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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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02/25/2026 11:12 AM

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Senator Avila moved the following:

Senate Amendment (with title amendment)

Between lines 117 and 118

insert:

Section 2. Present paragraphs (a), (b), and (c) of subsection (1) of section 288.075, Florida Statutes, are redesignated as paragraphs (b), (c), and (d), a new paragraph (a) is added to that subsection, subsection (2) of that section is amended, and subsection (8) of that section is republished to read:

288.075 Confidentiality of records.—



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12 (1) DEFINITIONS.—As used in this section, the term:

13 (a) “Data center” has the same meaning as in s. 112.231.

14 (2) PLANS, INTENTIONS, AND INTERESTS.—

15 (a)1. If a private corporation, partnership, or person
16 requests in writing before an economic incentive agreement is
17 signed that an economic development agency maintain the
18 confidentiality of information concerning plans, intentions, or
19 interests of such private corporation, partnership, or person to
20 locate, relocate, or expand any of its business activities in
21 this state:7

22 a. The information is confidential and exempt from s.
23 119.07(1) and s. 24(a), Art. I of the State Constitution for 12
24 months after the date an economic development agency receives a
25 request for confidentiality or until the information is
26 otherwise disclosed, whichever occurs first.

27 b. The information is confidential and exempt from s.
28 119.07(1) and s. 24(a), Art. I of the State Constitution for 6
29 months after the date that an economic development agency
30 receives a request for confidentiality or until the information
31 is otherwise disclosed, whichever occurs first, when such
32 activities include the location, relocation, or expansion of a
33 data center. However, an economic development agency shall
34 disclose that such business activities include the location,
35 relocation, or expansion of a data center.

36 2. An economic development agency may extend the period of
37 confidentiality specified in subparagraph 1. for up to an
38 additional 12 months upon written request from the private
39 corporation, partnership, or person who originally requested
40 confidentiality under this section and upon a finding by the



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41 economic development agency that such private corporation,
42 partnership, or person is still actively considering locating,
43 relocating, or expanding its business activities in this state.
44 Such a request for an extension in the period of confidentiality
45 must be received prior to the expiration of any confidentiality
46 originally provided under subparagraph 1. This subparagraph does
47 not apply to any business activities that include location,
48 relocation, or expansion of a data center.

49
50 If a final project order for a signed economic development
51 agreement is issued, then the information will remain
52 confidential and exempt for 180 days after the final project
53 order is issued, until a date specified in the final project
54 order, or until the information is otherwise disclosed,
55 whichever occurs first. However, such period of confidentiality
56 may not extend beyond the period of confidentiality established
57 in subparagraph 1. or subparagraph 2.

58 (b)1. A public officer or employee may not enter into a
59 binding agreement with any corporation, partnership, or person
60 who has requested confidentiality of information under this
61 subsection until 90 days after the information is made public
62 unless:

63 a.1. The public officer or employee is acting in an
64 official capacity;

65 b.2. The agreement does not accrue to the personal benefit
66 of such public officer or employee; and

67 c.3. In the professional judgment of the officer or
68 employee, the agreement is necessary to effectuate an economic
69 development project.



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70 2. This paragraph does not apply to a data center.

71 (8) PENALTIES.—Any person who is an employee of an economic
72 development agency who violates the provisions of this section
73 commits a misdemeanor of the second degree, punishable as
74 provided in s. 775.082 or s. 775.083.

75 Section 3. For the purpose of incorporating the amendment
76 made by this act to section 288.075, Florida Statutes, in
77 references thereto, subsections (3) and (7) of section 288.076,
78 Florida Statutes, are reenacted to read:

79 288.076 Return on investment reporting for economic
80 development programs.—

81 (3) Within 48 hours after expiration of the period of
82 confidentiality for project information deemed confidential and
83 exempt pursuant to s. 288.075, the department shall publish the
84 following information pertaining to each project:

85 (a) *Projected economic benefits.*—The projected economic
86 benefits at the time of the initial project award date.

87 (b) *Project information.*—

88 1. The program or programs through which state investment
89 is being made.

90 2. The maximum potential cumulative state investment in the
91 project.

92 3. The target industry or industries, and any high-impact
93 sectors implicated by the project.

94 4. The county or counties that will be impacted by the
95 project.

96 5. For a project that requires local commitment, the total
97 cumulative local financial commitment and in-kind support for
98 the project.



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99 (c) *Participant business information.*—

100 1. The location of the headquarters of the participant
101 business or, if a subsidiary, the headquarters of the parent
102 company.

103 2. The firm size class of the participant business, or
104 where owned by a parent company the firm size class of the
105 participant business's parent company, using the firm size
106 classes established by the United States Department of Labor
107 Bureau of Labor Statistics, and whether the participant business
108 qualifies as a small business as defined in s. 288.703.

109 3. The date of the project award.

110 4. The expected duration of the contract.

111 5. The anticipated dates when the participant business will
112 claim the last state investment.

113 (d) *Project evaluation criteria.*—Economic benefits
114 generated by the project.

115 (e) *Project performance goals.*—

116 1. The incremental direct jobs attributable to the project,
117 identifying the number of jobs generated and the number of jobs
118 retained.

119 2. The number of jobs generated and the number of jobs
120 retained by the project, and the average annual wage of persons
121 holding such jobs.

122 3. The incremental direct capital investment in the state
123 generated by the project.

124 (f) *Total state investment to date.*—The total amount of
125 state investment disbursed to the participant business to date
126 under the terms of the contract, itemized by incentive program.

127 (7) Within 48 hours after expiration of the period of



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128 confidentiality provided under s. 288.075, the department shall
129 publish the contract or agreement described in s. 288.061,
130 redacted to protect the participant business from disclosure of
131 information that remains confidential or exempt by law.

132

133 ===== T I T L E A M E N D M E N T =====

134 And the title is amended as follows:

135 Delete line 18

136 and insert:

137 considered an electric substation; amending s.
138 288.075, F.S.; defining the term "data center";
139 limiting the application of the public records
140 exemption for certain business information relating to
141 data centers held by an economic development agency;
142 providing applicability; requiring an economic
143 development agency to disclose certain information;
144 reenacting s. 288.076(3) and (7), F.S., relating to
145 return on investment reporting for economic
146 development programs, to incorporate the amendment
147 made to s. 288.075, F.S., in references thereto;
148 creating s.