

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

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

69 deleting provisions relating to public records
70 exemptions for trade secrets held by the Florida
71 Public Service Commission; amending 365.174, F.S.;

72 deleting provisions relating to public records
73 exemptions for trade secrets held by the E911 Board
74 and the Technology Program within the Department of
75 Management Services; amending ss. 366.093, 367.156,

76 | and 368.108, F.S.; deleting provisions relating to
77 | public records exemptions for trade secrets held by
78 | the Florida Public Service Commission; repealing s.
79 | 381.83, F.S., relating to confidentiality of certain
80 | information containing trade secrets obtained by the
81 | Department of Health; amending s. 395.3035, F.S.;
82 | deleting provisions relating to a public records
83 | exemption for trade secrets of hospitals; amending s.
84 | 403.7046, F.S.; revising provisions relating to an
85 | exemption for trade secrets contained in certain
86 | reports to the Department of Environmental Protection;
87 | repealing s. 403.73, F.S., relating to confidentiality
88 | of certain information containing trade secrets
89 | obtained by the Department of Environmental
90 | Protection; amending s. 408.061, F.S.; deleting a
91 | requirement that certain trade secret information
92 | submitted to the Agency for Healthcare Administration
93 | be clearly designated as such; amending s. 408.185,
94 | F.S.; deleting provisions relating to public records
95 | exemptions for certain trade secrets held by the
96 | Office of the Attorney General; amending s. 408.910,
97 | F.S.; deleting provisions relating to public records
98 | exemptions for trade secrets held by the Florida
99 | Health Choices Program; amending s. 409.91196, F.S.;
100 | deleting provisions relating to public records

101 exemptions for trade secrets held by the Agency for
102 Healthcare Administration; amending s. 440.108, F.S.;
103 deleting provisions relating to public records
104 exemptions for trade secrets held by the Department of
105 Financial Services; amending s. 494.00125, F.S.;
106 deleting provisions relating to public records
107 exemptions for trade secrets held by the Office of
108 Financial Regulation; amending s. 497.172, F.S.;
109 deleting provisions relating to public records
110 exemptions for trade secrets held by the Department of
111 Financial Services or the Board of Funeral, Cemetery,
112 and Consumer Services; amending ss. 499.012, 499.0121,
113 499.05, and 499.051, F.S.; deleting provisions
114 relating to public records exemptions for trade
115 secrets held by the Department of Business and
116 Professional Regulation; repealing s. 499.931, F.S.,
117 relating to maintenance of information held by the
118 Department of Business and Professional Regulation
119 that is deemed to be a trade secret; amending s.
120 501.171, F.S.; deleting provisions relating to public
121 records exemptions for trade secrets held by the
122 Department of Legal Affairs; repealing s. 502.222,
123 F.S., relating to trade secrets of a dairy business
124 held by the Department of Agriculture and Consumer
125 Services; amending ss. 517.2015 and 520.9965, F.S.;

126 deleting provisions relating to public records
 127 exemptions for trade secrets held by the Office of
 128 Financial Regulation; amending s. 526.311, F.S.;
 129 deleting provisions relating to public records
 130 exemptions for trade secrets held by the Department of
 131 Agriculture and Consumer Services; amending s.
 132 548.062, F.S.; deleting provisions relating to public
 133 records exemptions for trade secrets held by the
 134 Florida State Boxing Commission; amending s. 556.113,
 135 F.S.; deleting provisions relating to public records
 136 exemptions for trade secrets held by Sunshine State
 137 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;
 138 deleting provisions relating to public records
 139 exemptions for trade secrets held by the Office of
 140 Financial Regulation; amending s. 559.9285, F.S.;
 141 revising provisions specifying that certain
 142 information provided to the Department of Agriculture
 143 and Consumer Services does not constitute a trade
 144 secret; amending s. 560.129, F.S.; deleting provisions
 145 relating to public records exemptions for trade
 146 secrets held by the Office of Financial Regulation;
 147 amending s. 570.48, F.S.; deleting provisions relating
 148 to public records exemptions for trade secrets held by
 149 the Division of Fruit and Vegetables; amending ss.
 150 570.544 and 573.123, F.S.; deleting provisions

151 relating to public records exemptions for trade
152 secrets held by the Division of Consumer Services;
153 repealing s. 581.199, F.S., relating to a prohibition
154 on the use of trade secret information obtained under
155 specified provisions for personal use or gain;
156 amending ss. 601.10, 601.15, and 601.152, F.S.;
157 deleting provisions relating to public records
158 exemptions for trade secrets held by the Department of
159 Citrus; amending s. 601.76, F.S.; deleting provisions
160 relating to a public records exemption for certain
161 formulas filed with the Department of Agriculture;
162 amending ss. 607.0505 and 617.0503, F.S.; deleting
163 provisions relating to public records exemptions for
164 certain information that might reveal trade secrets
165 held by the Department of Legal Affairs; amending s.
166 624.307, F.S.; authorizing the Office of Insurance
167 Regulation to report certain information on an
168 aggregate basis; amending s. 624.315, F.S.;
169 authorizing the Office of Insurance Regulation to make
170 certain information available on an aggregate basis;
171 amending s. 624.4212, F.S.; deleting provisions
172 relating to public records exemptions for trade
173 secrets held by the Office of Insurance Regulation;
174 revising a cross-reference; repealing s. 624.4213,
175 F.S., relating to trade secret documents submitted to

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

201 relating to trade secret information; amending s.
202 1004.22, F.S.; revising provisions relating to public
203 records exemptions for trade secrets and potential
204 trade secrets received, generated, ascertained, or
205 discovered during the course of research conducted
206 within the state universities; amending s. 1004.30,
207 F.S.; revising provisions relating to public records
208 exemptions for trade secrets held by state university
209 health support organizations; amending s. 1004.43,
210 F.S.; revising provisions relating to public records
211 exemptions for trade secrets and potential trade
212 secrets held by the H. Lee Moffitt Cancer Center and
213 Research Institute; amending s. 1004.4472, F.S.;
214 revising provisions relating to public records
215 exemptions for trade secrets and potential trade
216 secrets held by the Florida Institute for Human and
217 Machine Cognition, Inc.; amending s. 1004.78, F.S.;
218 revising provisions relating to public records
219 exemptions for trade secrets and potential trade
220 secrets held by the technology transfers centers at
221 Florida College System institutions; amending s.
222 601.80, F.S.; correcting a cross-reference; amending
223 ss. 663.533, 721.13, and 921.0022, F.S.; conforming
224 provisions to changes made by the act; providing a
225 contingent effective date.

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

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

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

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

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

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

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

(1) AGENCY ADMINISTRATION.—

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

251 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State
252 Constitution. The designation of agency-produced software as
253 sensitive does not prohibit an agency head from sharing or
254 exchanging such software with another public agency. ~~This~~
255 ~~paragraph is subject to the Open Government Sunset Review Act in~~
256 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
257 ~~2021, unless reviewed and saved from repeal through reenactment~~
258 ~~by the Legislature.~~

259 Section 3. Paragraph (a) of subsection (4) of section
260 119.0713, Florida Statutes, is amended to read:

261 119.0713 Local government agency exemptions from
262 inspection or copying of public records.—

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

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

276 1.2. Internal auditing controls and reports of internal
 277 auditors.

278 2.3. Security measures, systems, or procedures.

279 3.4. Information concerning bids or other contractual
 280 data, the disclosure of which would impair the efforts of the
 281 electric utility to contract for goods or services on favorable
 282 terms.

283 4.5. Information relating to competitive interests, the
 284 disclosure of which would impair the competitive business of the
 285 provider of the information.

286 Section 4. Paragraph (d) of subsection (9) of section
 287 125.0104, Florida Statutes, is amended to read:

288 125.0104 Tourist development tax; procedure for levying;
 289 authorized uses; referendum; enforcement.—

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

294 (d) Undertake marketing research and advertising research
 295 studies and provide reservations services and convention and
 296 meetings booking services consistent with the authorized uses of
 297 revenue as set forth in subsection (5).

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

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

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

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

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

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

322 Section 5. Paragraph (m) of subsection (15) of section
 323 163.01, Florida Statutes, is amended to read:

324 163.01 Florida Interlocal Cooperation Act of 1969.—

325 (15) Notwithstanding any other provision of this section

326 or of any other law except s. 361.14, any public agency of this
327 state which is an electric utility, or any separate legal entity
328 created pursuant to the provisions of this section, the
329 membership of which consists only of electric utilities, and
330 which exercises or proposes to exercise the powers granted by
331 part II of chapter 361, the Joint Power Act, may exercise any or
332 all of the following powers:

333 (m) In the event that any public agency or any such legal
334 entity, or both, should receive, in connection with its joint
335 ownership or right to the services, output, capacity, or energy
336 of an electric project, as defined in paragraph (3)(d), any
337 material which is designated by the person supplying such
338 material as proprietary confidential business information or
339 which a court of competent jurisdiction has designated as
340 confidential or secret shall be kept confidential and shall be
341 exempt from the provisions of s. 119.07(1). As used in this
342 paragraph, "proprietary confidential business information"
343 ~~includes, but is not limited to, trade secrets; internal~~
344 ~~auditing controls and reports of internal auditors; security~~
345 ~~measures, systems, or procedures; information concerning bids or~~
346 ~~other contractual data, the disclosure of which would impair the~~
347 ~~efforts of the utility to contract for services on favorable~~
348 ~~terms;~~ employee personnel information unrelated to compensation,
349 duties, qualifications, or responsibilities; and formulas,
350 patterns, devices, combinations of devices, ~~contract costs,~~ or

351 other information the disclosure of which would injure the
352 affected entity in the marketplace.

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

355 202.195 Proprietary confidential business information;
356 public records exemption.—

357 (2) For the purposes of this exemption, "proprietary
358 confidential business information" includes maps, plans, billing
359 and payment records, ~~trade secrets~~, or other information
360 relating to the provision of or facilities for communications
361 service:

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

364 (b) The disclosure of which would be reasonably likely to
365 be used by a competitor to harm the business interests of the
366 company; and

367 (c) That is not otherwise readily ascertainable or
368 publicly available by proper means by other persons from another
369 source in the same configuration as requested by the local
370 governmental entity.

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372 Proprietary confidential business information does not include
373 schematics indicating the location of facilities for a specific
374 site that are provided in the normal course of the local
375 governmental entity's permitting process.

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

378 215.4401 Board of Administration; public record
 379 exemptions.—

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

381 1. "Alternative investment" means an investment by the
 382 State Board of Administration in a private equity fund, venture
 383 fund, hedge fund, or distress fund or a direct investment in a
 384 portfolio company through an investment manager.

385 2. "Alternative investment vehicle" means the limited
 386 partnership, limited liability company, or similar legal
 387 structure or investment manager through which the State Board of
 388 Administration invests in a portfolio company.

389 3. "Portfolio company" means a corporation or other
 390 issuer, any of whose securities are owned by an alternative
 391 investment vehicle or the State Board of Administration and any
 392 subsidiary of such corporation or other issuer.

393 4. "Portfolio positions" means individual investments in
 394 portfolio companies which are made by the alternative investment
 395 vehicles, including information or specific investment terms
 396 associated with any portfolio company investment.

397 5. "Proprietor" means an alternative investment vehicle, a
 398 portfolio company in which the alternative investment vehicle is
 399 invested, or an outside consultant, including the respective
 400 authorized officers, employees, agents, or successors in

401 interest, which controls or owns information provided to the
402 State Board of Administration.

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

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

415 a.b. Information provided to the State Board of
416 Administration regarding a prospective investment in a private
417 equity fund, venture fund, hedge fund, distress fund, or
418 portfolio company which is proprietary to the provider of the
419 information.

420 b.e. Financial statements and auditor reports of an
421 alternative investment vehicle.

422 c.d. Meeting materials of an alternative investment
423 vehicle relating to financial, operating, or marketing
424 information of the alternative investment vehicle.

425 d.e. Information regarding the portfolio positions in

426 | which the alternative investment vehicles invest.

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

429 | ~~f.g.~~ Alternative investment agreements and related
430 | records.

431 | ~~g.h.~~ Information concerning investors, other than the
432 | State Board of Administration, in an alternative investment
433 | vehicle.

434 | 7. "Proprietary confidential business information" does
435 | not include:

436 | a. The name, address, and vintage year of an alternative
437 | investment vehicle and the identity of the principals involved
438 | in the management of the alternative investment vehicle.

439 | b. The dollar amount of the commitment made by the State
440 | Board of Administration to each alternative investment vehicle
441 | since inception.

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

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

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

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

453 | f. The net internal rate of return of each alternative
454 | investment vehicle since inception.

455 | g. The investment multiple of each alternative investment
456 | vehicle since inception.

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

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

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

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

476 State Board of Administration, to verify the following to the
477 State Board of Administration through a written declaration in
478 the manner provided by s. 92.525:

479 a. That the requested record contains proprietary
480 confidential business information and the specific location of
481 such information within the record;

482 ~~b. If the proprietary confidential business information is~~
483 ~~a trade secret, a verification that it is a trade secret as~~
484 ~~defined in s. 688.002;~~

485 b.e. That the proprietary confidential business
486 information is intended to be and is treated by the proprietor
487 as private, is the subject of efforts of the proprietor to
488 maintain its privacy, and is not readily ascertainable or
489 publicly available from any other source; and

490 ~~c.d.~~ That the disclosure of the proprietary confidential
491 business information to the public would harm the business
492 operations of the proprietor.

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

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

501 shall be served on the State Board of Administration and, if
502 determinable upon diligent inquiry, on the proprietor of the
503 information sought to be released. In any order for the public
504 release of a record under this paragraph, the court shall make a
505 finding ~~that the record or portion thereof is not a trade secret~~
506 ~~as defined in s. 688.002,~~ that a compelling public interest is
507 served by the release of the record or portions thereof which
508 exceed the public necessity for maintaining the confidentiality
509 of such record, and that the release of the record will not
510 cause damage to or adversely affect the interests of the
511 proprietor of the released information, other private persons or
512 business entities, the State Board of Administration, or any
513 trust fund, the assets of which are invested by the State Board
514 of Administration.

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

517 252.88 Public records.—

518 (1) Whenever EPCRA authorizes an employer to exclude trade
519 secret information from its submittals, the employer shall
520 furnish the information so excluded to the commission upon
521 request. ~~Such information shall be confidential and exempt from~~
522 ~~the provisions of s. 119.07(1). The commission shall not~~
523 ~~disclose such information except pursuant to a final~~
524 ~~determination under s. 322 of EPCRA by the Administrator of the~~
525 ~~Environmental Protection Agency that such information is not~~

526 ~~entitled to trade secret protection, or pursuant to an order of~~
527 ~~court.~~

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

529 Section 10. Paragraph (h) of subsection (2) of section
530 287.0943, Florida Statutes, is amended to read:

531 287.0943 Certification of minority business enterprises.—

532 (2)

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

546 Section 11. Subsection (7) of section 288.047, Florida
547 Statutes, is amended to read:

548 288.047 Quick-response training for economic development.—

549 (7) In providing instruction pursuant to this section,
550 materials that relate to methods of manufacture or production,

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

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

564 288.075 Confidentiality of records.—

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

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

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

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

572 288.1226 Florida Tourism Industry Marketing Corporation;
573 use of property; board of directors; duties; audit.—

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

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

584 Section 14. Paragraph (d) of subsection (3) of section
585 288.776, Florida Statutes, is amended to read:

586 288.776 Board of directors; powers and duties.—

587 (3) The board shall:

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

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

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

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

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

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

608

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

612 Section 15. Section 288.9520, Florida Statutes, is amended
613 to read:

614 288.9520 Public records exemption.—Materials that relate
615 to methods of manufacture or production, ~~potential trade~~
616 ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,
617 business transactions, financial and proprietary information,
618 and agreements or proposals to receive funding that are
619 received, generated, ascertained, or discovered by Enterprise
620 Florida, Inc., including its affiliates or subsidiaries and
621 partnership participants, such as private enterprises,
622 educational institutions, and other organizations, are
623 confidential and exempt from the provisions of s. 119.07(1) and
624 s. 24(a), Art. I of the State Constitution, except that a
625 recipient of Enterprise Florida, Inc., research funds shall make

626 available, upon request, the title and description of the
 627 research project, the name of the researcher, and the amount and
 628 source of funding provided for the project.

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

631 288.9607 Guaranty of bond issues.—

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

636 Section 17. Paragraph (f) of subsection (1), paragraph (a)
 637 of subsection (2), paragraph (a) of subsection (3), and
 638 paragraphs (b) and (c) of subsection (4) of section 288.9626,
 639 Florida Statutes, are amended to read:

640 288.9626 Exemptions from public records and public
 641 meetings requirements for the Florida Opportunity Fund.—

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

643 (f)1. "Proprietary confidential business information"
 644 means information that has been designated by the proprietor
 645 when provided to the Florida Opportunity Fund as information
 646 that is owned or controlled by a proprietor; that is intended to
 647 be and is treated by the proprietor as private, the disclosure
 648 of which would harm the business operations of the proprietor
 649 and has not been intentionally disclosed by the proprietor
 650 unless pursuant to a private agreement that provides that the

651 information will not be released to the public except as
652 required by law or legal process, or pursuant to law or an order
653 of a court or administrative body; and that concerns:

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

655 a.b. Information provided to the Florida Opportunity Fund
656 regarding an existing or prospective alternative investment in a
657 private equity fund, venture capital fund, angel fund, or
658 portfolio company that is proprietary to the provider of the
659 information.

660 b.e. Financial statements and auditor reports of an
661 alternative investment vehicle or portfolio company, unless
662 publicly released by the alternative investment vehicle or
663 portfolio company.

664 c.d. Meeting materials of an alternative investment
665 vehicle or portfolio company relating to financial, operating,
666 or marketing information of the alternative investment vehicle
667 or portfolio company.

668 d.e. Information regarding the portfolio positions in
669 which the alternative investment vehicles or Florida Opportunity
670 Fund invest.

671 e.f. Capital call and distribution notices to investors or
672 the Florida Opportunity Fund of an alternative investment
673 vehicle.

674 f.g. Alternative investment agreements and related
675 records.

676 ~~g.h.~~ Information concerning investors, other than the
677 Florida Opportunity Fund, in an alternative investment vehicle
678 or portfolio company.

679 2. "Proprietary confidential business information" does
680 not include:

681 a. The name, address, and vintage year of an alternative
682 investment vehicle or Florida Opportunity Fund and the identity
683 of the principals involved in the management of the alternative
684 investment vehicle or Florida Opportunity Fund.

685 b. The dollar amount of the commitment made by the Florida
686 Opportunity Fund to each alternative investment vehicle since
687 inception, if any.

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

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

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

699 f. The net internal rate of return of each alternative
700 investment vehicle since inception.

701 g. The investment multiple of each alternative investment
702 vehicle since inception.

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

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

709 (2) PUBLIC RECORDS EXEMPTION.—

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

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

718 2. Information that would identify an investor or
719 potential investor who desires to remain anonymous in projects
720 reviewed by the Florida Opportunity Fund.

721 3. Proprietary confidential business information regarding
722 alternative investments for 7 years after the termination of the
723 alternative investment.

724 (3) PUBLIC MEETINGS EXEMPTION.—

725 (a) That portion of a meeting of the board of directors

726 of the Florida Opportunity Fund at which information is
727 discussed which is confidential and exempt under subsection (2)
728 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of
729 the State Constitution.

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

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

739 1. That the requested record contains proprietary
740 confidential business information and the specific location of
741 such information within the record;

742 ~~2. If the proprietary confidential business information is~~
743 ~~a trade secret, a verification that it is a trade secret as~~
744 ~~defined in s. 688.002;~~

745 ~~2.3.~~ That the proprietary confidential business
746 information is intended to be and is treated by the proprietor
747 as private, is the subject of efforts of the proprietor to
748 maintain its privacy, and is not readily ascertainable or
749 publicly available from any other source; and

750 ~~3.4.~~ That the disclosure of the proprietary confidential

751 business information to the public would harm the business
752 operations of the proprietor.

753 (c)1. Any person may petition a court of competent
754 jurisdiction for an order for the public release of those
755 portions of any record made confidential and exempt by
756 subsection (2).

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

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

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

766 a. b. A compelling public interest is served by the
767 release of the record or portions thereof which exceed the
768 public necessity for maintaining the confidentiality of such
769 record; and

770 b. e. The release of the record will not cause damage to
771 or adversely affect the interests of the proprietor of the
772 released information, other private persons or business
773 entities, or the Florida Opportunity Fund.

774 Section 18. Paragraph (b) of subsection (1), paragraph (a)
775 of subsection (2), paragraph (a) of subsection (3), and

776 paragraphs (b) and (c) of subsection (4) of section 288.9627,
777 Florida Statutes, are amended to read:

778 288.9627 Exemptions from public records and public
779 meetings requirements for the Institute for Commercialization of
780 Florida Technology.—

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

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

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

794 a.b. Financial statements and internal or external auditor
795 reports of a proprietor corporation, partnership, or person
796 requesting confidentiality under this statute, unless publicly
797 released by the proprietor.

798 ~~b.e.~~ Meeting materials related to financial, operating,
799 investment, or marketing information of the proprietor
800 corporation, partnership, or person.

801 c.d. Information concerning private investors in the
 802 proprietor corporation, partnership, or person.

803 2. "Proprietary confidential business information" does
 804 not include:

805 a. The identity and primary address of the proprietor's
 806 principals.

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

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

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

815 (2) PUBLIC RECORDS EXEMPTION.—

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

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

825 2. Information that would identify an investor or

826 potential investor who desires to remain anonymous in projects
827 reviewed by the institute for assistance.

828 3. Any information received from a person from another
829 state or nation or the Federal Government which is otherwise
830 confidential or exempt pursuant to the laws of that state or
831 nation or pursuant to federal law.

832 4. Proprietary confidential business information for 7
833 years after the termination of the institute's financial
834 commitment to the company.

835 (3) PUBLIC MEETINGS EXEMPTION.—

836 (a) That portion of a meeting of the institute's board of
837 directors at which information is discussed which is
838 confidential and exempt under subsection (2) or s. 688.01 is
839 exempt from s. 286.011 and s. 24(b), Art. I of the State
840 Constitution.

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

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

849 1. That the requested record contains proprietary
850 confidential business information and the specific location of

851 such information within the record;

852 ~~2. If the proprietary confidential business information is~~
853 ~~a trade secret, a verification that it is a trade secret as~~
854 ~~defined in s. 688.002;~~

855 2.3. That the proprietary confidential business
856 information is intended to be and is treated by the proprietor
857 as private, is the subject of efforts of the proprietor to
858 maintain its privacy, and is not readily ascertainable or
859 publicly available from any other source; and

860 3.4. That the disclosure of the proprietary confidential
861 business information to the public would harm the business
862 operations of the proprietor.

863 (c)1. Any person may petition a court of competent
864 jurisdiction for an order for the public release of those
865 portions of any record made confidential and exempt by
866 subsection (2).

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

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

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

876 ~~a.b.~~ A compelling public interest is served by the release
877 of the record or portions thereof which exceed the public
878 necessity for maintaining the confidentiality of such record;
879 and

880 ~~b.e.~~ The release of the record will not cause damage to or
881 adversely affect the interests of the proprietor of the released
882 information, other private persons or business entities, or the
883 institute.

884 Section 19. Section 331.326, Florida Statutes, is amended
885 to read:

886 331.326 Information relating to trade secrets
887 confidential.—The records of Space Florida regarding matters
888 encompassed by this act are public records subject to chapter
889 119. ~~Any information held by Space Florida which is a trade~~
890 ~~secret, as defined in s. 812.081, including trade secrets of~~
891 ~~Space Florida, any spaceport user, or the space industry~~
892 ~~business, is confidential and exempt from s. 119.07(1) and s.~~
893 ~~24(a), Art. I of the State Constitution and may not be~~
894 ~~disclosed. If Space Florida determines that any information~~
895 ~~requested by the public will reveal a trade secret, it shall, in~~
896 ~~writing, inform the person making the request of that~~
897 ~~determination. The determination is a final order as defined in~~
898 ~~s. 120.52.~~ Any meeting or portion of a meeting of Space
899 Florida's board is exempt from s. 286.011 and s. 24(b), Art. I
900 of the State Constitution when the board is discussing trade

901 secrets as defined in s. 688.01. Any public record generated
902 during the closed portions of the meetings, such as minutes,
903 tape recordings, and notes, is confidential and exempt from s.
904 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~
905 ~~section is subject to the Open Government Sunset Review Act in~~
906 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
907 ~~2021, unless reviewed and saved from repeal through reenactment~~
908 ~~by the Legislature.~~

909 Section 20. Subsection (4) of section 334.049, Florida
910 Statutes, is amended to read:

911 334.049 Patents, copyrights, trademarks; notice to
912 Department of State; ~~confidentiality of trade secrets.~~

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

918 Section 21. Section 350.121, Florida Statutes, is amended
919 to read:

920 350.121 Commission inquiries; confidentiality of business
921 material.—If the commission undertakes an inquiry, any records,
922 documents, papers, maps, books, tapes, photographs, files, sound
923 recordings, or other business material, regardless of form or
924 characteristics, obtained by the commission incident to the
925 inquiry are considered confidential and exempt from s. 119.07(1)

926 while the inquiry is pending. If at the conclusion of an inquiry
927 the commission undertakes a formal proceeding, any matter
928 determined by the commission or by a judicial or administrative
929 body, federal or state, to be ~~trade secrets or~~ proprietary
930 confidential business information coming into its possession
931 pursuant to such inquiry shall be considered confidential and
932 exempt from s. 119.07(1). Such material may be used in any
933 administrative or judicial proceeding so long as the
934 confidential or proprietary nature of the material is
935 maintained.

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

938 364.183 Access to company records.—

939 (3) The term "proprietary confidential business
940 information" means information, regardless of form or
941 characteristics, which is owned or controlled by the person or
942 company, is intended to be and is treated by the person or
943 company as private in that the disclosure of the information
944 would cause harm to the ratepayers or the person's or company's
945 business operations, and has not been disclosed unless disclosed
946 pursuant to a statutory provision, an order of a court or
947 administrative body, or private agreement that provides that the
948 information will not be released to the public. The term
949 includes, ~~but is not limited to:~~

950 ~~(a) Trade secrets.~~

951 (a)~~(b)~~ Internal auditing controls and reports of internal
 952 auditors.

953 (b)~~(c)~~ Security measures, systems, or procedures.

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

958 (d)~~(e)~~ Information relating to competitive interests, the
 959 disclosure of which would impair the competitive business of the
 960 provider of information.

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

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

965 365.174 Proprietary confidential business information.—

966 (3) As used in this section, the term "proprietary
 967 confidential business information" means customer lists,
 968 customer numbers, individual or aggregate customer data by
 969 location, usage and capacity data, network facilities used to
 970 serve subscribers, technology descriptions, or technical
 971 information, ~~or trade secrets, including trade secrets as~~
 972 ~~defined in s. 812.081,~~ and the actual or developmental costs of
 973 E911 systems that are developed, produced, or received
 974 internally by a provider or by a provider's employees,
 975 directors, officers, or agents.

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

978 366.093 Public utility records; confidentiality.—

979 (3) Proprietary confidential business information means
 980 information, regardless of form or characteristics, which is
 981 owned or controlled by the person or company, is intended to be
 982 and is treated by the person or company as private in that the
 983 disclosure of the information would cause harm to the ratepayers
 984 or the person's or company's business operations, and has not
 985 been disclosed unless disclosed pursuant to a statutory
 986 provision, an order of a court or administrative body, or
 987 private agreement that provides that the information will not be
 988 released to the public. Proprietary confidential business
 989 information includes, ~~but is not limited to:~~

990 ~~(a) Trade secrets.~~

991 (a) ~~(b)~~ Internal auditing controls and reports of internal
 992 auditors.

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

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

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

1001 (e)~~(f)~~ Employee personnel information unrelated to
 1002 compensation, duties, qualifications, or responsibilities.
 1003 Section 25. Subsection (3) of section 367.156, Florida
 1004 Statutes, is amended to read:
 1005 367.156 Public utility records; confidentiality.—
 1006 (3) Proprietary confidential business information means
 1007 information, regardless of form or characteristics, which is
 1008 owned or controlled by the person or company, is intended to be
 1009 and is treated by the person or company as private in that the
 1010 disclosure of the information would cause harm to the ratepayers
 1011 or the person's or company's business operations, and has not
 1012 been disclosed unless disclosed pursuant to a statutory
 1013 provision, an order of a court or administrative body, or a
 1014 private agreement that provides that the information will not be
 1015 released to the public. Proprietary business information
 1016 includes, ~~but is not limited to:~~
 1017 ~~(a) Trade secrets.~~
 1018 (a)~~(b)~~ Internal auditing controls and reports of internal
 1019 auditors.
 1020 (b)~~(e)~~ Security measures, systems, or procedures.
 1021 (c)~~(d)~~ Information concerning bids or other contractual
 1022 data, the disclosure of which would impair the efforts of the
 1023 utility or its affiliates to contract for goods or services on
 1024 favorable terms.
 1025 (d)~~(e)~~ Information relating to competitive interests, the

1026 disclosure of which would impair the competitive businesses of
 1027 the provider of the information.

1028 (e)~~(f)~~ Employee personnel information unrelated to
 1029 compensation, duties, qualifications, or responsibilities.

1030 Section 26. Subsection (3) of section 368.108, Florida
 1031 Statutes, is amended to read:

1032 368.108 Confidentiality; discovery.—

1033 (3) "Proprietary confidential business information" means
 1034 information, regardless of form or characteristics, which is
 1035 owned or controlled by the person or company, is intended to be
 1036 and is treated by the person or company as private in that the
 1037 disclosure of the information would cause harm to the ratepayers
 1038 or the person's or company's business operations, and has not
 1039 been disclosed unless disclosed pursuant to a statutory
 1040 provision, an order of a court or administrative body, or a
 1041 private agreement that provides that the information will not be
 1042 released to the public. "Proprietary confidential business
 1043 information" includes, ~~but is not limited to:~~

1044 ~~(a) Trade secrets.~~

1045 (a)~~(b)~~ Internal auditing controls and reports of internal
 1046 auditors.

1047 (b)~~(e)~~ Security measures, systems, or procedures.

1048 (c)~~(d)~~ Information concerning bids or other contractual
 1049 data, the disclosure of which would impair the efforts of the
 1050 natural gas transmission company or its affiliates to contract

1051 for goods or services on favorable terms.

1052 (d)~~(e)~~ Information relating to competitive interests, the
 1053 disclosure of which would impair the competitive business of the
 1054 provider of the information.

1055 (e)~~(f)~~ Employee personnel information unrelated to
 1056 compensation, duties, qualifications, or responsibilities.

1057 Section 27. Section 381.83, Florida Statutes, is repealed.

1058 Section 28. Paragraph (c) of subsection (2) of section
 1059 395.3035, Florida Statutes, is amended to read:

1060 395.3035 Confidentiality of hospital records and
 1061 meetings.—

1062 (2) The following records and information of any hospital
 1063 that is subject to chapter 119 and s. 24(a), Art. I of the State
 1064 Constitution are confidential and exempt from the provisions of
 1065 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1066 (c) ~~Trade secrets, as defined in s. 688.002, including~~
 1067 Reimbursement methodologies and rates.

1068 Section 29. Subsection (2) and paragraph (b) of subsection
 1069 (3) of section 403.7046, Florida Statutes, are amended to read:

1070 403.7046 Regulation of recovered materials.—

1071 (2) Notwithstanding s. 688.01, information reported
 1072 pursuant to this section or any rule adopted pursuant to this
 1073 section which, if disclosed, would reveal a trade secret, as
 1074 defined in s. 688.01, may be provided by the department ~~s.~~
 1075 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~

1076 ~~24(a), Art. I of the State Constitution. For reporting or~~
1077 ~~information purposes, however, the department may provide this~~
1078 ~~information~~ in such form that the names of the persons reporting
1079 such information and the specific information reported are not
1080 revealed. ~~This subsection is subject to the Open Government~~
1081 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1082 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1083 ~~repeal through reenactment by the Legislature.~~

1084 (3) Except as otherwise provided in this section or
1085 pursuant to a special act in effect on or before January 1,
1086 1993, a local government may not require a commercial
1087 establishment that generates source-separated recovered
1088 materials to sell or otherwise convey its recovered materials to
1089 the local government or to a facility designated by the local
1090 government, nor may the local government restrict such a
1091 generator's right to sell or otherwise convey such recovered
1092 materials to any properly certified recovered materials dealer
1093 who has satisfied the requirements of this section. A local
1094 government may not enact any ordinance that prevents such a
1095 dealer from entering into a contract with a commercial
1096 establishment to purchase, collect, transport, process, or
1097 receive source-separated recovered materials.

1098 (b)~~1~~. Before engaging in business within the jurisdiction
1099 of the local government, a recovered materials dealer or
1100 pyrolysis facility must provide the local government with a copy

1101 of the certification provided for in this section. In addition,
1102 the local government may establish a registration process
1103 whereby a recovered materials dealer or pyrolysis facility must
1104 register with the local government before engaging in business
1105 within the jurisdiction of the local government. Such
1106 registration process is limited to requiring the dealer or
1107 pyrolysis facility to register its name, including the owner or
1108 operator of the dealer or pyrolysis facility, and, if the dealer
1109 or pyrolysis facility is a business entity, its general or
1110 limited partners, its corporate officers and directors, its
1111 permanent place of business, evidence of its certification under
1112 this section, and a certification that the recovered materials
1113 or post-use polymers will be processed at a recovered materials
1114 processing facility or pyrolysis facility satisfying the
1115 requirements of this section. The local government may not use
1116 the information provided in the registration application to
1117 compete unfairly with the recovered materials dealer until 90
1118 days after receipt of the application. All counties, and
1119 municipalities whose population exceeds 35,000 according to the
1120 population estimates determined pursuant to s. 186.901, may
1121 establish a reporting process that must be limited to the
1122 regulations, reporting format, and reporting frequency
1123 established by the department pursuant to this section, which
1124 must, at a minimum, include requiring the dealer or pyrolysis
1125 facility to identify the types and approximate amount of

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

1142 ~~2. Information reported under this subsection which, if~~
1143 ~~disclosed, would reveal a trade secret, as defined in s.~~
1144 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~
1145 ~~24(a), Art. I of the State Constitution. This subparagraph is~~
1146 ~~subject to the Open Government Sunset Review Act in accordance~~
1147 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
1148 ~~unless reviewed and saved from repeal through reenactment by the~~
1149 ~~Legislature.~~

1150 Section 30. Section 403.73, Florida Statutes, is repealed.

1151 Section 31. Paragraph (c) of subsection (1) of section
 1152 408.061, Florida Statutes, is amended to read:

1153 408.061 Data collection; uniform systems of financial
 1154 reporting; information relating to physician charges;
 1155 confidential information; immunity.—

1156 (1) The agency shall require the submission by health care
 1157 facilities, health care providers, and health insurers of data
 1158 necessary to carry out the agency's duties and to facilitate
 1159 transparency in health care pricing data and quality measures.
 1160 Specifications for data to be collected under this section shall
 1161 be developed by the agency and applicable contract vendors, with
 1162 the assistance of technical advisory panels including
 1163 representatives of affected entities, consumers, purchasers, and
 1164 such other interested parties as may be determined by the
 1165 agency.

1166 (c) Data to be submitted by health insurers may include,
 1167 but are not limited to: claims, payments to health care
 1168 facilities and health care providers as specified by rule,
 1169 premium, administration, and financial information. Data
 1170 submitted shall be certified by the chief financial officer, an
 1171 appropriate and duly authorized representative, or an employee
 1172 of the insurer that the information submitted is true and
 1173 accurate. ~~Information that is considered a trade secret under s.~~
 1174 ~~812.081 shall be clearly designated.~~

1175 Section 32. Subsection (1) of section 408.185, Florida

1176 Statutes, is amended to read:

1177 408.185 Information submitted for review of antitrust
 1178 issues; confidentiality.—The following information held by the
 1179 Office of the Attorney General, which is submitted by a member
 1180 of the health care community pursuant to a request for an
 1181 antitrust no-action letter shall be confidential and exempt from
 1182 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1183 Constitution for 1 year after the date of submission.

1184 ~~(1) Documents that reveal trade secrets as defined in s.~~
 1185 ~~688.002.~~

1186 Section 33. Paragraph (a) of subsection (14) of section
 1187 408.910, Florida Statutes, is amended to read:

1188 408.910 Florida Health Choices Program.—

1189 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1190 (a) Definitions.—For purposes of this subsection, the
 1191 term:

1192 1. "Buyer's representative" means a participating
 1193 insurance agent as described in paragraph (4)(g).

1194 2. "Enrollee" means an employer who is eligible to enroll
 1195 in the program pursuant to paragraph (4)(a).

1196 3. "Participant" means an individual who is eligible to
 1197 participate in the program pursuant to paragraph (4)(b).

1198 4. "Proprietary confidential business information" means
 1199 information, regardless of form or characteristics, that is
 1200 owned or controlled by a vendor requesting confidentiality under

1201 this section; that is intended to be and is treated by the
 1202 vendor as private in that the disclosure of the information
 1203 would cause harm to the business operations of the vendor; that
 1204 has not been disclosed unless disclosed pursuant to a statutory
 1205 provision, an order of a court or administrative body, or a
 1206 private agreement providing that the information may be released
 1207 to the public; and that is information concerning:

- 1208 a. Business plans.
- 1209 b. Internal auditing controls and reports of internal
 1210 auditors.
- 1211 c. Reports of external auditors for privately held
 1212 companies.
- 1213 d. Client and customer lists.
- 1214 e. Potentially patentable material.
- 1215 ~~f. A trade secret as defined in s. 688.002.~~

1216 5. "Vendor" means a participating insurer or other
 1217 provider of services as described in paragraph (4) (d).

1218 Section 34. Section 409.91196, Florida Statutes, is
 1219 amended to read:

1220 409.91196 Supplemental rebate agreements; public records
 1221 and public meetings exemption.—

1222 (1) The rebate amount, percent of rebate, manufacturer's
 1223 pricing, and supplemental rebate, ~~and other trade secrets as~~
 1224 ~~defined in s. 688.002 that the agency has identified for use in~~
 1225 ~~negotiations,~~ held by the Agency for Health Care Administration

1226 | under s. 409.912(5)(a)7. are confidential and exempt from s.
 1227 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

1228 | (2) That portion of a meeting of the Medicaid
 1229 | Pharmaceutical and Therapeutics Committee at which the rebate
 1230 | amount, percent of rebate, manufacturer's pricing, or
 1231 | supplemental rebate, or confidential and exempt ~~other~~ trade
 1232 | secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that
 1233 | the agency has identified for use in negotiations, are discussed
 1234 | is exempt from s. 286.011 and s. 24(b), Art. I of the State
 1235 | Constitution. A record shall be made of each exempt portion of a
 1236 | meeting. Such record must include the times of commencement and
 1237 | termination, all discussions and proceedings, the names of all
 1238 | persons present at any time, and the names of all persons
 1239 | speaking. No exempt portion of a meeting may be held off the
 1240 | record.

1241 | Section 35. Paragraph (b) of subsection (2) of section
 1242 | 440.108, Florida Statutes, is amended to read:

1243 | 440.108 Investigatory records relating to workers'
 1244 | compensation employer compliance; confidentiality.—

1245 | (2) After an investigation is completed or ceases to be
 1246 | active, information in records relating to the investigation
 1247 | remains confidential and exempt from the provisions of s.
 1248 | 119.07(1) and s. 24(a), Art. I of the State Constitution if
 1249 | disclosure of that information would:

1250 | ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1251 Section 36. Paragraph (c) of subsection (1) of section
 1252 494.00125, Florida Statutes, is amended to read:
 1253 494.00125 Public records exemptions.—
 1254 (1) INVESTIGATIONS OR EXAMINATIONS.—
 1255 (c) Except as necessary for the office to enforce the
 1256 provisions of this chapter, a consumer complaint and other
 1257 information relative to an investigation or examination shall
 1258 remain confidential and exempt from s. 119.07(1) after the
 1259 investigation or examination is completed or ceases to be active
 1260 to the extent disclosure would:
 1261 1. Jeopardize the integrity of another active
 1262 investigation or examination.
 1263 2. Reveal the name, address, telephone number, social
 1264 security number, or any other identifying number or information
 1265 of any complainant, customer, or account holder.
 1266 3. Disclose the identity of a confidential source.
 1267 4. Disclose investigative techniques or procedures.
 1268 ~~5. Reveal a trade secret as defined in s. 688.002.~~
 1269 Section 37. Subsection (4) of section 497.172, Florida
 1270 Statutes, is amended to read:
 1271 497.172 Public records exemptions; public meetings
 1272 exemptions.—
 1273 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~
 1274 ~~688.002, held by the department or board, are confidential and~~
 1275 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~

1276 ~~Constitution.~~

1277 Section 38. Paragraph (c) of subsection (3) of section
1278 499.012, Florida Statutes, is amended to read:

1279 499.012 Permit application requirements.—

1280 (3)

1281 ~~(c) Information submitted by an applicant on an~~
1282 ~~application required pursuant to this subsection which is a~~
1283 ~~trade secret, as defined in s. 812.081, shall be maintained by~~
1284 ~~the department as trade secret information pursuant to s.~~
1285 ~~499.051(7).~~

1286 Section 39. Paragraph (b) of subsection (7) of section
1287 499.0121, Florida Statutes, is amended to read:

1288 499.0121 Storage and handling of prescription drugs;
1289 recordkeeping.—The department shall adopt rules to implement
1290 this section as necessary to protect the public health, safety,
1291 and welfare. Such rules shall include, but not be limited to,
1292 requirements for the storage and handling of prescription drugs
1293 and for the establishment and maintenance of prescription drug
1294 distribution records.

1295 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1296 ~~(b) Such portions of the information required pursuant to~~
1297 ~~this subsection which are a trade secret, as defined in s.~~
1298 ~~812.081, shall be maintained by the department as trade secret~~
1299 ~~information is required to be maintained under s. 499.051. This~~
1300 ~~paragraph is subject to the Open Government Sunset Review Act in~~

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

1304 Section 40. Paragraph (g) of subsection (1) of section
1305 499.05, Florida Statutes, is amended to read:

1306 499.05 Rules.—

1307 (1) The department shall adopt rules to implement and
1308 enforce this chapter with respect to:

1309 (g) Inspections and investigations conducted under s.
1310 499.051 or s. 499.93, ~~and the identification of information~~
1311 ~~claimed to be a trade secret and exempt from the public records~~
1312 ~~law as provided in s. 499.051(7).~~

1313 Section 41. Paragraph (b) of subsection (7) of section
1314 499.051, Florida Statutes, is amended to read:

1315 499.051 Inspections and investigations.—

1316 (7)

1317 ~~(b) Information that constitutes a trade secret, as~~
1318 ~~defined in s. 812.081, contained in the complaint or obtained by~~
1319 ~~the department pursuant to the investigation must remain~~
1320 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1321 ~~of the State Constitution as long as the information is held by~~
1322 ~~the department. This paragraph is subject to the Open Government~~
1323 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1324 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1325 ~~repeal through reenactment by the Legislature.~~

1326 Section 42. Section 499.931, Florida Statutes, is
 1327 repealed.

1328 Section 43. Paragraph (d) of subsection (11) of section
 1329 501.171, Florida Statutes, is amended to read:

1330 501.171 Security of confidential personal information.—

1331 (11) PUBLIC RECORDS EXEMPTION.—

1332 (d) For purposes of this subsection, the term "proprietary
 1333 information" means information that:

1334 1. Is owned or controlled by the covered entity.

1335 2. Is intended to be private and is treated by the covered
 1336 entity as private because disclosure would harm the covered
 1337 entity or its business operations.

1338 3. Has not been disclosed except as required by law or a
 1339 private agreement that provides that the information will not be
 1340 released to the public.

1341 4. Is not publicly available or otherwise readily
 1342 ascertainable through proper means from another source in the
 1343 same configuration as received by the department.

1344 5. Includes:

1345 ~~a. Trade secrets as defined in s. 688.002.~~

1346 ~~b.~~ competitive interests, the disclosure of which would
 1347 impair the competitive business of the covered entity who is the
 1348 subject of the information.

1349 Section 44. Section 502.222, Florida Statutes, is
 1350 repealed.

1351 Section 45. Paragraph (b) of subsection (1) of section
 1352 517.2015, Florida Statutes, is amended to read:

1353 517.2015 Confidentiality of information relating to
 1354 investigations and examinations.—

1355 (1)

1356 (b) Except as necessary for the office to enforce the
 1357 provisions of this chapter, a consumer complaint and other
 1358 information relative to an investigation or examination shall
 1359 remain confidential and exempt from s. 119.07(1) after the
 1360 investigation or examination is completed or ceases to be active
 1361 to the extent disclosure would:

1362 1. Jeopardize the integrity of another active
 1363 investigation or examination.

1364 2. Reveal the name, address, telephone number, social
 1365 security number, or any other identifying number or information
 1366 of any complainant, customer, or account holder.

1367 3. Disclose the identity of a confidential source.

1368 4. Disclose investigative techniques or procedures.

1369 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1370 Section 46. Paragraph (b) of subsection (1) of section
 1371 520.9965, Florida Statutes, is amended to read:

1372 520.9965 Confidentiality of information relating to
 1373 investigations and examinations.—

1374 (1)

1375 (b) Except as necessary for the office to enforce the

1376 provisions of this chapter, a consumer complaint and other
 1377 information relative to an investigation or examination shall
 1378 remain confidential and exempt from s. 119.07(1) after the
 1379 investigation or examination is completed or ceases to be active
 1380 to the extent disclosure would:

- 1381 1. Jeopardize the integrity of another active
- 1382 investigation or examination.
- 1383 2. Reveal the name, address, telephone number, social
- 1384 security number, or any other identifying number or information
- 1385 of any complainant, customer, or account holder.
- 1386 3. Disclose the identity of a confidential source.
- 1387 4. Disclose investigative techniques or procedures.
- 1388 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1389 Section 47. Subsection (2) of section 526.311, Florida
 1390 Statutes, is amended to read:

1391 526.311 Enforcement; civil penalties; injunctive relief.-

1392 (2) The Department of Agriculture and Consumer Services
 1393 shall investigate any complaints regarding violations of this
 1394 act and may request in writing the production of documents and
 1395 records as part of its investigation of a complaint. If the
 1396 person upon whom such request was made fails to produce the
 1397 documents or records within 30 days after the date of the
 1398 request, the department, through the department's office of
 1399 general counsel, may issue and serve a subpoena to compel the
 1400 production of such documents and records. If any person shall

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

1420 Section 48. Paragraph (e) of subsection (1) of section
 1421 548.062, Florida Statutes, is amended to read:

1422 548.062 Public records exemption.—

1423 (1) As used in this section, the term "proprietary
 1424 confidential business information" means information that:

1425 (e) Concerns any of the following:

1426 | 1. The number of ticket sales for a match;
 1427 | 2. The amount of gross receipts after a match;
 1428 | ~~3. A trade secret, as defined in s. 688.002;~~
 1429 | 3.4. Business plans;
 1430 | ~~4.5.~~ Internal auditing controls and reports of internal
 1431 | auditors; or
 1432 | ~~5.6.~~ Reports of external auditors.
 1433 | Section 49. Paragraph (a) of subsection (1) of section
 1434 | 556.113, Florida Statutes, is amended to read:
 1435 | 556.113 Sunshine State One-Call of Florida, Inc.; public
 1436 | records exemption.—
 1437 | (1) As used in this section, the term "proprietary
 1438 | confidential business information" means information provided
 1439 | by:
 1440 | (a) A member operator which is a map, plan, facility
 1441 | location diagram, internal damage investigation report or
 1442 | analysis, or dispatch methodology, ~~or trade secret as defined in~~
 1443 | ~~s. 688.002,~~ or which describes the exact location of a utility
 1444 | underground facility or the protection, repair, or restoration
 1445 | thereof, and:
 1446 | 1. Is intended to be and is treated by the member operator
 1447 | as confidential;
 1448 | 2. The disclosure of which would likely be used by a
 1449 | competitor to harm the business interests of the member operator
 1450 | or could be used for the purpose of inflicting damage on

1451 | underground facilities; and

1452 | 3. Is not otherwise readily ascertainable or publicly
 1453 | available by proper means by other persons from another source
 1454 | in the same configuration as provided to Sunshine State One-Call
 1455 | of Florida, Inc.

1456 | Section 50. Paragraph (b) of subsection (2) of section
 1457 | 559.5558, Florida Statutes, is amended to read:

1458 | 559.5558 Public records exemption; investigations and
 1459 | examinations.—

1460 | (2)

1461 | (b) Information made confidential and exempt pursuant to
 1462 | this section is no longer confidential and exempt once the
 1463 | investigation or examination is completed or ceases to be active
 1464 | unless disclosure of the information would:

1465 | 1. Jeopardize the integrity of another active
 1466 | investigation or examination.

1467 | 2. Reveal the personal identifying information of a
 1468 | consumer, unless the consumer is also the complainant. A
 1469 | complainant's personal identifying information is subject to
 1470 | disclosure after the investigation or examination is completed
 1471 | or ceases to be active. However, a complainant's personal
 1472 | financial and health information remains confidential and
 1473 | exempt.

1474 | 3. Reveal the identity of a confidential source.

1475 | 4. Reveal investigative or examination techniques or

1476 | procedures.

1477 | ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1478 | Section 51. Paragraph (c) of subsection (3) of section
 1479 | 559.9285, Florida Statutes, is amended to read:

1480 | 559.9285 Certification of business activities.—

1481 | (3) The department shall specify by rule the form of each
 1482 | certification under this section which shall include the
 1483 | following information:

1484 | (c) The legal name, any trade names or fictitious names,
 1485 | mailing address, physical address, telephone number or numbers,
 1486 | facsimile number or numbers, and all Internet and electronic
 1487 | contact information of every other commercial entity with which
 1488 | the certifying party engages in business or commerce that is
 1489 | related in any way to the certifying party's business or
 1490 | commerce with any terrorist state. The information disclosed
 1491 | pursuant to this paragraph does not constitute customer lists
 1492 | or, customer names, ~~or trade secrets~~ protected under s.
 1493 | 570.544(8) or trade secrets protected under s. 688.01.

1494 | Section 52. Subsection (2) of section 560.129, Florida
 1495 | Statutes, is amended to read:

1496 | 560.129 Confidentiality.—

1497 | (2) All information obtained by the office in the course
 1498 | of its investigation or examination ~~which is a trade secret, as~~
 1499 | ~~defined in s. 688.002, or~~ which is personal financial
 1500 | information shall remain confidential and exempt from s.

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

1517 Section 53. Subsection (3) of section 570.48, Florida
 1518 Statutes, is amended to read:

1519 570.48 Division of Fruit and Vegetables; powers and
 1520 duties; records.—The duties of the Division of Fruit and
 1521 Vegetables include, but are not limited to:

1522 (3) Maintaining the records of the division. The records
 1523 of the division are public records .; ~~however, trade secrets as~~
 1524 ~~defined in s. 812.081 are confidential and exempt from s.~~
 1525 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~

1526 ~~subsection is subject to the Open Government Sunset Review Act~~
 1527 ~~in accordance with s. 119.15 and shall stand repealed on October~~
 1528 ~~2, 2021, unless reviewed and saved from repeal through~~
 1529 ~~reenactment by the Legislature. This Section 688.01 may not be~~
 1530 ~~construed to prohibit:~~

1531 ~~(a) A disclosure necessary to enforcement procedures.~~

1532 ~~(b) The department from releasing information to other~~
 1533 ~~governmental agencies. Other governmental agencies that receive~~
 1534 ~~confidential information from the department under this~~
 1535 ~~subsection shall maintain the confidentiality of that~~
 1536 ~~information.~~

1537 ~~(c) the department or other agencies from compiling and~~
 1538 ~~publishing appropriate data regarding procedures, yield,~~
 1539 ~~recovery, quality, and related matters, provided such released~~
 1540 ~~data do not reveal by whom the activity to which the data relate~~
 1541 ~~was conducted.~~

1542 Section 54. Subsection (8) of section 570.544, Florida
 1543 Statutes, is amended to read:

1544 570.544 Division of Consumer Services; director; powers;
 1545 processing of complaints; records.—

1546 (8) The records of the Division of Consumer Services are
 1547 public records. However, customer lists and, customer names, ~~and~~
 1548 ~~trade secrets~~ are confidential and exempt from the provisions of
 1549 s. 119.07(1). Disclosure necessary to enforcement procedures
 1550 does not violate this prohibition.

1551 Section 55. Subsection (2) of section 573.123, Florida
1552 Statutes, is amended to read:

1553 573.123 Maintenance and production of records.—

1554 ~~(2) Information that, if disclosed, would reveal a trade~~
1555 ~~secret, as defined in s. 812.081, of any person subject to a~~
1556 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
1557 ~~s. 24(a), Art. I of the State Constitution and may not be~~
1558 ~~disclosed except to an attorney who provides legal advice to the~~
1559 ~~division about enforcing a marketing order or by court order. A~~
1560 ~~person who receives confidential information under this~~
1561 ~~subsection shall maintain the confidentiality of that~~
1562 ~~information. This subsection is subject to the Open Government~~
1563 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
1564 ~~repealed on October 2, 2021, unless reviewed and saved from~~
1565 ~~repeal through reenactment by the Legislature.~~

1566 Section 56. Section 581.199, Florida Statutes, is
1567 repealed.

1568 Section 57. Paragraph (b) of subsection (8) of section
1569 601.10, Florida Statutes, is amended to read:

1570 601.10 Powers of the Department of Citrus.—The department
1571 shall have and shall exercise such general and specific powers
1572 as are delegated to it by this chapter and other statutes of the
1573 state, which powers shall include, but are not limited to, the
1574 following:

1575 (8)

1576 ~~(b) Any information provided to the department which~~
1577 ~~constitutes a trade secret as defined in s. 812.081 is~~
1578 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1579 ~~of the State Constitution. This paragraph is subject to the Open~~
1580 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
1581 ~~shall stand repealed on October 2, 2021, unless reviewed and~~
1582 ~~saved from repeal through reenactment by the Legislature.~~

1583 Section 58. Paragraph (d) of subsection (7) of section
1584 601.15, Florida Statutes, is amended to read:

1585 601.15 Advertising campaign; methods of conducting;
1586 assessments; emergency reserve fund; citrus research.—

1587 (7) All assessments levied and collected under this
1588 chapter shall be paid into the State Treasury on or before the
1589 15th day of each month. Such moneys shall be accounted for in a
1590 special fund to be designated as the Florida Citrus Advertising
1591 Trust Fund, and all moneys in such fund are appropriated to the
1592 department for the following purposes:

1593 (d)1. The pro rata portion of moneys allocated to each
1594 type of citrus product in noncommodity programs shall be used by
1595 the department to encourage substantial increases in the
1596 effectiveness, frequency, and volume of noncommodity
1597 advertising, merchandising, publicity, and sales promotion of
1598 such citrus products through rebates and incentive payments to
1599 handlers and trade customers for these activities. The
1600 department shall adopt rules providing for the use of such

1601 moneys. The rules shall establish alternate incentive programs,
1602 including at least one incentive program for product sold under
1603 advertised brands, one incentive program for product sold under
1604 private label brands, and one incentive program for product sold
1605 in bulk. For each incentive program, the rules must establish
1606 eligibility and performance requirements and must provide
1607 appropriate limitations on amounts payable to a handler or trade
1608 customer for a particular season. Such limitations may relate to
1609 the amount of citrus assessments levied and collected on the
1610 citrus product handled by such handler or trade customer during
1611 a 12-month representative period.

1612 2. The department may require from participants in
1613 noncommodity advertising and promotional programs commercial
1614 information necessary to determine eligibility for and
1615 performance in such programs. ~~Any information required which~~
1616 ~~constitutes a trade secret as defined in s. 812.081 is~~
1617 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~
1618 ~~of the State Constitution. This subparagraph is subject to the~~
1619 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
1620 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~
1621 ~~saved from repeal through reenactment by the Legislature.~~

1622 Section 59. Paragraph (c) of subsection (8) of section
1623 601.152, Florida Statutes, is amended to read:

1624 601.152 Special marketing orders.—

1625 (8)

1626 (c)~~1~~. Every handler shall, at such times as the department
 1627 may require, file with the department a return, not under oath,
 1628 on forms to be prescribed and furnished by the department,
 1629 certified as true and correct, stating the quantity of the type,
 1630 variety, and form of citrus fruit or citrus product specified in
 1631 the marketing order first handled in the primary channels of
 1632 trade in the state by such handler during the period of time
 1633 specified in the marketing order. Such returns must contain any
 1634 further information deemed by the department to be reasonably
 1635 necessary to properly administer or enforce this section or any
 1636 marketing order implemented under this section.

1637 ~~2. Information that, if disclosed, would reveal a trade~~
 1638 ~~secret, as defined in s. 812.081, of any person subject to a~~
 1639 ~~marketing order is confidential and exempt from s. 119.07(1) and~~
 1640 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~
 1641 ~~subject to the Open Government Sunset Review Act in accordance~~
 1642 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
 1643 ~~unless reviewed and saved from repeal through reenactment by the~~
 1644 ~~Legislature.~~

1645 Section 60. Section 601.76, Florida Statutes, is amended
 1646 to read:

1647 601.76 Manufacturer to furnish formula and other
 1648 information.—Any formula required to be filed with the
 1649 Department of Agriculture ~~shall be deemed a trade secret as~~
 1650 ~~defined in s. 812.081,~~ is confidential and exempt from s.

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

1661 Section 61. Subsection (6) of section 607.0505, Florida
1662 Statutes, is amended to read:

1663 607.0505 Registered agent; duties.—

1664 (6) Information provided to, and records and
1665 transcriptions of testimony obtained by, the Department of Legal
1666 Affairs pursuant to this section are confidential and exempt
1667 from the provisions of s. 119.07(1) while the investigation is
1668 active. For purposes of this section, an investigation shall be
1669 considered "active" while such investigation is being conducted
1670 with a reasonable, good faith belief that it may lead to the
1671 filing of an administrative, civil, or criminal proceeding. An
1672 investigation does not cease to be active so long as the
1673 Department of Legal Affairs is proceeding with reasonable
1674 dispatch and there is a good faith belief that action may be
1675 initiated by the Department of Legal Affairs or other

1676 administrative or law enforcement agency. Except for active
1677 criminal intelligence or criminal investigative information, as
1678 defined in s. 119.011, and information which, if disclosed,
1679 ~~would reveal a trade secret, as defined in s. 688.002, or~~ would
1680 jeopardize the safety of an individual, all information,
1681 records, and transcriptions become public record when the
1682 investigation is completed or ceases to be active. The
1683 Department of Legal Affairs shall not disclose confidential
1684 information, records, or transcriptions of testimony except
1685 pursuant to the authorization by the Attorney General in any of
1686 the following circumstances:

1687 (a) To a law enforcement agency participating in or
1688 conducting a civil investigation under chapter 895, or
1689 participating in or conducting a criminal investigation.

1690 (b) In the course of filing, participating in, or
1691 conducting a judicial proceeding instituted pursuant to this
1692 section or chapter 895.

1693 (c) In the course of filing, participating in, or
1694 conducting a judicial proceeding to enforce an order or judgment
1695 entered pursuant to this section or chapter 895.

1696 (d) In the course of a criminal or civil proceeding.

1697

1698 A person or law enforcement agency which receives any
1699 information, record, or transcription of testimony that has been
1700 made confidential by this subsection shall maintain the

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

1713 Section 62. Subsection (6) of section 617.0503, Florida
1714 Statutes, is amended to read:

1715 617.0503 Registered agent; duties; confidentiality of
1716 investigation records.—

1717 (6) Information provided to, and records and
1718 transcriptions of testimony obtained by, the Department of Legal
1719 Affairs pursuant to this section are confidential and exempt
1720 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the
1721 State Constitution while the investigation is active. For
1722 purposes of this section, an investigation shall be considered
1723 "active" while such investigation is being conducted with a
1724 reasonable, good faith belief that it may lead to the filing of
1725 an administrative, civil, or criminal proceeding. An

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

1740 (a) To a law enforcement agency participating in or
1741 conducting a civil investigation under chapter 895, or
1742 participating in or conducting a criminal investigation.

1743 (b) In the course of filing, participating in, or
1744 conducting a judicial proceeding instituted pursuant to this
1745 section or chapter 895.

1746 (c) In the course of filing, participating in, or
1747 conducting a judicial proceeding to enforce an order or judgment
1748 entered pursuant to this section or chapter 895.

1749 (d) In the course of a criminal proceeding.
1750

1751 A person or law enforcement agency that receives any
1752 information, record, or transcription of testimony that has been
1753 made confidential by this subsection shall maintain the
1754 confidentiality of such material and shall not disclose such
1755 information, record, or transcription of testimony except as
1756 provided for herein. Any person who willfully discloses any
1757 information, record, or transcription of testimony that has been
1758 made confidential by this subsection, except as provided for in
1759 this subsection, commits a misdemeanor of the first degree,
1760 punishable as provided in s. 775.082 or s. 775.083. If any
1761 information, record, or testimony obtained pursuant to
1762 subsection (2) is offered in evidence in any judicial
1763 proceeding, the court may, in its discretion, seal that portion
1764 of the record to further the policies of confidentiality set
1765 forth in this subsection.

1766 Section 63. Subsection (4) of section 624.307, Florida
1767 Statutes, is amended to read:

1768 624.307 General powers; duties.—

1769 (4) The department and office may each collect, propose,
1770 publish, and disseminate information relating to the subject
1771 matter of any duties imposed upon it by law. Notwithstanding any
1772 other provision of law, information reported to and collected by
1773 the office may be made available on an aggregate basis. The
1774 office may report, publish, or otherwise make available such
1775 information from all insurers on an aggregate basis by line of

1776 business and by county, even if marked trade secret pursuant to
 1777 s. 688.01, but shall otherwise maintain trade secret
 1778 confidentiality in accordance with s. 688.01.

1779 Section 64. Subsection (4) is added to section 624.315,
 1780 Florida Statutes, to read:

1781 624.315 Department; annual report.—

1782 (4) Notwithstanding any other provision of law, the office
 1783 may make the information in subsection (2) available on an
 1784 aggregate basis. The office may include such statistical
 1785 information from all insurers on an aggregate basis by line of
 1786 business and by county, even if marked trade secret pursuant to
 1787 s. 688.01, but shall otherwise maintain trade secret
 1788 confidentiality in accordance with s. 688.01.

1789 Section 65. Paragraph (c) of subsection (1) and subsection
 1790 (5) of section 624.4212, Florida Statutes, are amended to read:

1791 624.4212 Confidentiality of proprietary business and other
 1792 information.—

1793 (1) As used in this section, the term "proprietary
 1794 business information" means information, regardless of form or
 1795 characteristics, which is owned or controlled by an insurer, or
 1796 a person or an affiliated person who seeks acquisition of
 1797 controlling stock in a domestic stock insurer or controlling
 1798 company, and which:

1799 (c) Includes:

1800 ~~1. Trade secrets as defined in s. 688.002 which comply~~

1801 ~~with s. 624.4213.~~

1802 1.2. Information relating to competitive interests, the
 1803 disclosure of which would impair the competitive business of the
 1804 provider of the information.

1805 2.3. The source, nature, and amount of the consideration
 1806 used or to be used in carrying out a merger or other acquisition
 1807 of control in the ordinary course of business, including the
 1808 identity of the lender, if the person filing a statement
 1809 regarding consideration so requests.

1810 3.4. Information relating to bids or other contractual
 1811 data, the disclosure of which would impair the efforts of the
 1812 insurer or its affiliates to contract for goods or services on
 1813 favorable terms.

1814 4.5. Internal auditing controls and reports of internal
 1815 auditors.

1816 (5) The office may disclose information made confidential
 1817 and exempt under this section or s. 688.01:

1818 (a) If the insurer to which it pertains gives prior
 1819 written consent;

1820 (b) Pursuant to a court order;

1821 (c) To the Actuarial Board for Counseling and Discipline
 1822 upon a request stating that the information is for the purpose
 1823 of professional disciplinary proceedings and specifying
 1824 procedures satisfactory to the office for preserving the
 1825 confidentiality of the information;

1826 (d) To other states, federal and international agencies,
 1827 the National Association of Insurance Commissioners and its
 1828 affiliates and subsidiaries, and state, federal, and
 1829 international law enforcement authorities, including members of
 1830 a supervisory college described in s. 628.805 if the recipient
 1831 agrees in writing to maintain the confidential and exempt status
 1832 of the document, material, or other information and has
 1833 certified in writing its legal authority to maintain such
 1834 confidentiality; or

1835 (e) For the purpose of aggregating information on an
 1836 industrywide basis and disclosing the information to the public
 1837 only if the specific identities of the insurers, or persons or
 1838 affiliated persons, are not revealed.

1839 Section 66. Section 624.4213, Florida Statutes, is
 1840 repealed.

1841 Section 67. Paragraph (d) of subsection (1) of section
 1842 626.84195, Florida Statutes, is amended to read:

1843 626.84195 Confidentiality of information supplied by title
 1844 insurance agencies and insurers.—

1845 (1) As used in this section, the term "proprietary
 1846 business information" means information that:

1847 (d) Concerns:

- 1848 1. Business plans;
- 1849 2. Internal auditing controls and reports of internal
 1850 auditors;

1851 3. Reports of external auditors for privately held
 1852 companies; or
 1853 ~~4. Trade secrets, as defined in s. 688.002; or~~
 1854 4.5. Financial information, including revenue data, loss
 1855 expense data, gross receipts, taxes paid, capital investment,
 1856 and employee wages.

1857 Section 68. Subsection (2) of section 626.884, Florida
 1858 Statutes, is amended to read:

1859 626.884 Maintenance of records by administrator; access;
 1860 confidentiality.—

1861 (2) The office shall have access to books and records
 1862 maintained by the administrator for the purpose of examination,
 1863 audit, and inspection. ~~Information contained in such books and~~
 1864 ~~records is confidential and exempt from the provisions of s.~~
 1865 ~~119.07(1) if the disclosure of such information would reveal a~~
 1866 ~~trade secret as defined in s. 688.002. However,~~ The office may
 1867 use such information in any proceeding instituted against the
 1868 administrator.

1869 Section 69. Paragraph (a) of subsection (1) of section
 1870 626.9936, Florida Statutes, is amended to read:

1871 626.9936 Access to records.—

1872 (1) Notwithstanding subsections (1) and (2) of Article
 1873 VIII, subsection (2) of Article X, and subsection (6) of Article
 1874 XII of the Interstate Insurance Product Regulation Compact, a
 1875 request by a resident of this state for public inspection and

1876 copying of information, data, or official records that includes:

1877 (a) An insurer's trade secrets shall be referred to the

1878 commissioner who shall respond to the request, with the

1879 cooperation and assistance of the commission, in accordance with

1880 s. 688.01 ~~s. 624.4213~~; or

1881 Section 70. Paragraph (g) of subsection (3) of section

1882 627.0628, Florida Statutes, is amended to read:

1883 627.0628 Florida Commission on Hurricane Loss Projection

1884 Methodology; public records exemption; public meetings

1885 exemption.—

1886 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1887 ~~(g)1. A trade secret, as defined in s. 688.002, which is~~

1888 ~~used in designing and constructing a hurricane or flood loss~~

1889 ~~model and which is provided pursuant to this section, by a~~

1890 ~~private company, to the commission, office, or consumer advocate~~

1891 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~

1892 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~

1893 ~~Constitution.~~

1894 (g)1.2.a. That portion of a meeting of the commission or

1895 of a rate proceeding on an insurer's rate filing at which a

1896 trade secret made confidential and exempt pursuant to s. 688.01

1897 ~~by this paragraph~~ is discussed is exempt from s. 286.011 and s.

1898 24(b), Art. I of the State Constitution. The closed meeting must

1899 be recorded, and no portion of the closed meeting may be off the

1900 record.

1901 ~~2.b.~~ The recording of a closed portion of a meeting is
 1902 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1903 Constitution.

1904 Section 71. Paragraph (a) of subsection (11) of section
 1905 627.3518, Florida Statutes, is amended to read:

1906 627.3518 Citizens Property Insurance Corporation
 1907 policyholder eligibility clearinghouse program.—The purpose of
 1908 this section is to provide a framework for the corporation to
 1909 implement a clearinghouse program by January 1, 2014.

1910 (11) Proprietary business information provided to the
 1911 corporation's clearinghouse by insurers with respect to
 1912 identifying and selecting risks for an offer of coverage is
 1913 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 1914 of the State Constitution.

1915 (a) As used in this subsection, the term "proprietary
 1916 business information" means information, regardless of form or
 1917 characteristics, which is owned or controlled by an insurer and:

1918 1. Is identified by the insurer as proprietary business
 1919 information and is intended to be and is treated by the insurer
 1920 as private in that the disclosure of the information would cause
 1921 harm to the insurer, an individual, or the company's business
 1922 operations and has not been disclosed unless disclosed pursuant
 1923 to a statutory requirement, an order of a court or
 1924 administrative body, or a private agreement that provides that
 1925 the information will not be released to the public;

1926 2. Is not otherwise readily ascertainable or publicly
 1927 available by proper means by other persons from another source
 1928 in the same configuration as provided to the clearinghouse; and

1929 3. Includes-

1930 ~~a. Trade secrets, as defined in s. 688.002.~~

1931 ~~b.~~ information relating to competitive interests, the
 1932 disclosure of which would impair the competitive business of the
 1933 provider of the information.

1934
 1935 Proprietary business information may be found in underwriting
 1936 criteria or instructions which are used to identify and select
 1937 risks through the program for an offer of coverage and are
 1938 shared with the clearinghouse to facilitate the shopping of
 1939 risks with the insurer.

1940 Section 72. Subsections (5) through (14) of section
 1941 655.057, Florida Statutes, are renumbered as subsections (4)
 1942 through (13), respectively, and present subsections (4), (5),
 1943 and (14) are amended to read:

1944 655.057 Records; limited restrictions upon public access.-

1945 ~~(4) Except as otherwise provided in this section and~~
 1946 ~~except for those portions that are otherwise public record,~~
 1947 ~~trade secrets as defined in s. 688.002 which comply with s.~~
 1948 ~~655.0591 and which are held by the office in accordance with its~~
 1949 ~~statutory duties with respect to the financial institutions~~
 1950 ~~codes are confidential and exempt from s. 119.07(1) and s.~~

1951 | ~~24(a), Art. I of the State Constitution.~~

1952 | (4)~~(5)~~ Neither this section nor s. 688.01 prevents ~~does~~
 1953 | ~~not prevent~~ or restricts ~~restrict~~:

1954 | (a) Publishing reports that are required to be submitted
 1955 | to the office pursuant to s. 655.045(2) or required by
 1956 | applicable federal statutes or regulations to be published.

1957 | (b) Furnishing records or information to any other state,
 1958 | federal, or foreign agency responsible for the regulation or
 1959 | supervision of financial institutions.

1960 | (c) Disclosing or publishing summaries of the condition of
 1961 | financial institutions and general economic and similar
 1962 | statistics and data, provided that the identity of a particular
 1963 | financial institution is not disclosed.

1964 | (d) Reporting any suspected criminal activity, with
 1965 | supporting documents and information, to appropriate law
 1966 | enforcement and prosecutorial agencies.

1967 | (e) Furnishing information upon request to the Chief
 1968 | Financial Officer or the Division of Treasury of the Department
 1969 | of Financial Services regarding the financial condition of any
 1970 | financial institution that is, or has applied to be, designated
 1971 | as a qualified public depository pursuant to chapter 280.

1972 | (f) Furnishing information to Federal Home Loan Banks
 1973 | regarding its member institutions pursuant to an information
 1974 | sharing agreement between the Federal Home Loan Banks and the
 1975 | office.

1976
 1977 Any confidential information or records obtained from the office
 1978 pursuant to this subsection shall be maintained as confidential
 1979 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1980 Constitution.

1981 (13)~~(14)~~ Subsections (1), (2), ~~(5)~~, and (8) ~~(9)~~ are
 1982 subject to the Open Government Sunset Review Act in accordance
 1983 with s. 119.15 and are repealed on October 2, 2022, unless
 1984 reviewed and saved from repeal through reenactment by the
 1985 Legislature.

1986 Section 73. Section 655.0591, Florida Statutes, is
 1987 repealed.

1988 Section 74. Subsection (11) of section 663.533, Florida
 1989 Statutes, is amended to read:

1990 663.533 Applicability of the financial institutions
 1991 codes.—A qualified limited service affiliate is subject to the
 1992 financial institutions codes. Without limiting the foregoing,
 1993 the following provisions are applicable to a qualified limited
 1994 service affiliate:

1995 (11) Section 688.01 ~~655.0591~~, relating to trade secret
 1996 documents.

1997
 1998 This section does not prohibit the office from investigating or
 1999 examining an entity to ensure that it is not in violation of
 2000 this chapter or applicable provisions of the financial

2001 institutions codes.

2002 Section 75. Section 721.071, Florida Statutes, is
 2003 repealed.

2004 Section 76. Subsections (3) and (4) of section 815.04,
 2005 Florida Statutes, are amended to read:

2006 815.04 Offenses against intellectual property; ~~public~~
 2007 ~~records exemption.~~—

2008 ~~(3) Data, programs, or supporting documentation that is a~~
 2009 ~~trade secret as defined in s. 812.081, that is held by an agency~~
 2010 ~~as defined in chapter 119, and that resides or exists internal~~
 2011 ~~or external to a computer, computer system, computer network, or~~
 2012 ~~electronic device is confidential and exempt from the provisions~~
 2013 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~
 2014 ~~This subsection is subject to the Open Government Sunset Review~~
 2015 ~~Act in accordance with s. 119.15 and shall stand repealed on~~
 2016 ~~October 2, 2021, unless reviewed and saved from repeal through~~
 2017 ~~re enactment by the Legislature.~~

2018 (3)(4) A person who willfully, knowingly, and without
 2019 authorization discloses or takes data, programs, or supporting
 2020 documentation that is a trade secret as defined in s. 812.081 ~~or~~
 2021 ~~is confidential as provided by law~~ residing or existing internal
 2022 or external to a computer, computer system, computer network, or
 2023 electronic device commits an offense against intellectual
 2024 property.

2025 Section 77. Section 815.045, Florida Statutes, is

2026 | repealed.

2027 | Section 78. Subsection (2) of section 1004.22, Florida
2028 | Statutes, is amended to read:

2029 | 1004.22 Divisions of sponsored research at state
2030 | universities.—

2031 | (2) The university shall set such policies to regulate the
2032 | activities of the divisions of sponsored research as it may
2033 | consider necessary to administer the research programs in a
2034 | manner which assures efficiency and effectiveness, producing the
2035 | maximum benefit for the educational programs and maximum service
2036 | to the state. To this end, materials that relate to methods of
2037 | manufacture or production, ~~potential trade secrets~~, potentially
2038 | patentable material, ~~actual~~ trade secrets, as defined in s.
2039 | 688.01, business transactions, or proprietary information
2040 | received, generated, ascertained, or discovered during the
2041 | course of research conducted within the state universities shall
2042 | be confidential and exempt from the provisions of s. 119.07(1),
2043 | except that a division of sponsored research shall make
2044 | available upon request the title and description of a research
2045 | project, the name of the researcher, and the amount and source
2046 | of funding provided for such project.

2047 | Section 79. Paragraph (c) of subsection (2) and
2048 | subsections (3), (4), and (7) of section 1004.30, Florida
2049 | Statutes, are amended to read:

2050 | 1004.30 University health services support organization;

2051 confidentiality of information.—

2052 (2) The following university health services support
 2053 organization's records and information are confidential and
 2054 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I
 2055 of the State Constitution:

2056 ~~(c) Trade secrets, as defined in s. 688.002, including~~
 2057 ~~reimbursement methodologies and rates.~~

2058 (3) Any portion of a governing board or peer review panel
 2059 or committee meeting during which a confidential and exempt
 2060 contract, document, record, or marketing plan, ~~or trade secret,~~
 2061 as provided for in subsection (2), or a confidential and exempt
 2062 trade secret, as provided for in s. 688.01, is discussed is
 2063 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of
 2064 the State Constitution.

2065 (4) Those portions of any public record, such as a tape
 2066 recording, minutes, and notes, generated during that portion of
 2067 a governing board or peer review panel or committee meeting
 2068 which is closed to the public pursuant to this section, ~~which~~
 2069 ~~contain information relating to contracts, documents, records,~~
 2070 ~~marketing plans, or trade secrets which are made confidential~~
 2071 ~~and exempt by this section,~~ are confidential and exempt from the
 2072 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 2073 Constitution.

2074 (7) Those portions of any public record, such as a tape
 2075 recording, minutes, or notes, generated during that portion of a

2076 governing board meeting at which negotiations for contracts for
2077 managed-care arrangements occur, are reported on, or are acted
2078 on by the governing board, which record is made confidential and
2079 exempt by subsection (4), shall become public records 2 years
2080 after the termination or completion of the term of the contract
2081 to which such negotiations relate or, if no contract was
2082 executed, 2 years after the termination of the negotiations.
2083 Notwithstanding paragraph (2)(a) and subsection (4), a
2084 university health services support organization must make
2085 available, upon request, the title and general description of a
2086 contract for managed-care arrangements, the names of the
2087 contracting parties, and the duration of the contract term. All
2088 contracts for managed-care arrangements which are made
2089 confidential and exempt by paragraph (2)(a), except those
2090 portions of any contract containing trade secrets which are made
2091 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall
2092 become public 2 years after the termination or completion of the
2093 term of the contract.

2094 Section 80. Paragraph (b) of subsection (8) of section
2095 1004.43, Florida Statutes, is amended to read:

2096 1004.43 H. Lee Moffitt Cancer Center and Research
2097 Institute.—There is established the H. Lee Moffitt Cancer Center
2098 and Research Institute, a statewide resource for basic and
2099 clinical research and multidisciplinary approaches to patient
2100 care.

2101 (8)

2102 (b) Proprietary confidential business information is

2103 confidential and exempt from the provisions of s. 119.07(1) and

2104 s. 24(a), Art. I of the State Constitution. However, the Auditor

2105 General, the Office of Program Policy Analysis and Government

2106 Accountability, and the Board of Governors, pursuant to their

2107 oversight and auditing functions, must be given access to all

2108 proprietary confidential business information upon request and

2109 without subpoena and must maintain the confidentiality of

2110 information so received. As used in this paragraph, the term

2111 "proprietary confidential business information" means

2112 information, regardless of its form or characteristics, which is

2113 owned or controlled by the not-for-profit corporation or its

2114 subsidiaries; is intended to be and is treated by the not-for-

2115 profit corporation or its subsidiaries as private and the

2116 disclosure of which would harm the business operations of the

2117 not-for-profit corporation or its subsidiaries; has not been

2118 intentionally disclosed by the corporation or its subsidiaries

2119 unless pursuant to law, an order of a court or administrative

2120 body, a legislative proceeding pursuant to s. 5, Art. III of the

2121 State Constitution, or a private agreement that provides that

2122 the information may be released to the public; and which is

2123 information concerning:

2124 1. Internal auditing controls and reports of internal

2125 auditors;

- 2126 2. Matters reasonably encompassed in privileged attorney-
 2127 client communications;
- 2128 3. Contracts for managed-care arrangements, including
 2129 preferred provider organization contracts, health maintenance
 2130 organization contracts, and exclusive provider organization
 2131 contracts, and any documents directly relating to the
 2132 negotiation, performance, and implementation of any such
 2133 contracts for managed-care arrangements;
- 2134 4. Bids or other contractual data, banking records, and
 2135 credit agreements the disclosure of which would impair the
 2136 efforts of the not-for-profit corporation or its subsidiaries to
 2137 contract for goods or services on favorable terms;
- 2138 5. Information relating to private contractual data, the
 2139 disclosure of which would impair the competitive interest of the
 2140 provider of the information;
- 2141 6. Corporate officer and employee personnel information;
- 2142 7. Information relating to the proceedings and records of
 2143 credentialing panels and committees and of the governing board
 2144 of the not-for-profit corporation or its subsidiaries relating
 2145 to credentialing;
- 2146 8. Minutes of meetings of the governing board of the not-
 2147 for-profit corporation and its subsidiaries, except minutes of
 2148 meetings open to the public pursuant to subsection (9);
- 2149 9. Information that reveals plans for marketing services
 2150 that the corporation or its subsidiaries reasonably expect to be

2151 provided by competitors;

2152 10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,

2153 including:

2154 a. Information relating to methods of manufacture or

2155 production, ~~potential trade secrets~~, potentially patentable

2156 materials, or proprietary information received, generated,

2157 ascertained, or discovered during the course of research

2158 conducted by the not-for-profit corporation or its subsidiaries;

2159 and

2160 b. Reimbursement methodologies or rates;

2161 11. The identity of donors or prospective donors of

2162 property who wish to remain anonymous or any information

2163 identifying such donors or prospective donors. The anonymity of

2164 these donors or prospective donors must be maintained in the

2165 auditor's report; or

2166 12. Any information received by the not-for-profit

2167 corporation or its subsidiaries from an agency in this or

2168 another state or nation or the Federal Government which is

2169 otherwise exempt or confidential pursuant to the laws of this or

2170 another state or nation or pursuant to federal law.

2171

2172 As used in this paragraph, the term "managed care" means systems

2173 or techniques generally used by third-party payors or their

2174 agents to affect access to and control payment for health care

2175 services. Managed-care techniques most often include one or more

2176 of the following: prior, concurrent, and retrospective review of
 2177 the medical necessity and appropriateness of services or site of
 2178 services; contracts with selected health care providers;
 2179 financial incentives or disincentives related to the use of
 2180 specific providers, services, or service sites; controlled
 2181 access to and coordination of services by a case manager; and
 2182 payor efforts to identify treatment alternatives and modify
 2183 benefit restrictions for high-cost patient care.

2184 Section 81. Paragraph (a) of subsection (2) of section
 2185 1004.4472, Florida Statutes, is amended to read:

2186 1004.4472 Florida Institute for Human and Machine
 2187 Cognition, Inc.; public records exemption; public meetings
 2188 exemption.—

2189 (2) The following information held by the corporation or
 2190 its subsidiary is confidential and exempt from s. 119.07(1) and
 2191 s. 24(a), Art. I of the State Constitution:

2192 (a) Material relating to methods of manufacture or
 2193 production, ~~potential trade secrets~~, patentable material, ~~actual~~
 2194 trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary
 2195 information received, generated, ascertained, or discovered
 2196 during the course of research conducted by or through the
 2197 corporation or a subsidiary, and business transactions resulting
 2198 from such research.

2199 Section 82. Subsection (2) of section 1004.78, Florida
 2200 Statutes, is amended to read:

2201 1004.78 Technology transfer centers at Florida College
2202 System institutions.—

2203 (2) The Florida College System institution board of
2204 trustees shall set such policies to regulate the activities of
2205 the technology transfer center as it may consider necessary to
2206 effectuate the purposes of this section and to administer the
2207 programs of the center in a manner which assures efficiency and
2208 effectiveness, producing the maximum benefit for the educational
2209 programs and maximum service to the state. To this end,
2210 materials that relate to methods of manufacture or production,
2211 ~~potential trade secrets,~~ potentially patentable material, ~~actual~~
2212 trade secrets as defined in s. 688.01, business transactions, or
2213 proprietary information received, generated, ascertained, or
2214 discovered during the course of activities conducted within the
2215 Florida College System institutions shall be confidential and
2216 exempt from the provisions of s. 119.07(1), except that a
2217 Florida College System institution shall make available upon
2218 request the title and description of a project, the name of the
2219 investigator, and the amount and source of funding provided for
2220 such project.

2221 Section 83. Section 601.80, Florida Statutes, is amended
2222 to read:

2223 601.80 Unlawful to use uncertified coloring matter.—It is
2224 unlawful for any person to use on oranges or citrus hybrids any
2225 coloring matter which has not first received the approval of the

2226 Department of Agriculture ~~as provided under s. 601.76.~~

2227 Section 84. Subsection (11) of section 663.533, Florida
 2228 Statutes, is amended to read:

2229 663.533 Applicability of the financial institutions
 2230 codes.—A qualified limited service affiliate is subject to the
 2231 financial institutions codes. Without limiting the foregoing,
 2232 the following provisions are applicable to a qualified limited
 2233 service affiliate:

2234 ~~(11) Section 655.0591, relating to trade secret documents.~~

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 2236 This section does not prohibit the office from investigating or
 2237 examining an entity to ensure that it is not in violation of
 2238 this chapter or applicable provisions of the financial
 2239 institutions codes.

2240 Section 85. Paragraph (c) of subsection (12) of section
 2241 721.13, Florida Statutes, is amended to read:

2242 721.13 Management.—

2243 (12)

2244 (c) The managing entity shall maintain copies of all
 2245 records, data, and information supporting the processes,
 2246 analyses, procedures, and methods utilized by the managing
 2247 entity in its determination to reserve accommodations of the
 2248 timeshare plan pursuant to this subsection for a period of 5
 2249 years from the date of such determination. In the event of an
 2250 investigation by the division for failure of a managing entity

2251 to comply with this subsection, the managing entity shall make
 2252 all such records, data, and information available to the
 2253 division for inspection, ~~provided that if the managing entity~~
 2254 ~~complies with the provisions of s. 721.071, any such records,~~
 2255 ~~data, and information provided to the division shall constitute~~
 2256 ~~a trade secret pursuant to that section.~~

2257 Section 86. Paragraphs (a) and (c) of subsection (3) of
 2258 section 921.0022, Florida Statutes, are amended to read:

2259 921.0022 Criminal Punishment Code; offense severity
 2260 ranking chart.—

2261 (3) OFFENSE SEVERITY RANKING CHART

2262 (a) LEVEL 1

2263

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

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			than \$20,000.
2267	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
2268	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2269	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2270	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2271	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2272	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.

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2273	322.212 (5) (a)	3rd	False application for driver license or identification card.
2274	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2275	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
2276	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
2277	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2278	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
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2280	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2281	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
2282	<u>815.04 (4) (a)</u> 815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
2283	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
2284	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2285	826.01	3rd	Bigamy.
2286	828.122 (3)	3rd	Fighting or baiting animals.

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2287	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
2288	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
2289	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
2290	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.
2291	838.15 (2)	3rd	Commercial bribe receiving.
2292	838.16	3rd	Commercial bribery.
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.

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2293	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2294	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.
2295	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2296	849.25 (2)	3rd	Engaging in bookmaking.
2297	860.08	3rd	Interfere with a railroad signal.
2298	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2299	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
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2301	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2302	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2303	(c) LEVEL 3		
2304			
2305	Florida Statute	Felony Degree	Description
2306	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2307	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2308	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

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2309	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2310	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2311	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2312	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2313	327.35 (2) (b)	3rd	Felony BUI.
2314	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2315	328.07 (4)	3rd	Manufacture, exchange, or

2316	376.302 (5)	3rd	possess vessel with counterfeit or wrong ID number. Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2317	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 turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2318	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
2319	379.2431	3rd	Soliciting to commit or

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2320	(1) (e) 7.		conspiring to commit a violation of the Marine Turtle Protection Act.
2321	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2322	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2323	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2324	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.

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2325	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2326	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
2327	697.08	3rd	Equity skimming.
2328	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
2329	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2330	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
2331	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed

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			with firearm or dangerous weapon.
2332	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2333	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2334	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
2335	<u>815.04 (4) (b)</u> 815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2336	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2337	817.233	3rd	Burning to defraud insurer.
2338	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor

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2339			vehicle accidents.
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2340			
	817.236	3rd	Filing a false motor vehicle insurance application.
2341			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2342			
	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
2343			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
2344			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.

2345	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2346	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
2347	860.15 (3)	3rd	Overcharging for repairs and parts.
2348	870.01 (2)	3rd	Riot; inciting or encouraging.
2349	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
2350	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs

2351	893.13(1)(f)2.	2nd	within 1,000 feet of university.
2352	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.
2353	893.13(6)(a)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2354	893.13(7)(a)8.	3rd	Possession of any controlled substance other than felony possession of cannabis.
2355	893.13(7)(a)9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
			Obtain or attempt to obtain

2356	893.13(7)(a)10.	3rd	controlled substance by fraud, forgery, misrepresentation, etc.
2357	893.13(7)(a)11.	3rd	Affix false or forged label to package of controlled substance.
2358	893.13(8)(a)1.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2359	893.13(8)(a)2.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
			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.
2360	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2361	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.
2362	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
2363	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
2364	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.

