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2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 16.716, F.S., which
4 provides an exemption from public records and public
5 meeting requirements for exempt or confidential and
6 exempt information obtained by the Florida Gaming
7 Control Commission; deleting the scheduled repeal of
8 the exemption; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Section 16.716, Florida Statutes, is amended to
13 read:

14 16.716 Florida Gaming Control Commission public records and
15 public meetings exemptions.—

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

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

20267008er

30 State Constitution.

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

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

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

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

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

20267008er

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.