

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

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30 taken by the department has concluded or been made part of a
31 hearing or court proceeding. The department may release
32 information that is made confidential and exempt under this
33 subsection in furtherance of its official duties and
34 responsibilities or, if released to another governmental agency,
35 in the furtherance of that agency's official duties and
36 responsibilities. ~~This subsection is subject to the Open~~
37 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
38 ~~shall stand repealed on October 2, 2026, unless reviewed and~~
39 ~~saved from repeal through reenactment by the Legislature.~~

40 Section 2. Subsection (7) of section 319.25, Florida
41 Statutes, is amended to read:

42 319.25 Cancellation of certificates; investigations;
43 examinations; proceedings; subpoenas and other process;
44 witnesses; oaths; rules.—

45 (7) Information received by the department as a result of
46 an investigation or examination conducted pursuant to this
47 section is confidential and exempt from s. 119.07(1) and s.
48 24(a), Art. I of the State Constitution until the investigation
49 or examination ceases to be active or administrative action
50 taken by the department has concluded or been made part of a
51 hearing or court proceeding. The department may release
52 information that is made confidential and exempt under this
53 subsection in furtherance of its official duties and
54 responsibilities or, if released to another governmental agency,
55 in the furtherance of that agency's official duties and
56 responsibilities. ~~This subsection is subject to the Open~~
57 ~~Government Sunset Review Act in accordance with s. 119.15 and~~
58 ~~shall stand repealed on October 2, 2026, unless reviewed and~~

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~~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

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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.