

By Senator Martin

33-02177-23

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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:

19  
20       Section 1. Section 288.9984, Florida Statutes, is created  
21      in part XVI of chapter 288, Florida Statutes, as created by SB  
22      \_\_\_ or similar legislation, to read:

23       288.9984 Public records and public meetings exemptions.—

24       (1) Chapter 119 and s. 286.011 apply to all records and  
25      meetings created or conducted under this part unless otherwise  
26      provided in this section.

27       (2) Information in a regulatory sandbox application under  
28      this part that the office reasonably believes could result in  
29      economic harm to the applicant is confidential and exempt from

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30 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

31 Such information includes, but is not limited to:

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

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

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

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

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

47 (b) Recordings, minutes, and records generated during an  
48 exempt meeting or portion of such a meeting are exempt from s.  
49 119.07(1) and s. 24(a), Art. I of the State Constitution.

50 (4) This section is subject to the Open Government Sunset  
51 Review Act in accordance with s. 119.15 and shall stand repealed  
52 on October 2, 2028, unless reviewed and saved from repeal  
53 through reenactment by the Legislature.

54 Section 2. (1) The Legislature finds that it is a public  
55 necessity that certain information provided to and held by the  
56 Office of Regulatory Relief to evaluate a universal regulatory  
57 sandbox application be made confidential and exempt from s.  
58 119.07(1), Florida Statutes, and s. 24(a), Article I of the

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59 State Constitution. The disclosure of such information could  
60 adversely affect the business interests of the universal  
61 regulatory sandbox applicant and could injure the applicant in  
62 the marketplace if the information were to be made available to  
63 competitors. Divulgence of this information would destroy its  
64 value to the business entity, potentially causing a financial  
65 loss. Without this protection, innovators might elect to  
66 establish their business in another state with a more secure  
67 business environment. Therefore, it is necessary that sensitive  
68 business information provided to and held by the Office of  
69 Regulatory Relief to evaluate a universal regulatory sandbox  
70 application be made confidential and exempt from public records  
71 requirements.

72 (2) The Legislature also finds that it is a public  
73 necessity that the recordings, minutes, and records generated  
74 during a meeting or portion of a meeting that is exempt pursuant  
75 to s. 288.9984(3)(b), Florida Statutes, be made exempt from s.  
76 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
77 State Constitution. The disclosure of such information could  
78 adversely affect the business interests of the universal  
79 regulatory sandbox applicant and could injure the applicant in  
80 the marketplace if the information were to be made available to  
81 competitors. Divulgence of this information would destroy its  
82 value to the business entity, potentially causing a financial  
83 loss. Without this protection of application information,  
84 innovators might elect to establish their business in another  
85 state with a more secure business environment. Therefore, it is  
86 necessary that sensitive business information provided to and  
87 held by the Office of Regulatory Relief to evaluate a universal

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88 regulatory sandbox application be made confidential and exempt  
89 from public records requirements.

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