944 maintained by the administrator for the purpose of examination,  
 1945 audit, and inspection. ~~Information contained in such books and~~  
 1946 ~~records is confidential and exempt from the provisions of s.~~  
 1947 ~~119.07(1) if the disclosure of such information would reveal a~~  
 1948 ~~trade secret as defined in s. 688.002. However,~~ The office may  
 1949 use the such information contained in such books and records in  
 1950 any proceeding instituted against the administrator.

1951 Section 69. Subsection (1) of section 626.9936, Florida  
 1952 Statutes, is amended to read:

1953 626.9936 Access to records.—

1954 (1) Notwithstanding subsections (1) and (2) of Article  
 1955 VIII, subsection (2) of Article X, and subsection (6) of Article  
 1956 XII of the Interstate Insurance Product Regulation Compact, a  
 1957 request by a resident of this state for public inspection and  
 1958 copying of information, data, or official records that includes:

1959 (a) An insurer's trade secrets shall be referred to the  
 1960 commissioner who shall respond to the request, with the  
 1961 cooperation and assistance of the commission, in accordance with  
 1962 s. 688.01 ~~s. 624.4213~~; or

1963 (b) Matters of privacy of individuals shall be referred to  
 1964 the commissioner who shall respond to the request, with the  
 1965 cooperation and assistance of the commission, in accordance with  
 1966 s. 119.07(1).

1967 Section 70. Paragraph (g) of subsection (3) of section  
 1968 627.0628, Florida Statutes, is amended to read:

1969 627.0628 Florida Commission on Hurricane Loss Projection  
 1970 Methodology; public records exemption; public meetings  
 1971 exemption.—

1972 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

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1973           ~~(g)1. A trade secret, as defined in s. 688.002, which is~~  
 1974 ~~used in designing and constructing a hurricane or flood loss~~  
 1975 ~~model and which is provided pursuant to this section, by a~~  
 1976 ~~private company, to the commission, office, or consumer advocate~~  
 1977 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~  
 1978 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
 1979 ~~Constitution.~~

1980           1.2.a. That portion of a meeting of the commission or of a  
 1981 rate proceeding on an insurer's rate filing at which a trade  
 1982 secret made confidential and exempt pursuant to s. 688.01 by  
 1983 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.  
 1984 24(b), Art. I of the State Constitution. The closed meeting must  
 1985 be recorded, and no portion of the closed meeting may be off the  
 1986 record.

1987           2.b. The recording of a closed portion of a meeting is  
 1988 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1989 Constitution.

1990           Section 71. Paragraph (a) of subsection (11) of section  
 1991 627.3518, Florida Statutes, is amended to read:

1992           627.3518 Citizens Property Insurance Corporation  
 1993 policyholder eligibility clearinghouse program.—The purpose of  
 1994 this section is to provide a framework for the corporation to  
 1995 implement a clearinghouse program by January 1, 2014.

1996           (11) Proprietary business information provided to the  
 1997 corporation's clearinghouse by insurers with respect to  
 1998 identifying and selecting risks for an offer of coverage is  
 1999 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 2000 of the State Constitution.

2001           (a) As used in this subsection, the term "proprietary

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business information" means information, regardless of form or characteristics, which is owned or controlled by an insurer and:

1. Is identified by the insurer as proprietary business information and is intended to be and is treated by the insurer as private in that the disclosure of the information would cause harm to the insurer, an individual, or the company's business operations and has not been disclosed unless disclosed pursuant to a statutory requirement, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public;

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

3. Includes:

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

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

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

Section 72. Subsections (4), (5), and (14) of section 655.057, Florida Statutes, are amended to read:

655.057 Records; limited restrictions upon public access.-

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

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2031 ~~secrets as defined in s. 688.002 which comply with s. 655.0591~~  
2032 ~~and which are held by the office in accordance with its~~  
2033 ~~statutory duties with respect to the financial institutions~~  
2034 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
2035 ~~24(a), Art. I of the State Constitution.~~

2036 (4)~~(5)~~ This section and s. 688.01 do not ~~does not~~ prevent  
2037 or restrict:

2038 (a) Publishing reports that are required to be submitted to  
2039 the office pursuant to s. 655.045(2) or required by applicable  
2040 federal statutes or regulations to be published.

2041 (b) Furnishing records or information to any other state,  
2042 federal, or foreign agency responsible for the regulation or  
2043 supervision of financial institutions.

2044 (c) Disclosing or publishing summaries of the condition of  
2045 financial institutions and general economic and similar  
2046 statistics and data, provided that the identity of a particular  
2047 financial institution is not disclosed.

2048 (d) Reporting any suspected criminal activity, with  
2049 supporting documents and information, to appropriate law  
2050 enforcement and prosecutorial agencies.

2051 (e) Furnishing information upon request to the Chief  
2052 Financial Officer or the Division of Treasury of the Department  
2053 of Financial Services regarding the financial condition of any  
2054 financial institution that is, or has applied to be, designated  
2055 as a qualified public depository pursuant to chapter 280.

2056 (f) Furnishing information to Federal Home Loan Banks  
2057 regarding its member institutions pursuant to an information  
2058 sharing agreement between the Federal Home Loan Banks and the  
2059 office.

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

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

Section 73. Section 655.0591, Florida Statutes, is repealed.

Section 74. Subsection (11) of section 663.533, Florida Statutes, is amended to read:

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

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

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

Section 75. Section 721.071, Florida Statutes, is repealed.

Section 76. Section 815.04, Florida Statutes, is amended to read:



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2089 815.04 Offenses against intellectual property; ~~public~~  
2090 ~~records exemption.~~—

2091 (1) A person who willfully, knowingly, and without  
2092 authorization introduces a computer contaminant or modifies or  
2093 renders unavailable data, programs, or supporting documentation  
2094 residing or existing internal or external to a computer,  
2095 computer system, computer network, or electronic device commits  
2096 an offense against intellectual property.

2097 (2) A person who willfully, knowingly, and without  
2098 authorization destroys data, programs, or supporting  
2099 documentation residing or existing internal or external to a  
2100 computer, computer system, computer network, or electronic  
2101 device commits an offense against intellectual property.

2102 ~~(3) Data, programs, or supporting documentation that is a~~  
2103 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
2104 ~~as defined in chapter 119, and that resides or exists internal~~  
2105 ~~or external to a computer, computer system, computer network, or~~  
2106 ~~electronic device is confidential and exempt from the provisions~~  
2107 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
2108 ~~This subsection is subject to the Open Government Sunset Review~~  
2109 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
2110 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
2111 ~~reenactment by the Legislature.~~

2112 (3)~~(4)~~ A person who willfully, knowingly, and without  
2113 authorization discloses or takes data, programs, or supporting  
2114 documentation that is a trade secret as defined in s. 812.081 ~~or~~  
2115 ~~is confidential as provided by law~~ residing or existing internal  
2116 or external to a computer, computer system, computer network, or  
2117 electronic device commits an offense against intellectual

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2118 property.

2119 (4)~~(5)~~(a) Except as otherwise provided in this subsection,  
2120 an offense against intellectual property is a felony of the  
2121 third degree, punishable as provided in s. 775.082, s. 775.083,  
2122 or s. 775.084.

2123 (b) If the offense is committed for the purpose of devising  
2124 or executing any scheme or artifice to defraud or to obtain any  
2125 property, the person commits a felony of the second degree,  
2126 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2127 Section 77. Section 815.045, Florida Statutes, is repealed.

2128 Section 78. Subsection (2) of section 1004.22, Florida  
2129 Statutes, is amended to read:

2130 1004.22 Divisions of sponsored research at state  
2131 universities.-

2132 (2) The university shall set such policies to regulate the  
2133 activities of the divisions of sponsored research as it may  
2134 consider necessary to administer the research programs in a  
2135 manner which assures efficiency and effectiveness, producing the  
2136 maximum benefit for the educational programs and maximum service  
2137 to the state. To this end, materials that relate to methods of  
2138 manufacture or production, ~~potential trade secrets~~, potentially  
2139 patentable material, ~~actual~~ actual trade secrets, as defined in s.  
2140 688.01, business transactions, or proprietary information  
2141 received, generated, ascertained, or discovered during the  
2142 course of research conducted within the state universities shall  
2143 be confidential and exempt from the provisions of s. 119.07(1),  
2144 except that a division of sponsored research shall make  
2145 available upon request the title and description of a research  
2146 project, the name of the researcher, and the amount and source

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2147 of funding provided for such project.

2148 Section 79. Paragraph (c) of subsection (2) and subsections  
2149 (3), (4), and (7) of section 1004.30, Florida Statutes, are  
2150 amended to read:

2151 1004.30 University health services support organization;  
2152 confidentiality of information.—

2153 (2) The following university health services support  
2154 organization's records and information are confidential and  
2155 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
2156 of the State Constitution:

2157 ~~(c) Trade secrets, as defined in s. 688.002, including~~  
2158 ~~reimbursement methodologies and rates.~~

2159 (3) Any portion of a governing board or peer review panel  
2160 or committee meeting during which a confidential and exempt  
2161 contract, document, record, or marketing plan, ~~or trade secret,~~  
2162 as provided for in subsection (2), or a confidential and exempt  
2163 trade secret, as provided for in s. 688.01, is discussed is  
2164 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of  
2165 the State Constitution.

2166 (4) Those portions of any public record, such as a tape  
2167 recording, minutes, and notes, generated during that portion of  
2168 a governing board or peer review panel or committee meeting  
2169 which is closed to the public pursuant to this section, ~~which~~  
2170 ~~contain information relating to contracts, documents, records,~~  
2171 ~~marketing plans, or trade secrets which are made confidential~~  
2172 ~~and exempt by this section,~~ are confidential and exempt from the  
2173 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
2174 Constitution.

2175 (7) Those portions of any public record, such as a tape

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2176 recording, minutes, or notes, generated during that portion of a  
2177 governing board meeting at which negotiations for contracts for  
2178 managed-care arrangements occur, are reported on, or are acted  
2179 on by the governing board, which record is made confidential and  
2180 exempt by subsection (4), shall become public records 2 years  
2181 after the termination or completion of the term of the contract  
2182 to which such negotiations relate or, if no contract was  
2183 executed, 2 years after the termination of the negotiations.  
2184 Notwithstanding paragraph (2)(a) and subsection (4), a  
2185 university health services support organization must make  
2186 available, upon request, the title and general description of a  
2187 contract for managed-care arrangements, the names of the  
2188 contracting parties, and the duration of the contract term. All  
2189 contracts for managed-care arrangements which are made  
2190 confidential and exempt by paragraph (2)(a), except those  
2191 portions of any contract containing trade secrets which are made  
2192 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall  
2193 become public 2 years after the termination or completion of the  
2194 term of the contract.

2195 Section 80. Paragraph (b) of subsection (8) of section  
2196 1004.43, Florida Statutes, is amended to read:

2197 1004.43 H. Lee Moffitt Cancer Center and Research  
2198 Institute.—There is established the H. Lee Moffitt Cancer Center  
2199 and Research Institute, a statewide resource for basic and  
2200 clinical research and multidisciplinary approaches to patient  
2201 care.

2202 (8)

2203 (b) Proprietary confidential business information is  
2204 confidential and exempt from the provisions of s. 119.07(1) and

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2205 s. 24(a), Art. I of the State Constitution. However, the Auditor  
2206 General, the Office of Program Policy Analysis and Government  
2207 Accountability, and the Board of Governors, pursuant to their  
2208 oversight and auditing functions, must be given access to all  
2209 proprietary confidential business information upon request and  
2210 without subpoena and must maintain the confidentiality of  
2211 information so received. As used in this paragraph, the term  
2212 "proprietary confidential business information" means  
2213 information, regardless of its form or characteristics, which is  
2214 owned or controlled by the not-for-profit corporation or its  
2215 subsidiaries; is intended to be and is treated by the not-for-  
2216 profit corporation or its subsidiaries as private and the  
2217 disclosure of which would harm the business operations of the  
2218 not-for-profit corporation or its subsidiaries; has not been  
2219 intentionally disclosed by the corporation or its subsidiaries  
2220 unless pursuant to law, an order of a court or administrative  
2221 body, a legislative proceeding pursuant to s. 5, Art. III of the  
2222 State Constitution, or a private agreement that provides that  
2223 the information may be released to the public; and which is  
2224 information concerning:

2225 1. Internal auditing controls and reports of internal  
2226 auditors;

2227 2. Matters reasonably encompassed in privileged attorney-  
2228 client communications;

2229 3. Contracts for managed-care arrangements, including  
2230 preferred provider organization contracts, health maintenance  
2231 organization contracts, and exclusive provider organization  
2232 contracts, and any documents directly relating to the  
2233 negotiation, performance, and implementation of any such

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2234 contracts for managed-care arrangements;

2235 4. Bids or other contractual data, banking records, and  
2236 credit agreements the disclosure of which would impair the  
2237 efforts of the not-for-profit corporation or its subsidiaries to  
2238 contract for goods or services on favorable terms;

2239 5. Information relating to private contractual data, the  
2240 disclosure of which would impair the competitive interest of the  
2241 provider of the information;

2242 6. Corporate officer and employee personnel information;

2243 7. Information relating to the proceedings and records of  
2244 credentialing panels and committees and of the governing board  
2245 of the not-for-profit corporation or its subsidiaries relating  
2246 to credentialing;

2247 8. Minutes of meetings of the governing board of the not-  
2248 for-profit corporation and its subsidiaries, except minutes of  
2249 meetings open to the public pursuant to subsection (9);

2250 9. Information that reveals plans for marketing services  
2251 that the corporation or its subsidiaries reasonably expect to be  
2252 provided by competitors;

2253 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,  
2254 including:

2255 a. Information relating to methods of manufacture or  
2256 production, ~~potential trade secrets~~, potentially patentable  
2257 materials, or proprietary information received, generated,  
2258 ascertained, or discovered during the course of research  
2259 conducted by the not-for-profit corporation or its subsidiaries;  
2260 and

2261 b. Reimbursement methodologies or rates;

2262 11. The identity of donors or prospective donors of

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2263 property who wish to remain anonymous or any information  
2264 identifying such donors or prospective donors. The anonymity of  
2265 these donors or prospective donors must be maintained in the  
2266 auditor's report; or

2267 12. Any information received by the not-for-profit  
2268 corporation or its subsidiaries from an agency in this or  
2269 another state or nation or the Federal Government which is  
2270 otherwise exempt or confidential pursuant to the laws of this or  
2271 another state or nation or pursuant to federal law.

2272

2273 As used in this paragraph, the term "managed care" means systems  
2274 or techniques generally used by third-party payors or their  
2275 agents to affect access to and control payment for health care  
2276 services. Managed-care techniques most often include one or more  
2277 of the following: prior, concurrent, and retrospective review of  
2278 the medical necessity and appropriateness of services or site of  
2279 services; contracts with selected health care providers;  
2280 financial incentives or disincentives related to the use of  
2281 specific providers, services, or service sites; controlled  
2282 access to and coordination of services by a case manager; and  
2283 payor efforts to identify treatment alternatives and modify  
2284 benefit restrictions for high-cost patient care.

2285 Section 81. Paragraph (a) of subsection (2) of section  
2286 1004.4472, Florida Statutes, is amended to read:

2287 1004.4472 Florida Institute for Human and Machine  
2288 Cognition, Inc.; public records exemption; public meetings  
2289 exemption.—

2290 (2) The following information held by the corporation or  
2291 its subsidiary is confidential and exempt from s. 119.07(1) and

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2292 s. 24(a), Art. I of the State Constitution:

2293 (a) Material relating to methods of manufacture or  
2294 production, ~~potential trade secrets~~, patentable material, actual  
2295 trade secrets as defined in s. 688.01, ~~s. 688.002~~ or proprietary  
2296 information received, generated, ascertained, or discovered  
2297 during the course of research conducted by or through the  
2298 corporation or a subsidiary, and business transactions resulting  
2299 from such research.

2300 Section 82. Subsection (2) of section 1004.78, Florida  
2301 Statutes, is amended to read:

2302 1004.78 Technology transfer centers at Florida College  
2303 System institutions.—

2304 (2) The Florida College System institution board of  
2305 trustees shall set such policies to regulate the activities of  
2306 the technology transfer center as it may consider necessary to  
2307 effectuate the purposes of this section and to administer the  
2308 programs of the center in a manner which assures efficiency and  
2309 effectiveness, producing the maximum benefit for the educational  
2310 programs and maximum service to the state. To this end,  
2311 materials that relate to methods of manufacture or production,  
2312 ~~potential trade secrets~~, potentially patentable material, actual  
2313 trade secrets as defined in s. 688.01, business transactions, or  
2314 proprietary information received, generated, ascertained, or  
2315 discovered during the course of activities conducted within the  
2316 Florida College System institutions shall be confidential and  
2317 exempt from the provisions of s. 119.07(1), except that a  
2318 Florida College System institution shall make available upon  
2319 request the title and description of a project, the name of the  
2320 investigator, and the amount and source of funding provided for



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2321 such project.

2322 Section 83. Section 601.80, Florida Statutes, is amended to  
2323 read:

2324 601.80 Unlawful to use uncertified coloring matter.—It is  
2325 unlawful for any person to use on oranges or citrus hybrids any  
2326 coloring matter which has not first received the approval of the  
2327 Department of Agriculture ~~as provided under s. 601.76.~~

2328 Section 84. Subsection (11) of section 663.533, Florida  
2329 Statutes, is amended to read:

2330 663.533 Applicability of the financial institutions codes.—  
2331 A qualified limited service affiliate is subject to the  
2332 financial institutions codes. Without limiting the foregoing,  
2333 the following provisions are applicable to a qualified limited  
2334 service affiliate:

2335 ~~(11) Section 655.0591, relating to trade secret documents.~~

2336  
2337 This section does not prohibit the office from investigating or  
2338 examining an entity to ensure that it is not in violation of  
2339 this chapter or applicable provisions of the financial  
2340 institutions codes.

2341 Section 85. Paragraph (c) of subsection (12) of section  
2342 721.13, Florida Statutes, is amended to read:

2343 721.13 Management.—

2344 (12)

2345 (c) The managing entity shall maintain copies of all  
2346 records, data, and information supporting the processes,  
2347 analyses, procedures, and methods utilized by the managing  
2348 entity in its determination to reserve accommodations of the  
2349 timeshare plan pursuant to this subsection for a period of 5

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2350 years from the date of such determination. In the event of an  
 2351 investigation by the division for failure of a managing entity  
 2352 to comply with this subsection, the managing entity shall make  
 2353 all such records, data, and information available to the  
 2354 division for inspection, ~~provided that if the managing entity~~  
 2355 ~~complies with the provisions of s. 721.071, any such records,~~  
 2356 ~~data, and information provided to the division shall constitute~~  
 2357 ~~a trade secret pursuant to that section.~~

2358 Section 86. Paragraphs (a) and (c) of subsection (3) of  
 2359 section 921.0022, Florida Statutes, are amended to read:

2360 921.0022 Criminal Punishment Code; offense severity ranking  
 2361 chart.—

2362 (3) OFFENSE SEVERITY RANKING CHART

2363 (a) LEVEL 1

2364

Florida Statute	Felony Degree	Description
24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.

2368

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2369	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2370	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2371	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2372	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2373	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2374	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
	322.212 (5) (a)	3rd	False application for driver license or identification card.

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2375

414.39 (3) (a)

3rd

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

2376

443.071 (1)

3rd

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

2377

509.151 (1)

3rd

Defraud an innkeeper, food or lodging value \$1,000 or more.

2378

517.302 (1)

3rd

Violation of the Florida Securities and Investor Protection Act.

2379

713.69

3rd

Tenant removes property upon which lien has accrued, value \$1,000 or more.

2380

812.014 (3) (c)

3rd

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

2381

812.081 (2)

3rd

Unlawfully makes or causes

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to be made a reproduction of  
a trade secret.

2382

815.04 (4) (a)

3rd

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

~~815.04 (5) (a)~~

2383

817.52 (2)

3rd

Hiring with intent to  
defraud, motor vehicle  
services.

2384

817.569 (2)

3rd

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

2385

826.01

3rd

Bigamy.

2386

828.122 (3)

3rd

Fighting or baiting animals.

2387

831.04 (1)

3rd

Any erasure, alteration,  
etc., of any replacement  
deed, map, plat, or other  
document listed in s. 92.28.

2388

831.31 (1) (a)

3rd

Sell, deliver, or possess  
counterfeit controlled  
substances, all but s.

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2389			893.03(5) drugs.
	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
2390			
	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
2391			
	838.15(2)	3rd	Commercial bribe receiving.
2392			
	838.16	3rd	Commercial bribery.
2393			
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2394			
	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2395			
	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.
2396			

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2397	849.23			
2398	849.25 (2)		3rd	Engaging in bookmaking.
2399	860.08		3rd	Interfere with a railroad signal.
2400	860.13 (1) (a)		3rd	Operate aircraft while under the influence.
2401	893.13 (2) (a) 2.		3rd	Purchase of cannabis.
2402	893.13 (6) (a)		3rd	Possession of cannabis (more than 20 grams).
2403	934.03 (1) (a)		3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2404	(c) LEVEL 3			
2405	Florida Statute		Felony Degree	Description
2406	119.10 (2) (b)		3rd	Unlawful use of confidential information

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2407

from police reports.

316.066  
(3) (b) - (d)

3rd

Unlawfully obtaining or using confidential crash reports.

2408

316.193 (2) (b)

3rd

Felony DUI, 3rd conviction.

2409

316.1935 (2)

3rd

Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

2410

319.30 (4)

3rd

Possession by junkyard of motor vehicle with identification number plate removed.

2411

319.33 (1) (a)

3rd

Alter or forge any certificate of title to a motor vehicle or mobile home.

2412

319.33 (1) (c)

3rd

Procure or pass title on stolen vehicle.

2413

319.33 (4)

3rd

With intent to defraud, possess, sell, etc., a



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2414	327.35 (2) (b)	3rd	blank, forged, or unlawfully obtained title or registration.
2415	328.05 (2)	3rd	Felony BUI. Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2416	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2417	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2418	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine

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2419	379.2431 (1) (e) 6.	3rd	turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2420	379.2431 (1) (e) 7.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
2421	400.9935 (4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2422	400.9935 (4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2423			Filing a false license application or other required information or failing to report information.

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	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2424	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2425	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2426	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2427	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2428	697.08	3rd	Equity skimming.
2429	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.

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2430

806.10 (1) 3rd Maliciously injure,  
destroy, or interfere with  
vehicles or equipment used  
in firefighting.

2431

806.10 (2) 3rd Interferes with or assaults  
firefighter in performance  
of duty.

2432

810.09 (2) (c) 3rd Trespass on property other  
than structure or  
conveyance armed with  
firearm or dangerous  
weapon.

2433

812.014 (2) (c) 2. 3rd Grand theft; \$5,000 or more  
but less than \$10,000.

2434

812.0145 (2) (c) 3rd Theft from person 65 years  
of age or older; \$300 or  
more but less than \$10,000.

2435

812.015 (8) (b) 3rd Retail theft with intent to  
sell; conspires with  
others.

2436

815.04 (4) (b) 2nd Computer offense devised to  
~~815.04 (5) (b)~~ defraud or obtain property.

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2437

817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

2438

817.233 3rd Burning to defraud insurer.

2439

817.234 3rd Unlawful solicitation of persons involved in motor vehicle accidents.  
(8) (b) & (c)

2440

817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

2441

817.236 3rd Filing a false motor vehicle insurance application.

2442

817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

2443

817.413 (2) 3rd Sale of used goods of \$1,000 or more as new.

2444

831.28 (2) (a) 3rd Counterfeiting a payment

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	12-01381-20	20201534__	instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
2445	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2446	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2447	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
2448	860.15 (3)	3rd	Overcharging for repairs and parts.
2449	870.01 (2)	3rd	Riot; inciting or encouraging.
2450	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.,

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2451

893.13(1)(d)2.

2nd

(2)(c)8., (2)(c)9.,  
(2)(c)10., (3), or (4)  
drugs).

2452

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 university.

2453

893.13(4)(c)

3rd

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.

2454

893.13(6)(a)

3rd

Use or hire of minor;  
deliver to minor other  
controlled substances.

Possession of any  
controlled substance other

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2455	893.13(7)(a)8.	3rd	than felony possession of cannabis.
2456	893.13(7)(a)9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2457	893.13(7)(a)10.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2458	893.13(7)(a)11.	3rd	Affix false or forged label to package of controlled substance.
2459	893.13(8)(a)1.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
			Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent



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2460

representations in or  
related to the  
practitioner's practice.

893.13(8)(a)2.

3rd

Employ a trick or scheme in  
the practitioner's practice  
to assist a patient, other  
person, or owner of an  
animal in obtaining a  
controlled substance.

2461

893.13(8)(a)3.

3rd

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

2462

893.13(8)(a)4.

3rd

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

2463

918.13(1)(a)

3rd

Alter, destroy, or conceal  
investigation evidence.

2464

944.47

3rd

Introduce contraband to

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- 2465 (1) (a) 1. & 2. correctional facility.
- 2466 944.47 (1) (c) 2nd Possess contraband while upon the grounds of a correctional institution.
- 2467 985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

2468 Section 87. For the purpose of incorporating the amendment  
 2469 made by this act to section 364.183, Florida Statutes, in a  
 2470 reference thereto, subsection (5) of section 408.185, Florida  
 2471 Statutes, is reenacted to read:

2472 408.185 Information submitted for review of antitrust  
 2473 issues; confidentiality.—The following information held by the  
 2474 Office of the Attorney General, which is submitted by a member  
 2475 of the health care community pursuant to a request for an  
 2476 antitrust no-action letter shall be confidential and exempt from  
 2477 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 2478 Constitution for 1 year after the date of submission.

2479 (5) Proprietary confidential business information as  
 2480 defined in s. 364.183(3).

2481 Section 88. For the purpose of incorporating the amendment  
 2482 made by this act to section 366.093, Florida Statutes, in a  
 2483 reference thereto, subsection (2) of section 425.045, Florida  
 2484 Statutes, is reenacted to read:

2485 425.045 Meetings of trustees; records.—

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2486           (2) Every person who has custody of the records of a  
2487 cooperative organized pursuant to this chapter, or any  
2488 affiliated company or subsidiary thereof, shall permit the  
2489 records to be inspected and examined by any member of such  
2490 cooperative desiring to do so, at any reasonable time, under  
2491 reasonable conditions, and under supervision by the custodian of  
2492 the records or the custodian's designee. The custodian shall  
2493 furnish a copy of the records upon payment of the actual cost of  
2494 duplication of the records. This section shall not apply to  
2495 records which constitute proprietary confidential business  
2496 information as defined in s. 366.093.

2497           Section 89. This act shall take effect upon becoming a law  
2498 if SB \_\_\_ or similar legislation is adopted in the same  
2499 legislative session or an extension thereof and becomes a law.