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2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 350.01, F.S.; deleting
4 the scheduled repeal of an exemption from public
5 meeting requirements for portions of a hearing before
6 the Florida Public Service Commission wherein certain
7 proprietary confidential business information is
8 discussed; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsection (9) of section 350.01, Florida
13 Statutes, is amended to read:

14 350.01 Florida Public Service Commission; terms of
15 commissioners; vacancies; election and duties of chair; quorum;
16 proceedings; public records and public meetings exemptions.—

17 (9) Notwithstanding the provisions of subsection (8), those
18 portions of a hearing conducted by the commission wherein
19 proprietary confidential business information that is
20 confidential or exempt from s. 119.07(1), pursuant to s.
21 364.183, s. 366.093, s. 367.156, or s. 368.108, is discussed are
22 exempt from s. 286.011 and s. 24(b), Art. I of the State
23 Constitution. No exempt portion of a hearing may be off the
24 record, and all exempt portions shall be recorded and
25 transcribed. Such recordings and transcripts are confidential
26 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
27 Constitution, unless a court of competent jurisdiction, after an
28 in camera review, determines that the hearing was not restricted
29 to the discussion of proprietary confidential business

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30 information made confidential and exempt pursuant to s. 364.183,
31 s. 366.093, s. 367.156, or s. 368.108. In the event of such a
32 judicial determination, only that portion of the recording and
33 transcript which reveals nonexempt information may be disclosed
34 to a third party. ~~This subsection is subject to the Open
35 Government Sunset Review Act in accordance with s. 119.15 and
36 shall stand repealed on October 2, 2026, unless reviewed and
37 saved from repeal through reenactment by the Legislature.~~

38 Section 2. This act shall take effect upon becoming a law.