

By the Committee on Regulated Industries

580-01171-26

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A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 16.716, F.S., which provides an exemption from public records and public meeting requirements for exempt or confidential and exempt information obtained by the Florida Gaming Control Commission; deleting the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Section 16.716, Florida Statutes, is amended to read:

16.716 Florida Gaming Control Commission public records and public meetings exemptions.—

(1)~~(a)~~ Any information obtained by the Florida Gaming Control Commission which is exempt or confidential and exempt from s. 119.07(1) or s. 24(a), Art. I of the State Constitution shall retain its exempt or confidential and exempt status. The information may be released by the commission, upon written request, to an agency, as defined in s. 119.011, or a governmental entity in the performance of the commission's official duties and responsibilities. An agency or a governmental entity receiving such information from the commission shall maintain the exempt or confidential and exempt status of the information.

(2)~~(b)~~1. Any portion of a meeting of the commission during which information that is exempt or confidential and exempt is discussed is exempt from s. 286.011 and s. 24(b), Art. I of the

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State Constitution.

(a)~~a.~~ The chair of the commission shall advise the commission at a public meeting that, in connection with the performance of a commission duty, it is necessary that the commission hear or discuss information that is exempt or confidential and exempt.

(b)~~b.~~ The chair's declaration of necessity for closure and the specific reasons for such necessity shall be stated in writing in a record that shall be a public record and shall be filed with the official records of the commission.

(c)~~c.~~ The entire closed session shall be recorded. The recording shall include the times of commencement and termination of the closed session, all discussion and proceedings, and the names of all persons present. No portion of the session may be off the record. Such recording shall be maintained by the commission.

(d)~~2.~~ Only members of the commission, Department of Legal Affairs staff, or commission staff supporting the commission's function and other persons whose presence is necessary for the presentation of exempt or confidential and exempt information shall be allowed to attend the exempted portions of the commission meetings. The commission shall ensure that any closure of its meetings as authorized by this subsection ~~paragraph~~ is limited so that the general policy of this state in favor of public meetings is maintained.

(e)~~3.~~ A recording of, and any minutes and records generated during, that portion of a commission meeting which is closed to the public pursuant to this subsection ~~paragraph~~ are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I

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59 of the State Constitution until such time as the information is
60 no longer exempt or confidential and exempt.

61 ~~(2) This section is subject to the Open Government Sunset~~
62 ~~Review Act in accordance with s. 119.15 and is repealed on~~
63 ~~October 2, 2026, unless reviewed and saved from repeal through~~
64 ~~reenactment by the Legislature.~~

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