

1 A bill to be entitled
 2 An act relating to public records and meetings;
 3 creating s. 288.9984, F.S.; providing an exemption
 4 from public records requirements for information in
 5 universal regulatory sandbox applications determined
 6 by the Office of Regulatory Relief to be economically
 7 harmful to the applicant if released; providing an
 8 exemption from public meetings requirements for all or
 9 portions of meetings of the General Regulatory Sandbox
 10 Program Advisory Committee; providing an exemption
 11 from public records requirements for recordings,
 12 minutes, and records generated during the closed
 13 portions of such meetings; providing for future
 14 legislative review and repeal of the exemptions;
 15 providing a statement of public necessity; providing a
 16 contingent effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 288.9984, Florida Statutes, is created
 21 to read:

22 288.9984 Public records and public meetings exemptions.-
 23 (1) Chapter 119 and s. 286.011 apply to all records and
 24 meetings created or conducted under this part unless otherwise
 25 provided in this section.

26 (2) Information in a regulatory sandbox application under
27 this part that the office reasonably believes could result in
28 economic harm to the applicant is confidential and exempt from
29 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

30 Such information includes, but is not limited to:

31 (a) The statements in s. 288.9975(4) (e).

32 (b) The information necessary to comply with the reporting
33 requirements of s. 288.9975(8).

34 (c) The information necessary to comply with the reporting
35 requirements of s. 288.9982(6).

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37 However, the confidential and exempt information may be released
38 to appropriate state and federal agencies for the purpose of
39 investigation. This subsection does not prevent the office from
40 disclosing a summary of the offering.

41 (3) (a) A meeting or a portion of a meeting of the General
42 Regulatory Sandbox Program Advisory Committee at which
43 information made confidential and exempt under subsection (2) is
44 discussed is exempt from s. 286.011 and s. 24(b), Art. I of the
45 State Constitution.

46 (b) Recordings, minutes, and records generated during an
47 exempt meeting or portion of such a meeting are exempt from s.
48 119.07(1) and s. 24(a), Art. I of the State Constitution.

49 (4) This section is subject to the Open Government Sunset
50 Review Act in accordance with s. 119.15 and shall stand repealed

51 on October 2, 2028, unless reviewed and saved from repeal
52 through reenactment by the Legislature.

53 Section 2. (1) The Legislature finds that it is a public
54 necessity that certain information provided to and held by the
55 Office of Regulatory Relief to evaluate a universal regulatory
56 sandbox application be made confidential and exempt from s.
57 119.07(1), Florida Statutes, and s. 24(a), Article I of the
58 State Constitution. The disclosure of such information could
59 adversely affect the business interests of the universal
60 regulatory sandbox applicant and could injure the applicant in
61 the marketplace if the information is made available to
62 competitors. Divulgence of this information would destroy its
63 value to the business entity, potentially causing a financial
64 loss. Without this protection, innovators might elect to
65 establish their business in another state with a more secure
66 business environment. Therefore, it is necessary that sensitive
67 business information provided to and held by the Office of
68 Regulatory Relief to evaluate a universal regulatory sandbox
69 application be made confidential and exempt from public records
70 requirements.

71 (2) The Legislature also finds that it is a public
72 necessity that the recordings, minutes, and records generated
73 during a meeting or portion of a meeting that is exempt pursuant
74 to s. 288.9984(3)(b), Florida Statutes, be made exempt from s.
75 119.07(1), Florida Statutes, and s. 24(a), Article I of the

76 | State Constitution. The disclosure of such information could
77 | adversely affect the business interests of the universal
78 | regulatory sandbox applicant and could injure the applicant in
79 | the marketplace if the information is made available to
80 | competitors. Divulgence of this information would destroy its
81 | value to the business entity, potentially causing a financial
82 | loss. Without this protection of application information,
83 | innovators might elect to establish their business in another
84 | state with a more secure business environment. Therefore, it is
85 | necessary that sensitive business information provided to and
86 | held by the Office of Regulatory Relief to evaluate a universal
87 | regulatory sandbox application be made confidential and exempt
88 | from public records requirements.

89 | Section 3. This act shall take effect on the same date
90 | that HB 1287 or similar legislation takes effect, if such
91 | legislation is adopted in the same legislative session or an
92 | extension thereof and becomes a law.