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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD

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02/26/2026 12:37 PM

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Senator Avila moved the following:

Senate Amendment (with title amendment)

Between lines 117 and 118

insert:

Section 3. Present paragraphs (a), (b), and (c) of subsection (1) of section 288.075, Florida Statutes, are redesignated as paragraphs (b), (c), and (d), respectively, a new paragraph (a) is added to that subsection, paragraph (a) of subsection (2) of that section is amended, and subsection (8) of that section is republished, to read:

288.075 Confidentiality of records.—



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

62 Section 4. For the purpose of incorporating the amendment
63 made by this act to section 288.075, Florida Statutes, in
64 references thereto, subsections (3) and (7) of section 288.076,
65 Florida Statutes, are reenacted to read:

66 288.076 Return on investment reporting for economic
67 development programs.—

68 (3) Within 48 hours after expiration of the period of
69 confidentiality for project information deemed confidential and



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70 exempt pursuant to s. 288.075, the department shall publish the
71 following information pertaining to each project:

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

74 (b) *Project information.*—

75 1. The program or programs through which state investment
76 is being made.

77 2. The maximum potential cumulative state investment in the
78 project.

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

81 4. The county or counties that will be impacted by the
82 project.

83 5. For a project that requires local commitment, the total
84 cumulative local financial commitment and in-kind support for
85 the project.

86 (c) *Participant business information.*—

87 1. The location of the headquarters of the participant
88 business or, if a subsidiary, the headquarters of the parent
89 company.

90 2. The firm size class of the participant business, or
91 where owned by a parent company the firm size class of the
92 participant business's parent company, using the firm size
93 classes established by the United States Department of Labor
94 Bureau of Labor Statistics, and whether the participant business
95 qualifies as a small business as defined in s. 288.703.

96 3. The date of the project award.

97 4. The expected duration of the contract.

98 5. The anticipated dates when the participant business will



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99 claim the last state investment.

100 (d) *Project evaluation criteria.*—Economic benefits
101 generated by the project.

102 (e) *Project performance goals.*—

103 1. The incremental direct jobs attributable to the project,
104 identifying the number of jobs generated and the number of jobs
105 retained.

106 2. The number of jobs generated and the number of jobs
107 retained by the project, and the average annual wage of persons
108 holding such jobs.

109 3. The incremental direct capital investment in the state
110 generated by the project.

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

114 (7) Within 48 hours after expiration of the period of
115 confidentiality provided under s. 288.075, the department shall
116 publish the contract or agreement described in s. 288.061,
117 redacted to protect the participant business from disclosure of
118 information that remains confidential or exempt by law.

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

120 And the title is amended as follows:

121 Delete line 18

122 and insert:

123 considered an electric substation; amending s.
124 288.075, F.S.; defining the term "data center";
125 limiting the application of the public records
126 exemption for certain business information relating to
127 data centers held by an economic development agency;



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128 requiring an economic development agency to disclose
129 certain information; providing applicability;
130 reenacting s. 288.076(3) and (7), F.S., relating to
131 return on investment reporting for economic
132 development programs, to incorporate the amendment
133 made to s. 288.075, F.S., in references thereto;
134 creating s.