

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 350.01, F.S., which
4 provides an exemption from public meeting requirements
5 for portions of a hearing before the Public Service
6 Commission wherein certain proprietary confidential
7 business information is discussed; removing the
8 scheduled repeal of the exemption; providing an
9 effective date.

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

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13 **Section 1. Subsection (9) of section 350.01, Florida**
14 **Statutes, is amended to read:**

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

18 (9) Notwithstanding the provisions of subsection (8),
19 those portions of a hearing conducted by the commission wherein
20 proprietary confidential business information that is
21 confidential or exempt from s. 119.07(1), pursuant to s.
22 364.183, s. 366.093, s. 367.156, or s. 368.108, is discussed are
23 exempt from s. 286.011 and s. 24(b), Art. I of the State
24 Constitution. No exempt portion of a hearing may be off the
25 record, and all exempt portions shall be recorded and

transcribed. Such recordings and transcripts are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, unless a court of competent jurisdiction, after an in camera review, determines that the hearing was not restricted to the discussion of proprietary confidential business information made confidential and exempt pursuant to s. 364.183, s. 366.093, s. 367.156, or s. 368.108. In the event of such a judicial determination, only that portion of the recording and transcript which reveals nonexempt information may be disclosed to a third party. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.~~

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