

**FOR CONSIDERATION** By the Committee on Agriculture

575-02243-21

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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. 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:

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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

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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

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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.