

20217028er

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2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 119.071, F.S., relating
4 to an exemption from public records requirements for
5 certain data processing software obtained by an agency
6 under a licensing agreement that prohibits its
7 disclosure and which software is a trade secret and
8 agency-produced data processing software that is
9 sensitive; removing the public record exemption for
10 certain trade secret information; removing the
11 scheduled repeal of the exemption; providing an
12 effective date.

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

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16 Section 1. Paragraph (f) of subsection (1) of section
17 119.071, Florida Statutes, is amended to read:

18 119.071 General exemptions from inspection or copying of
19 public records.—

20 (1) AGENCY ADMINISTRATION.—

21 (f) ~~Data processing software obtained by an agency under a~~
22 ~~licensing agreement that prohibits its disclosure and which~~
23 ~~software is a trade secret, as defined in s. 812.081, and~~
24 Agency-produced data processing software that is sensitive is
25 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State
26 Constitution. The designation of agency-produced software as
27 sensitive does not prohibit an agency head from sharing or
28 exchanging such software with another public agency. ~~This~~
29 ~~paragraph is subject to the Open Government Sunset Review Act in~~

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30 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
31 ~~2021, unless reviewed and saved from repeal through reenactment~~
32 ~~by the Legislature.~~

33 Section 2. This act shall take effect October 1, 2021.