

By the Committee on Agriculture

575-02387-21

20217046__

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 601.152, F.S., which
4 provides an exemption from public records requirements
5 for the trade secret information of a person subject
6 to a marketing order held by the Department of Citrus;
7 removing the scheduled repeal of the exemption;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (8) of section 601.152, Florida
13 Statutes, is amended to read:

14 601.152 Special marketing orders.—

15 (8) (a) Each person who, during the period specified in any
16 marketing order implemented under this section, first handles in
17 the primary channel of trade in the state any citrus fruit or
18 processed citrus product of the type, variety, and form
19 specified in such marketing order shall, for the privilege of so
20 handling such citrus fruit or such citrus product, pay to the
21 department such assessments as are levied and imposed thereon by
22 such marketing order, which funds shall be used by the
23 department to defray the necessary expenses incurred in the
24 formation, issuance, administration, and enforcement of such
25 marketing order and in the conduct of the special marketing
26 campaign or market and product research and development provided
27 for in such marketing order. However, such assessments levied
28 and imposed under this section may not exceed 8 cents per
29 standard-packed box on citrus fruits in fresh form, 1.3 cents

575-02387-21

20217046__

30 per gallon on single strength citrus juices or sections, or 1.3
31 cents per pound of soluble citrus solids on concentrated citrus
32 juices.

33 (b) The department shall prescribe procedures for the
34 assessment and collection of such funds to defray the necessary
35 expenses incurred, or expected to be incurred, by the department
36 in the formation, issuance, administration, and enforcement of
37 any marketing order implemented under this section.

38 (c)1. Every handler shall, at such times as the department
39 may require, file with the department a return, not under oath,
40 on forms to be prescribed and furnished by the department,
41 certified as true and correct, stating the quantity of the type,
42 variety, and form of citrus fruit or citrus product specified in
43 the marketing order first handled in the primary channels of
44 trade in the state by such handler during the period of time
45 specified in the marketing order. Such returns must contain any
46 further information deemed by the department to be reasonably
47 necessary to properly administer or enforce this section or any
48 marketing order implemented under this section.

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

57 (d) All assessments imposed under this section are due and
58 payable and shall be paid by such handlers at such times and in

575-02387-21

20217046__

59 such installments as the commission prescribes in such marketing
60 order, or the amount thereof shall be provided for and
61 guaranteed by giving a surety bond or cash deposit or as the
62 department otherwise prescribes.

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