

**By** the Committee on Governmental Oversight and Accountability

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A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 119.0715, F.S., which provides an exemption from public records requirements for a trade secret held by an agency; deleting the scheduled repeal of the exemption; amending ss. 287.137, 288.075, 334.049, 408.185, 409.91196, 440.108, 497.172, 501.171, 501.1735, 501.2041, 501.722, 520.9965, 548.062, 559.5558, 569.215, 627.0628, and 1004.4472, F.S.; conforming provisions to changes made by the act; providing an effective date

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

Section 1. Section 119.0715, Florida Statutes, is amended to read:

119.0715 Trade secrets held by an agency.—

(1) DEFINITION.—“Trade secret” has the same meaning as in s. 688.002.

(2) PUBLIC RECORD EXEMPTION.—A trade secret held by an agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(3) AGENCY ACCESS.—An agency may disclose a trade secret to an officer or employee of another agency or governmental entity whose use of the trade secret is within the scope of his or her lawful duties and responsibilities.

(4) LIABILITY.—An agency employee who, while acting in good faith and in the performance of his or her duties, releases a

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30 record containing a trade secret pursuant to this chapter is not  
31 liable, civilly or criminally, for such release.

32 ~~(5) OPEN GOVERNMENT SUNSET REVIEW.—This section is subject~~  
33 ~~to the Open Government Sunset Review Act in accordance with s.~~  
34 ~~119.15 and shall stand repealed on October 2, 2026, unless~~  
35 ~~reviewed and saved from repeal through reenactment by the~~  
36 ~~Legislature.~~

37 Section 2. Paragraph (d) of subsection (8) of section  
38 287.137, Florida Statutes, is amended to read:

39 287.137 Antitrust violations; denial or revocation of the  
40 right to transact business with public entities; denial of  
41 economic benefits.—

42 (8)

43 (d) For purposes of this subsection, the term "proprietary  
44 business information" means information that:

45 1. Is owned or controlled by the business;

46 2. Is intended to be private and is treated by the business  
47 as private because disclosure would harm the business or its  
48 business operations;

49 3. Has not been disclosed except as required by law or a  
50 private agreement that provides that the information will not be  
51 released to the public;

52 4. Is not publicly available or otherwise readily  
53 ascertainable through proper means from another source in the  
54 same configuration as received by the Attorney General; and

55 5. Includes:

56 a. ~~Trade secrets as defined in s. 688.002.~~

57 b. competitive interests, the disclosure of which would  
58 impair the competitive advantage of the business that is the

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59 subject of the information.

60       Section 3. Paragraph (c) of subsection (1) and subsection  
61 (3) of section 288.075, Florida Statutes, are amended to read:

62       288.075 Confidentiality of records.—

63       (1) DEFINITIONS.—As used in this section, the term:

64       (e) ~~“Trade secret” has the same meaning as in s. 688.002.~~

65       (3) ~~TRADE SECRETS.~~ ~~Trade secrets held by an economic~~  
66 ~~development agency are confidential and exempt from s. 119.07(1)~~  
67 ~~and s. 24(a), Art. I of the State Constitution.~~

68       Section 4. Section 334.049, Florida Statutes, is amended to  
69 read:

70       334.049 Patents, copyrights, trademarks; notice to  
71 ~~Department of State; confidentiality of trade secrets.~~—

72       (1) Notwithstanding any ~~other provision of~~ law to the  
73 contrary, the Department of Transportation is authorized, in its  
74 own name, to:

75       (a) Perform all things necessary to secure letters of  
76 patent, copyrights, and trademarks on any legitimately acquired  
77 work products, and to enforce its rights therein.

78       (b) License, lease, assign, or otherwise give written  
79 consent to any person, firm, or corporation for the manufacture  
80 or use of any product protected by patent, copyright, or  
81 trademark, whether on a royalty basis or for such other  
82 consideration as the department may deem proper.

83       (c) Take any action necessary, including legal action, to  
84 enforce its rights under any agreement and to protect its  
85 property rights from improper or unlawful use or infringement.

86       (d) Enforce the collection of any payments or other  
87 obligations due the department for the manufacture or use of any

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88 product by any other party.

89 (e) Sell any product, except where otherwise provided by  
90 public records laws, which the department may create or cause to  
91 be created, whether or not the product is protected by a  
92 department patent, copyright, or trademark, and to execute all  
93 instruments necessary to consummate any such sale.

94 (f) Do all other acts necessary and proper for the  
95 execution of powers and duties herein conferred upon the  
96 department.

97 (2) The department shall notify the Department of State in  
98 writing whenever property rights by patent, copyright, or  
99 trademark are secured or exploited by the department.

100 (3) Any proceeds from the sale of products or the right to  
101 manufacture or use a product must shall be deposited in the  
102 State Transportation Trust Fund and may be appropriated to  
103 finance activities of the department. The department's  
104 legislative budget request should give special consideration to  
105 using such funds for research and development projects.

106 (4) ~~Any information obtained by the department as a result  
107 of research and development projects and revealing a method of  
108 process, production, or manufacture which is a trade secret as  
109 defined in s. 688.002, is confidential and exempt from the  
110 provisions of s. 119.07(1).~~

111 (5) As used in this section the term "product" includes any  
112 and all inventions, methodologies, techniques, and creations  
113 that may be properly protected by patent, copyright, or  
114 trademark.

115 Section 5. Subsection (1) of section 408.185, Florida  
116 Statutes, is amended to read:

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117        408.185 Information submitted for review of antitrust  
118 issues; confidentiality.—The following information held by the  
119 Office of the Attorney General, which is submitted by a member  
120 of the health care community pursuant to a request for an  
121 antitrust no-action letter shall be confidential and exempt from  
122 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
123 Constitution for 1 year after the date of submission.

124        (1) ~~Documents that reveal trade secrets as defined in s. 688.002.~~

126        Section 6. Section 409.91196, Florida Statutes, is amended  
127 to read:

128        409.91196 Supplemental rebate agreements; public records  
129 and public meetings exemption.—

130        (1) The rebate amount, percent of rebate, manufacturer's  
131 pricing, and supplemental rebate information, ~~and other trade  
132 secrets as defined in s. 688.002 that the agency has identified  
133 for use in negotiations~~, held by the Agency for Health Care  
134 Administration under s. 409.912(5)(a)7. are confidential and  
135 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
136 Constitution.

137        (2) That portion of a meeting of the Medicaid  
138 Pharmaceutical and Therapeutics Committee at which the rebate  
139 amount, percent of rebate, manufacturer's pricing, or  
140 supplemental rebate information, or other trade secrets as  
141 defined in s. 688.002 that the agency has identified for use in  
142 negotiations, are discussed is exempt from s. 286.011 and s.  
143 24(b), Art. I of the State Constitution. A record shall be made  
144 of each exempt portion of a meeting. Such record must include  
145 the times of commencement and termination, all discussions and

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146 proceedings, the names of all persons present at any time, and  
147 the names of all persons speaking. No exempt portion of a  
148 meeting may be held off the record.

149 Section 7. Subsection (2) of section 440.108, Florida  
150 Statutes, is amended to read:

151 440.108 Investigatory records relating to workers'  
152 compensation employer compliance; confidentiality.—

153 (2) After an investigation is completed or ceases to be  
154 active, information in records relating to the investigation  
155 remains confidential and exempt from the provisions of s.  
156 119.07(1) and s. 24(a), Art. I of the State Constitution if  
157 disclosure of that information would:

158 (a) Jeopardize the integrity of another active  
159 investigation;

160 (b) ~~Reveal a trade secret, as defined in s. 688.002;~~

161 (c) Reveal business or personal financial information;

162 (d) ~~Reveal personal identifying information regarding~~  
163 the identity of a confidential source;

164 (e) ~~(d)~~ Defame or cause unwarranted damage to the good name  
165 or reputation of an individual or jeopardize the safety of an  
166 individual; or

167 (f) ~~Reveal investigative techniques or procedures.~~

168 Section 8. Subsection (4) of section 497.172, Florida  
169 Statutes, is amended to read:

170 497.172 Public records exemptions; public meetings  
171 exemptions.—

172 (4) ~~TRADE SECRETS. Trade secrets, as defined in s. 688.002,~~  
173 ~~held by the department or board, are confidential and exempt~~  
174 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~

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175 Constitution.176       Section 9. Paragraph (d) of subsection (11) of section  
177 501.171, Florida Statutes, is amended to read:

178       501.171 Security of confidential personal information.—

179       (11) PUBLIC RECORDS EXEMPTION.—

180       (d) For purposes of this subsection, the term "proprietary  
181 information" means information that:

182       1. Is owned or controlled by the covered entity.

183       2. Is intended to be private and is treated by the covered  
184 entity as private because disclosure would harm the covered  
185 entity or its business operations.186       3. Has not been disclosed except as required by law or a  
187 private agreement that provides that the information will not be  
188 released to the public.189       4. Is not publicly available or otherwise readily  
190 ascertainable through proper means from another source in the  
191 same configuration as received by the department.

192       5. Includes:

193       a. ~~Trade secrets as defined in s. 688.002.~~194       b. competitive interests, the disclosure of which would  
195 impair the competitive business of the covered entity who is the  
196 subject of the information.197       Section 10. Paragraph (d) of subsection (6) of section  
198 501.1735, Florida Statutes, is amended to read:199       501.1735 Protection of children in online spaces; public  
200 records exemption.—

201       (6) PUBLIC RECORDS EXEMPTION.—

202       (d) For purposes of this section, the term "proprietary  
203 information" means information that:

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204        1. Is owned or controlled by the online platform.

205        2. Is intended to be private and is treated by the online

206        platform as private because disclosure would harm the online

207        platform or its business operations.

208        3. Has not been disclosed except as required by law or a

209        private agreement that provides that the information will not be

210        released to the public.

211        4. Is not publicly available or otherwise readily

212        ascertainable through proper means from another source in the

213        same configuration as received by the department.

214        5. Includes:

215        a. ~~Trade secrets as defined in s. 688.002.~~

216        b. competitive interests, the disclosure of which would

217        impair the competitive advantage of the online platform who is

218        the subject of the information.

219        Section 11. Paragraph (d) of subsection (10) of section

220        501.2041, Florida Statutes, is amended to read:

221        501.2041 Unlawful acts and practices by social media

222        platforms.—

223        (10)

224        (d) For purposes of this subsection, the term "proprietary

225        business information" means information that:

226        1. Is owned or controlled by the business;

227        2. Is intended to be private and is treated by the business

228        as private because disclosure would harm the business or its

229        business operations;

230        3. Has not been disclosed except as required by law or a

231        private agreement that provides that the information will not be

232        released to the public;

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233       4. Is not publicly available or otherwise readily  
234 ascertainable through proper means from another source in the  
235 same configuration as received by the department; and

236       5. Includes:-

237       a. ~~Trade secrets as defined in s. 688.002.~~

238       b. competitive interests, the disclosure of which would  
239 impair the competitive advantage of the business that is the  
240 subject of the information.

241       Section 12. Paragraph (e) of subsection (4) of section  
242 501.722, Florida Statutes, is amended to read:

243       501.722 Public records exemption.-

244       (4) For purposes of this section, the term "proprietary  
245 information" means information that:

246       (e) Includes:-

247       1. ~~Trade secrets as defined in s. 688.002.~~

248       2. competitive interests, the disclosure of which would  
249 impair the competitive advantage of the controller, processor,  
250 or third party who is the subject of the information.

251       Section 13. Paragraph (b) of subsection (1) of section  
252 520.9965, Florida Statutes, is amended to read:

253       520.9965 Confidentiality of information relating to  
254 investigations and examinations.-

255       (1)

256       (b) Except as necessary for the office to enforce the  
257 provisions of this chapter, a consumer complaint and other  
258 information relative to an investigation or examination shall  
259 remain confidential and exempt from s. 119.07(1) after the  
260 investigation or examination is completed or ceases to be active  
261 to the extent disclosure would:

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262       1. Jeopardize the integrity of another active investigation  
263 or examination.

264       2. Reveal the name, address, telephone number, social  
265 security number, or any other identifying number or information  
266 of any complainant, customer, or account holder.

267       3. Disclose the identity of a confidential source.

268       4. Disclose investigative techniques or procedures.

269       5. ~~Reveal a trade secret as defined in s. 688.002.~~

270       Section 14. Paragraph (e) of subsection (1) of section  
271 548.062, Florida Statutes, is amended to read:

272       548.062 Public records exemption.—

273       (1) As used in this section, the term "proprietary  
274 confidential business information" means information that:

275       (e) Concerns any of the following:

276       1. The number of ticket sales for a match;

277       2. The amount of gross receipts after a match;

278       3. ~~A trade secret, as defined in s. 688.002;~~

279       4. Business plans;

280       4.5. Internal auditing controls and reports of internal  
281 auditors; or

282       5.6. Reports of external auditors.

283       Section 15. Paragraph (b) of subsection (2) of section  
284 559.5558, Florida Statutes, is amended to read:

285       559.5558 Public records exemption; investigations and  
286 examinations.—

287       (2)

288       (b) Information made confidential and exempt pursuant to  
289 this section is no longer confidential and exempt once the  
290 investigation or examination is completed or ceases to be active

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291 unless disclosure of the information would:

292 1. Jeopardize the integrity of another active investigation  
293 or examination.

294 2. Reveal the personal identifying information of a  
295 consumer, unless the consumer is also the complainant. A  
296 complainant's personal identifying information is subject to  
297 disclosure after the investigation or examination is completed  
298 or ceases to be active. However, a complainant's personal  
299 financial and health information remains confidential and  
300 exempt.

301 3. Reveal the identity of a confidential source.

302 4. Reveal investigative or examination techniques or  
303 procedures.

304 5. ~~Reveal trade secrets, as defined in s. 688.002.~~

305 Section 16. Paragraph (a) of subsection (2) of section  
306 569.215, Florida Statutes, is amended to read:

307 569.215 Confidential records relating to tobacco settlement  
308 agreement.—

309 (2) As used in this section, the term "proprietary  
310 confidential business information" means information, regardless  
311 of form or characteristics, which is owned or controlled by a  
312 tobacco company that is a signatory to the settlement agreement,  
313 as amended, in the case of *State of Florida v. American Tobacco*  
314 *Company*, No. 95-1466AH, in the Circuit Court of the Fifteenth  
315 Judicial Circuit, in and for Palm Beach County, is intended to  
316 be and is treated by a tobacco company as private in that the  
317 disclosure of the information would cause harm to the company's  
318 business operations, and has not been disclosed unless disclosed  
319 pursuant to a statutory provision, an order of a court or

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320 administrative body, or private agreement that provides that the  
321 information will not be released to the public. The term  
322 includes, but is not limited to:

323 (a) ~~Trade secrets as defined in s. 688.002.~~

324 Section 17. Section 627.0628, Florida Statutes, is amended  
325 to read:

326 627.0628 Florida Commission on Hurricane Loss Projection  
327 Methodology; ~~public records exemption~~; public meetings  
328 exemption.—

329 (1) LEGISLATIVE FINDINGS AND INTENT.—

330 (a) Reliable projections of hurricane losses are necessary  
331 in order to assure that rates for residential property insurance  
332 meet the statutory requirement that rates be neither excessive  
333 nor inadequate. The ability to accurately project hurricane  
334 losses has been enhanced greatly in recent years through the use  
335 of computer modeling. It is the public policy of this state to  
336 encourage the use of the most sophisticated actuarial methods to  
337 assure that consumers are charged lawful rates for residential  
338 property insurance coverage.

339 (b) The Legislature recognizes the need for expert  
340 evaluation of computer models and other recently developed or  
341 improved actuarial methodologies for projecting hurricane  
342 losses, in order to resolve conflicts among actuarial  
343 professionals, and in order to provide both immediate and  
344 continuing improvement in the sophistication of actuarial  
345 methods used to set rates charged to consumers.

346 (c) It is the intent of the Legislature to create the  
347 Florida Commission on Hurricane Loss Projection Methodology as a  
348 panel of experts to provide the most actuarially sophisticated

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349 guidelines and standards for projection of hurricane losses  
350 possible, given the current state of actuarial science. It is  
351 the further intent of the Legislature that such standards and  
352 guidelines must be used by the State Board of Administration in  
353 developing reimbursement premium rates for the Florida Hurricane  
354 Catastrophe Fund, and, subject to paragraph (3) (d), must be used  
355 by insurers in rate filings under s. 627.062 unless the way in  
356 which such standards and guidelines were applied by the insurer  
357 was erroneous, as shown by a preponderance of the evidence.

358 (d) It is the intent of the Legislature that such standards  
359 and guidelines be employed as soon as possible, and that they be  
360 subject to continuing review thereafter.

361 (e) The Legislature finds that the authority to take final  
362 agency action with respect to insurance ratemaking is vested in  
363 the Office of Insurance Regulation and the Financial Services  
364 Commission, and that the processes, standards, and guidelines of  
365 the Florida Commission on Hurricane Loss Projection Methodology  
366 do not constitute final agency action or statements of general  
367 applicability that implement, interpret, or prescribe law or  
368 policy; accordingly, chapter 120 does not apply to the  
369 processes, standards, and guidelines of the Florida Commission  
370 on Hurricane Loss Projection Methodology.

371 (2) COMMISSION CREATED.—

372 (a) There is created the Florida Commission on Hurricane  
373 Loss Projection Methodology, which is assigned to the State  
374 Board of Administration. For the purposes of this section, the  
375 term "commission" means the Florida Commission on Hurricane Loss  
376 Projection Methodology. The commission shall be administratively  
377 housed within the State Board of Administration, but it shall

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378 independently exercise the powers and duties specified in this  
379 section.

380 (b) The commission shall be composed ~~consist~~ of the  
381 following 12 members:

382 1. The insurance consumer advocate.

383 2. The senior employee of the State Board of Administration  
384 responsible for operations of the Florida Hurricane Catastrophe  
385 Fund.

386 3. The Executive Director of the Citizens Property  
387 Insurance Corporation or the executive director's designee. The  
388 executive director's designee must be a full-time employee of  
389 the corporation and have actuarial science experience.

390 4. The Director of the Division of Emergency Management or  
391 the director's designee. The director's designee must be a full-  
392 time employee of the division.

393 5. The actuary member of the Florida Hurricane Catastrophe  
394 Fund Advisory Council.

395 6. An employee of the office who is an actuary responsible  
396 for property insurance rate filings and who is appointed by the  
397 director of the office.

398 7. Five members appointed by the Chief Financial Officer,  
399 as follows:

400 a. An actuary who is employed full time by a property and  
401 casualty insurer that was responsible for at least 1 percent of  
402 the aggregate statewide direct written premium for homeowner  
403 insurance in the calendar year preceding the member's  
404 appointment to the commission.

405 b. An expert in insurance finance who is a full-time member  
406 of the faculty of the State University System and who has a

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407 background in actuarial science.

408       c. An expert in statistics who is a full-time member of the  
409 faculty of the State University System and who has a background  
410 in insurance.

411       d. An expert in computer system design who is a full-time  
412 member of the faculty of the State University System.

413       e. An expert in meteorology who is a full-time member of  
414 the faculty of the State University System and who specializes  
415 in hurricanes.

416       8. A licensed professional structural engineer who is a  
417 full-time faculty member in the State University System and who  
418 has expertise in wind mitigation techniques. This appointment  
419 shall be made by the Governor.

420       (c) Members designated under subparagraphs (b)1.-5. shall  
421 serve on the commission as long as they maintain the respective  
422 offices designated in subparagraphs (b)1.-5. The member  
423 appointed by the director of the office under subparagraph (b) 6.  
424 shall serve on the commission until the end of the term of  
425 office of the director who appointed him or her, unless removed  
426 earlier by the director for cause. Members appointed by the  
427 Chief Financial Officer under subparagraph (b)7. shall serve on  
428 the commission until the end of the term of office of the Chief  
429 Financial Officer who appointed them, unless earlier removed by  
430 the Chief Financial Officer for cause. Vacancies on the  
431 commission shall be filled in the same manner as the original  
432 appointment.

433       (d) The State Board of Administration shall annually  
434 appoint one of the members of the commission to serve as chair.

435       (e) Members of the commission shall serve without

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436 compensation, but shall be reimbursed for per diem and travel  
437 expenses pursuant to s. 112.061.

438 (f) The State Board of Administration shall, as a cost of  
439 administration of the Florida Hurricane Catastrophe Fund,  
440 provide for travel, expenses, and staff support for the  
441 commission.

442 (g) There shall be no liability on the part of, and no  
443 cause of action of any nature shall arise against, any member of  
444 the commission, any member of the State Board of Administration,  
445 or any employee of the State Board of Administration for any  
446 action taken in the performance of their duties under this  
447 section. In addition, the commission may, in writing, waive any  
448 potential cause of action for negligence of a consultant,  
449 contractor, or contract employee engaged to assist the  
450 commission.

451 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

452 (a) The commission shall consider any actuarial methods,  
453 principles, standards, models, or output ranges that have the  
454 potential for improving the accuracy of or reliability of the  
455 hurricane loss projections used in residential property  
456 insurance rate filings and flood loss projections used in rate  
457 filings for personal lines residential flood insurance coverage.  
458 The commission shall, from time to time, adopt findings as to  
459 the accuracy or reliability of particular methods, principles,  
460 standards, models, or output ranges.

461 (b) The commission shall consider any actuarial methods,  
462 principles, standards, or models that have the potential for  
463 improving the accuracy of or reliability of projecting probable  
464 maximum loss levels. The commission shall adopt findings as to

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465 the accuracy or reliability of particular methods, principles,  
466 standards, or models related to probable maximum loss  
467 calculations.

468 (c) In establishing reimbursement premiums for the Florida  
469 Hurricane Catastrophe Fund, the State Board of Administration  
470 must, to the extent feasible, employ actuarial methods,  
471 principles, standards, models, or output ranges found by the  
472 commission to be accurate or reliable.

473 (d) With respect to a rate filing under s. 627.062, an  
474 insurer shall employ and may not modify or adjust actuarial  
475 methods, principles, standards, models, or output ranges found  
476 by the commission to be accurate or reliable in determining  
477 hurricane loss factors and probable maximum loss levels for use  
478 in a rate filing under s. 627.062. An insurer may employ a model  
479 in a rate filing until 120 days after the expiration of the  
480 commission's acceptance of that model and may not modify or  
481 adjust models found by the commission to be accurate or reliable  
482 in determining probable maximum loss levels. This paragraph does  
483 not prohibit an insurer from using a straight average of model  
484 results or output ranges for the purposes of a rate filing for  
485 personal lines residential flood insurance coverage under s.  
486 627.062.

487 (e) The commission shall adopt actuarial methods,  
488 principles, standards, models, or output ranges for personal  
489 lines residential flood loss no later than July 1, 2017.

490 (f) The commission shall revise previously adopted  
491 actuarial methods, principles, standards, models, or output  
492 ranges every odd-numbered year for hurricane loss projections.  
493 The commission shall revise previously adopted actuarial

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494 methods, principles, standards, models, or output ranges no less  
495 than every 4 years for flood loss projections.

496 (g)1. ~~A trade secret, as defined in s. 688.002, which is~~  
497 ~~used in designing and constructing a hurricane or flood loss~~  
498 ~~model and which is provided pursuant to this section, by a~~  
499 ~~private company, to the commission, office, or consumer advocate~~  
500 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~  
501 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
502 ~~Constitution.~~

503 2.a. That portion of a meeting of the commission or of a  
504 rate proceeding on an insurer's rate filing at which a trade  
505 secret as defined in s. 688.002, which is used in designing and  
506 constructing a hurricane or flood loss model and which is  
507 provided pursuant to this section by a private company to the  
508 commission, office, or consumer advocate appointed pursuant to  
509 s. 627.0613, made confidential and exempt by this paragraph is  
510 discussed is exempt from s. 286.011 and s. 24(b), Art. I of the  
511 State Constitution. The closed meeting must be recorded, and no  
512 portion of the closed meeting may be off the record.

513 2.b. The recording of a closed portion of a meeting is  
514 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
515 Constitution.

516 Section 18. Paragraph (a) of subsection (2) and subsection  
517 (4) of section 1004.4472, Florida Statutes, are amended to read:

518 1004.4472 Florida Institute for Human and Machine  
519 Cognition, Inc.; public records exemption; public meetings  
520 exemption.—

521 (2) The following information held by the corporation or  
522 its subsidiary is confidential and exempt from s. 119.07(1) and

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523 s. 24(a), Art. I of the State Constitution:

524 (a) Material relating to methods of manufacture or  
525 production, potential trade secrets, patentable material, ~~actual~~  
526 ~~trade secrets as defined in s. 688.002~~ or proprietary  
527 information received, generated, ascertained, or discovered  
528 during the course of research conducted by or through the  
529 corporation or a subsidiary, and business transactions resulting  
530 from such research.531 (4) That portion of a meeting of the corporation or a  
532 subsidiary at which information is presented or discussed which  
533 is confidential and exempt pursuant to subsection (2) or s.  
534 119.0715 is exempt from s. 286.011 and s. 24(b), Art. I of the  
535 State Constitution.

536 Section 19. This act shall take effect upon becoming a law.