

By the Committees on Governmental Oversight and Accountability;
and Transportation

585-01890-26

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A bill to be entitled
An act relating to a review under the Open Government
Sunset Review Act; amending s. 319.1414, F.S., which
provides an exemption from public records requirements
for information received by the Department of Highway
Safety and Motor Vehicles as a result of an
investigation or examination of a department-
authorized private rebuilt inspection provider;
removing the scheduled repeal of the exemption;
amending ss. 319.25, 320.861, and 322.71, F.S., which
provide exemptions from public records requirements
for information received by the department as a result
of an investigation or examination of a person
suspected of having violated certain laws, rules, or
orders; removing the scheduled repeal of such
exemptions; providing an effective date.

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

Section 1. Subsection (5) of section 319.1414, Florida
Statutes, is amended to read:

319.1414 Department-authorized private rebuilt inspection
providers; investigations; examinations; proceedings; subpoenas
and other process; witnesses; oaths; rules.—

(5) Information received by the department as a result of
an investigation or examination conducted pursuant to this
section is confidential and exempt from s. 119.07(1) and s.
24(a), Art. I of the State Constitution until the investigation
or examination ceases to be active or administrative action

585-01890-26

20267012c1

taken by the department has concluded or been made part of a hearing or court proceeding. The department may release information that is made confidential and exempt under this subsection in furtherance of its official duties and responsibilities or, if released to another governmental agency, in the furtherance of that agency's official duties and responsibilities. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.~~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. Subsection (7) of section 319.25, Florida Statutes, is amended to read:

319.25 Cancellation of certificates; investigations; examinations; proceedings; subpoenas and other process; witnesses; oaths; rules.—

(7) Information received by the department as a result of an investigation or examination conducted pursuant to this section is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation or examination ceases to be active or administrative action taken by the department has concluded or been made part of a hearing or court proceeding. The department may release information that is made confidential and exempt under this subsection in furtherance of its official duties and responsibilities or, if released to another governmental agency, in the furtherance of that agency's official duties and responsibilities. ~~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~~

585-01890-26

20267012c1

59 ~~saved from repeal through reenactment by the Legislature.~~

60 Section 3. Subsection (5) of section 320.861, Florida
61 Statutes, is amended to read:

62 320.861 Investigations; subpoenas and other process; oaths;
63 rules.—

64 (5) Information received by the department as a result of
65 an investigation or examination conducted pursuant to this
66 section is confidential and exempt from s. 119.07(1) and s.
67 24(a), Art. I of the State Constitution until the investigation
68 or examination ceases to be active or administrative action
69 taken by the department has concluded or been made part of a
70 hearing or court proceeding. The department may release
71 information that is made confidential and exempt under this
72 subsection in furtherance of its official duties and
73 responsibilities or, if released to another governmental agency,
74 in the furtherance of that agency's official duties and
75 responsibilities. ~~This subsection is subject to the Open~~
76 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
77 ~~shall stand repealed on October 2, 2026, unless reviewed and~~
78 ~~saved from repeal through reenactment by the Legislature.~~

79 Section 4. Subsection (5) of section 322.71, Florida
80 Statutes, is amended to read:

81 322.71 Investigations; examinations; proceedings; subpoenas
82 and other process; witnesses; oaths; rules.—

83 (5) Information received by the department as a result of
84 an investigation or examination conducted pursuant to this
85 section is confidential and exempt from s. 119.07(1) and s.
86 24(a), Art. I of the State Constitution until the investigation
87 or examination ceases to be active or administrative action

585-01890-26

20267012c1

88 taken by the department has concluded or been made part of a
89 hearing or court proceeding. The department may release
90 information that is made confidential and exempt under this
91 subsection in furtherance of its official duties and
92 responsibilities or, if released to another governmental agency,
93 in the furtherance of that agency's official duties and
94 responsibilities. ~~This subsection is subject to the Open~~
95 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
96 ~~shall stand repealed on October 2, 2026, unless reviewed and~~
97 ~~saved from repeal through reenactment by the Legislature.~~

98 Section 5. This act shall take effect upon becoming a law.