

By the Committee on Regulated Industries

580-02165-21

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1 A bill to be entitled

2 An act relating to a review under the Open Government  
3 Sunset Review Act; amending s. 365.174, F.S., which  
4 provides an exemption from public records requirements  
5 for proprietary confidential business information  
6 submitted by a voice communications services provider  
7 to the E911 Board, the Division of Telecommunications  
8 within the Department of Management Services, or the  
9 Department of Revenue; removing the scheduled repeal  
10 of the exemption; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Section 365.174, Florida Statutes, is amended to  
15 read:

16 365.174 Proprietary confidential business information.—

17 (1) (a) All proprietary confidential business information  
18 submitted by a provider to the board or the office is  
19 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
20 of the State Constitution.

21 (b) Statistical abstracts of information collected by the  
22 board or the office may be released or published, but only in a  
23 manner that does not identify or allow identification of  
24 subscribers or their service numbers or of revenues attributable  
25 to any provider.

26 (2) (a) All proprietary confidential business information  
27 submitted by a provider to the Department of Revenue, as an  
28 agent of the board, is confidential and exempt from s. 119.07(1)  
29 and s. 24(a), Art. I of the State Constitution.

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30 (b) The Department of Revenue may provide information  
31 relative to s. 365.172(9) to the Secretary of Management  
32 Services, or his or her authorized agent, or to the E911 Board  
33 established in s. 365.172(5) for use in the conduct of the  
34 official business of the Department of Management Services or  
35 the E911 Board.

36 (3) As used in this section, the term "proprietary  
37 confidential business information" means customer lists,  
38 customer numbers, individual or aggregate customer data by  
39 location, usage and capacity data, network facilities used to  
40 serve subscribers, technology descriptions, technical  
41 information, or trade secrets, including trade secrets as  
42 defined in s. 812.081, and the actual or developmental costs of  
43 E911 systems that are developed, produced, or received  
44 internally by a provider or by a provider's employees,  
45 directors, officers, or agents.

46 ~~(4) This section is subject to the Open Government Sunset~~  
47 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
48 ~~on October 2, 2021, unless reviewed and saved from repeal~~  
49 ~~through reenactment by the Legislature.~~

50 Section 2. This act shall take effect July 1, 2021.