

FOR CONSIDERATION By the Committee on Regulated Industries

580-01146-21

20217032pb

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 499.0121, F.S., which
4 provides an exemption from public records requirements
5 for trade secrets contained in certain prescription
6 drug purchase lists submitted to the Department of
7 Business and Professional Regulation; removing the
8 scheduled repeal of the exemption; providing an
9 effective date.

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

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13 Section 1. Subsection (7) of section 499.0121, Florida
14 Statutes, is amended to read:

15 499.0121 Storage and handling of prescription drugs;
16 recordkeeping.—The department shall adopt rules to implement
17 this section as necessary to protect the public health, safety,
18 and welfare. Such rules shall include, but not be limited to,
19 requirements for the storage and handling of prescription drugs
20 and for the establishment and maintenance of prescription drug
21 distribution records.

22 (7) PRESCRIPTION DRUG PURCHASE LIST.—

23 (a) Each wholesale distributor, except for a manufacturer,
24 shall annually provide the department with a written list of all
25 wholesale distributors and manufacturers from whom the wholesale
26 distributor purchases prescription drugs. A wholesale
27 distributor, except a manufacturer, shall notify the department
28 not later than 10 days after any change to either list.

29 (b) Such portions of the information required pursuant to

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30 this subsection which are a trade secret, as defined in s.
31 812.081, shall be maintained by the department as trade secret
32 information is required to be maintained under s. 499.051. ~~This~~
33 ~~paragraph is subject to the Open Government Sunset Review Act in~~
34 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
35 ~~2021, unless reviewed and saved from repeal through reenactment~~
36 ~~by the Legislature.~~

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