

**FOR CONSIDERATION By** the Committee on Regulated Industries

580-01515-21

20217028pb

1                                   A bill to be entitled  
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 scheduled repeal of the  
10          exemption; providing an effective date.

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

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14           Section 1. Paragraph (f) of subsection (1) of section  
15   119.071, Florida Statutes, is amended to read:

16           119.071 General exemptions from inspection or copying of  
17   public records.—

18           (1) AGENCY ADMINISTRATION.—

19           (f) Data processing software obtained by an agency under a  
20   licensing agreement that prohibits its disclosure and which  
21   software is a trade secret, as defined in s. 812.081, and  
22   agency-produced data processing software that is sensitive are  
23   exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
24   Constitution. The designation of agency-produced software as  
25   sensitive does not prohibit an agency head from sharing or  
26   exchanging such software with another public agency. ~~This~~  
27   ~~paragraph is subject to the Open Government Sunset Review Act in~~  
28   ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
29   ~~2021, unless reviewed and saved from repeal through reenactment~~

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30 ~~by the Legislature.~~

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