

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 287.042, F.S.; providing a public records exemption
 4 for electronic systems that provide background
 5 information on vendors seeking to do business with the
 6 state; providing for future legislative review and
 7 repeal of the exemption; providing a statement of
 8 public necessity; providing a contingent effective
 9 date.

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

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 13 **Section 1. Paragraph (c) of subsection (6) of section**
 14 **287.042, Florida Statutes, as created by HB 1153 or similar**
 15 **legislation, 2025 Regular Session, is amended to read:**

16 287.042 Powers, duties, and functions.—The department
 17 shall have the following powers, duties, and functions:

18 (6)

19 (c)1. To grant governmental entities, as defined in s.
 20 287.138, access to electronic systems that provide background
 21 information on vendors seeking to do business with the state.

22 2. Any information held in electronic systems which
 23 provides background information on vendors, along with any
 24 related information that is derived or created from the
 25 information, is exempt from the provisions of s. 119.07(1) and

26 s. 24(a), Art. I of the State Constitution, except the
27 information may be shared with another governmental entity in
28 the furtherance of its duties and responsibilities without
29 waiving such exemption. This subparagraph is subject to the Open
30 Government Sunset Review Act in accordance with s. 119.15 and
31 the exemption shall stand repealed on October 2, 2030, unless
32 reviewed and saved from repeal through reenactment by the
33 Legislature.

34 **Section 2.** The Legislature finds it a public necessity
35 that information held in the department's electronic system
36 regarding background information on vendors under s. 287.042,
37 Florida Statutes, and which is contained in certain records be
38 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
39 Article I of the State Constitution. Protecting the sensitive
40 and proprietary information contained in records created or
41 compiled during procurement of vendors seeking to do business
42 with the state is necessary to ensure the integrity of vendor
43 evaluations and legitimacy of procurement decisions. Public
44 disclosure of such information could jeopardize the government's
45 ability to make critical and time sensitive decisions on issues
46 that impact the safety and security of government operations,
47 including undue influence from foreign countries of concern. The
48 Legislature further finds that the harm that may result from the
49 release of such information significantly outweighs any public
50 benefit that may be derived from the disclosure of such

51 information. Therefore, it is a public necessity that this
52 information be made exempt to support the effective monitoring
53 and enforcement of vendor compliance with statutory obligations.

54 **Section 3.** This act shall take effect on the same date
55 that HB 1153 or similar legislation takes effect, if such
56 legislation is adopted in the same legislative session or an
57 extension thereof and becomes a law.