

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           73.0155, F.S.; deleting provisions relating to public  
4           records exemptions for trade secrets held by  
5           governmental condemning authorities; amending s.  
6           119.071, F.S.; deleting a provision declaring that  
7           certain data processing software exempt from public  
8           records requirements is considered a trade secret;  
9           removing the scheduled repeal of the public record  
10          exemption; amending s. 119.0713, F.S.; deleting a  
11          provision exempting trade secrets held by local  
12          government agencies from public records requirements;  
13          amending s. 125.0104, F.S.; deleting a provision  
14          exempting trade secrets held by county tourism  
15          development agencies from public records requirements;  
16          amending s. 163.01, F.S.; deleting a provision  
17          exempting trade secrets held by public agencies that  
18          are electric utilities from public records  
19          requirements; amending s. 202.195, F.S.; deleting a  
20          provision exempting trade secrets obtained from a  
21          telecommunications company or franchised cable company  
22          for certain purposes from public records requirements;  
23          amending s. 215.4401, F.S.; deleting provisions  
24          relating to confidentiality of trade secrets held by  
25          the State Board of Administration; amending s. 252.88,

26 F.S.; deleting provisions exempting certain  
27 information from public records requirements under the  
28 Florida Emergency Planning and Community Right-to-Know  
29 Act; repealing s. 252.943, F.S., relating to a public  
30 records exemption under the Florida Accidental Release  
31 Prevention and Risk Management Planning Act; amending  
32 s. 287.0943, F.S.; deleting provisions relating to  
33 confidentiality of certain information relating to  
34 applications for certification of minority business  
35 enterprises; amending s. 288.047, F.S.; deleting  
36 provisions exempting potential trade secrets from  
37 public records requirements; amending s. 288.075,  
38 F.S.; deleting provisions relating to a public records  
39 exemption for trade secrets held by economic  
40 development agencies; amending s. 288.1226, F.S.;  
41 deleting provisions relating to a public records  
42 exemption for trade secrets held by the Florida  
43 Tourism Industry Marketing Corporation; amending s.  
44 288.776, F.S.; deleting provisions relating to a  
45 public records exemption for trade secrets held by the  
46 Florida Export Finance Corporation; amending s.  
47 288.9520, F.S.; deleting provisions relating to a  
48 public records exemption for trade secrets and  
49 potential trade secrets held by Enterprise Florida,  
50 Inc., and related entities; amending s. 288.9607,

51 F.S.; deleting provisions relating to a public records  
52 exemption for trade secrets held by the Florida  
53 Development Finance Corporation; amending s. 288.9626,  
54 F.S.; deleting provisions relating to a public records  
55 exemption for trade secrets and potential trade  
56 secrets held by the Florida Opportunity Fund;  
57 conforming provisions to changes made by the act;  
58 amending s. 288.9627, F.S.; deleting provisions  
59 relating to a public records exemption for trade  
60 secrets and potential trade secrets held by the  
61 Institute for Commercialization of Florida Technology;  
62 conforming provisions to changes made by the act;  
63 amending s. 331.326, F.S.; deleting provisions  
64 relating to a public records exemption for trade  
65 secrets held by Space Florida; amending s. 334.049,  
66 F.S.; deleting provisions relating to a public records  
67 exemption for trade secrets held by the Department of  
68 State; amending ss. 350.121 and 364.183, F.S.;

69 deleting provisions relating to public records  
70 exemptions for trade secrets held by the Florida  
71 Public Service Commission; amending 365.174, F.S.;

72 deleting provisions relating to public records  
73 exemptions for trade secrets held by the E911 Board  
74 and the Technology Program within the Department of  
75 Management Services; amending ss. 366.093, 367.156,

76 | and 368.108, F.S.; deleting provisions relating to  
77 | public records exemptions for trade secrets held by  
78 | the Florida Public Service Commission; repealing s.  
79 | 381.83, F.S., relating to confidentiality of certain  
80 | information containing trade secrets obtained by the  
81 | Department of Health; amending s. 395.3035, F.S.;  
82 | deleting provisions relating to a public records  
83 | exemption for trade secrets of hospitals; amending s.  
84 | 403.7046, F.S.; revising provisions relating to an  
85 | exemption for trade secrets contained in certain  
86 | reports to the Department of Environmental Protection;  
87 | repealing s. 403.73, F.S., relating to confidentiality  
88 | of certain information containing trade secrets  
89 | obtained by the Department of Environmental  
90 | Protection; amending s. 408.061, F.S.; deleting a  
91 | requirement that certain trade secret information  
92 | submitted to the Agency for Healthcare Administration  
93 | be clearly designated as such; amending s. 408.185,  
94 | F.S.; deleting provisions relating to public records  
95 | exemptions for certain trade secrets held by the  
96 | Office of the Attorney General; amending s. 408.910,  
97 | F.S.; deleting provisions relating to public records  
98 | exemptions for trade secrets held by the Florida  
99 | Health Choices Program; amending s. 409.91196, F.S.;  
100 | deleting provisions relating to public records

101 exemptions for trade secrets held by the Agency for  
102 Healthcare Administration; amending s. 440.108, F.S.;  
103 deleting provisions relating to public records  
104 exemptions for trade secrets held by the Department of  
105 Financial Services; amending s. 494.00125, F.S.;  
106 deleting provisions relating to public records  
107 exemptions for trade secrets held by the Office of  
108 Financial Regulation; amending s. 497.172, F.S.;  
109 deleting provisions relating to public records  
110 exemptions for trade secrets held by the Department of  
111 Financial Services or the Board of Funeral, Cemetery,  
112 and Consumer Services; amending ss. 499.012, 499.0121,  
113 499.05, and 499.051, F.S.; deleting provisions  
114 relating to public records exemptions for trade  
115 secrets held by the Department of Business and  
116 Professional Regulation; repealing s. 499.931, F.S.,  
117 relating to maintenance of information held by the  
118 Department of Business and Professional Regulation  
119 that is deemed to be a trade secret; amending s.  
120 501.171, F.S.; deleting provisions relating to public  
121 records exemptions for trade secrets held by the  
122 Department of Legal Affairs; repealing s. 502.222,  
123 F.S., relating to trade secrets of a dairy business  
124 held by the Department of Agriculture and Consumer  
125 Services; amending ss. 517.2015 and 520.9965, F.S.;

126 deleting provisions relating to public records  
 127 exemptions for trade secrets held by the Office of  
 128 Financial Regulation; amending s. 526.311, F.S.;  
 129 deleting provisions relating to public records  
 130 exemptions for trade secrets held by the Department of  
 131 Agriculture and Consumer Services; amending s.  
 132 548.062, F.S.; deleting provisions relating to public  
 133 records exemptions for trade secrets held by the  
 134 Florida State Boxing Commission; amending s. 556.113,  
 135 F.S.; deleting provisions relating to public records  
 136 exemptions for trade secrets held by Sunshine State  
 137 One-Call of Florida, Inc.; amending s. 559.5558, F.S.;  
 138 deleting provisions relating to public records  
 139 exemptions for trade secrets held by the Office of  
 140 Financial Regulation; amending s. 559.9285, F.S.;  
 141 revising provisions specifying that certain  
 142 information provided to the Department of Agriculture  
 143 and Consumer Services does not constitute a trade  
 144 secret; amending s. 560.129, F.S.; deleting provisions  
 145 relating to public records exemptions for trade  
 146 secrets held by the Office of Financial Regulation;  
 147 amending s. 570.48, F.S.; deleting provisions relating  
 148 to public records exemptions for trade secrets held by  
 149 the Division of Fruit and Vegetables; amending ss.  
 150 570.544 and 573.123, F.S.; deleting provisions

151 relating to public records exemptions for trade  
152 secrets held by the Division of Consumer Services;  
153 repealing s. 581.199, F.S., relating to a prohibition  
154 on the use of trade secret information obtained under  
155 specified provisions for personal use or gain;  
156 amending ss. 601.10, 601.15, and 601.152, F.S.;  
157 deleting provisions relating to public records  
158 exemptions for trade secrets held by the Department of  
159 Citrus; amending s. 601.76, F.S.; deleting provisions  
160 relating to a public records exemption for certain  
161 formulas filed with the Department of Agriculture;  
162 amending ss. 607.0505 and 617.0503, F.S.; deleting  
163 provisions relating to public records exemptions for  
164 certain information that might reveal trade secrets  
165 held by the Department of Legal Affairs; amending s.  
166 624.307, F.S.; authorizing the Office of Insurance  
167 Regulation to report certain information on an  
168 aggregate basis; amending s. 624.315, F.S.;  
169 authorizing the Office of Insurance Regulation to make  
170 certain information available on an aggregate basis;  
171 amending s. 624.4212, F.S.; deleting provisions  
172 relating to public records exemptions for trade  
173 secrets held by the Office of Insurance Regulation;  
174 revising a cross-reference; repealing s. 624.4213,  
175 F.S., relating to trade secret documents submitted to

176 the Department of Financial Services or the Office of  
177 Insurance Regulation; amending ss. 626.84195 and  
178 626.884, F.S.; deleting provisions relating to public  
179 records exemptions for trade secrets held by the  
180 Office of Insurance Regulation; amending s. 626.9936,  
181 F.S.; revising provisions relating to a public records  
182 exemption for trade secrets held by the Office of  
183 Insurance Regulation; amending ss. 627.0628 and  
184 627.3518, F.S.; deleting provisions relating to public  
185 records exemptions for trade secrets held by the  
186 Department of Financial Services or the Office of  
187 Insurance Regulation; amending s. 655.057, F.S.;  
188 revising provisions relating to a public records  
189 exemption for trade secrets held by the Office of  
190 Financial Regulation; repealing s. 655.0591, F.S.,  
191 relating to trade secret documents held by the Office  
192 of Financial Regulation; amending s. 663.533, F.S.;  
193 revising a cross-reference; repealing s. 721.071,  
194 F.S., relating to trade secret material filed with the  
195 Division of Florida Condominiums, Timeshares, and  
196 Mobile Homes of the Department of Business and  
197 Professional Regulation; amending s. 815.04, F.S.;  
198 deleting a public records exemption for certain trade  
199 secret information relating to offenses against  
200 intellectual property; repealing s. 815.045, F.S.,



201 relating to trade secret information; amending s.  
202 1004.22, F.S.; revising provisions relating to public  
203 records exemptions for trade secrets and potential  
204 trade secrets received, generated, ascertained, or  
205 discovered during the course of research conducted  
206 within the state universities; amending s. 1004.30,  
207 F.S.; revising provisions relating to public records  
208 exemptions for trade secrets held by state university  
209 health support organizations; amending s. 1004.43,  
210 F.S.; revising provisions relating to public records  
211 exemptions for trade secrets and potential trade  
212 secrets held by the H. Lee Moffitt Cancer Center and  
213 Research Institute; amending s. 1004.4472, F.S.;  
214 revising provisions relating to public records  
215 exemptions for trade secrets and potential trade  
216 secrets held by the Florida Institute for Human and  
217 Machine Cognition, Inc.; amending s. 1004.78, F.S.;  
218 revising provisions relating to public records  
219 exemptions for trade secrets and potential trade  
220 secrets held by the technology transfers centers at  
221 Florida College System institutions; amending s.  
222 601.80, F.S.; correcting a cross-reference; amending  
223 ss. 663.533, 721.13, and 921.0022, F.S.; conforming  
224 provisions to changes made by the act; providing a  
225 contingent effective date.

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

Section 1. Paragraph (e) of subsection (1) of section 73.0155, Florida Statutes, is amended to read:

73.0155 Confidentiality; business information provided to a governmental condemning authority.—

(1) The following business information provided by the owner of a business to a governmental condemning authority as part of an offer of business damages under s. 73.015 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the owner requests in writing that the business information be held confidential and exempt:

(e) Materials that relate to methods of manufacture or production or, ~~potential trade secrets, patentable material, or actual trade secrets as defined in s. 688.002.~~

Section 2. Paragraph (f) of subsection (1) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(1) AGENCY ADMINISTRATION.—

(f) ~~Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in s. 812.081, and~~ Agency-produced data processing software that is sensitive is

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251 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
252 Constitution. The designation of agency-produced software as  
253 sensitive does not prohibit an agency head from sharing or  
254 exchanging such software with another public agency. ~~This~~  
255 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
256 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
257 ~~2021, unless reviewed and saved from repeal through reenactment~~  
258 ~~by the Legislature.~~

259 Section 3. Paragraph (a) of subsection (4) of section  
260 119.0713, Florida Statutes, is amended to read:

261 119.0713 Local government agency exemptions from  
262 inspection or copying of public records.—

263 (4) (a) Proprietary confidential business information means  
264 information, regardless of form or characteristics, which is  
265 held by an electric utility that is subject to this chapter, is  
266 intended to be and is treated by the entity that provided the  
267 information to the electric utility as private in that the  
268 disclosure of the information would cause harm to the entity  
269 providing the information or its business operations, and has  
270 not been disclosed unless disclosed pursuant to a statutory  
271 provision, an order of a court or administrative body, or a  
272 private agreement that provides that the information will not be  
273 released to the public. Proprietary confidential business  
274 information includes:

275 ~~1. Trade secrets, as defined in s. 688.002.~~

276 |        ~~1.2.~~ Internal auditing controls and reports of internal  
277 | auditors.

278 |        ~~2.3.~~ Security measures, systems, or procedures.

279 |        ~~3.4.~~ Information concerning bids or other contractual  
280 | data, the disclosure of which would impair the efforts of the  
281 | electric utility to contract for goods or services on favorable  
282 | terms.

283 |        ~~4.5.~~ Information relating to competitive interests, the  
284 | disclosure of which would impair the competitive business of the  
285 | provider of the information.

286 |        Section 4. Paragraph (d) of subsection (9) of section  
287 | 125.0104, Florida Statutes, is amended to read:

288 |        125.0104 Tourist development tax; procedure for levying;  
289 | authorized uses; referendum; enforcement.—

290 |        (9) COUNTY TOURISM PROMOTION AGENCIES.—In addition to any  
291 | other powers and duties provided for agencies created for the  
292 | purpose of tourism promotion by a county levying the tourist  
293 | development tax, such agencies are authorized and empowered to:

294 |        (d) Undertake marketing research and advertising research  
295 | studies and provide reservations services and convention and  
296 | meetings booking services consistent with the authorized uses of  
297 | revenue as set forth in subsection (5).

298 |        1. Information given to a county tourism promotion agency  
299 | which, if released, would reveal the identity of persons or  
300 | entities who provide data or other information as a response to

301 a sales promotion effort, an advertisement, or a research  
 302 project or whose names, addresses, meeting or convention plan  
 303 information or accommodations or other visitation needs become  
 304 booking or reservation list data, is exempt from s. 119.07(1)  
 305 and s. 24(a), Art. I of the State Constitution.

306 2. ~~The following information,~~ When held by a county  
 307 tourism promotion agency, booking business records, as defined  
 308 in s. 255.047, are ~~is~~ exempt from s. 119.07(1) and s. 24(a),  
 309 Art. I of the State Constitution.

310 a. ~~Booking business records, as defined in s. 255.047.~~

311 b. ~~Trade secrets and commercial or financial information~~  
 312 ~~gathered from a person and privileged or confidential, as~~  
 313 ~~defined and interpreted under 5 U.S.C. s. 552(b)(4), or any~~  
 314 ~~amendments thereto.~~

315 3. ~~A trade secret, as defined in s. 812.081, held by a~~  
 316 ~~county tourism promotion agency is exempt from s. 119.07(1) and~~  
 317 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
 318 ~~subject to the Open Government Sunset Review Act in accordance~~  
 319 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
 320 ~~unless reviewed and saved from repeal through reenactment by the~~  
 321 ~~Legislature.~~

322 Section 5. Paragraph (m) of subsection (15) of section  
 323 163.01, Florida Statutes, is amended to read:

324 163.01 Florida Interlocal Cooperation Act of 1969.—

325 (15) Notwithstanding any other provision of this section

326 or of any other law except s. 361.14, any public agency of this  
327 state which is an electric utility, or any separate legal entity  
328 created pursuant to the provisions of this section, the  
329 membership of which consists only of electric utilities, and  
330 which exercises or proposes to exercise the powers granted by  
331 part II of chapter 361, the Joint Power Act, may exercise any or  
332 all of the following powers:

333 (m) In the event that any public agency or any such legal  
334 entity, or both, should receive, in connection with its joint  
335 ownership or right to the services, output, capacity, or energy  
336 of an electric project, as defined in paragraph (3)(d), any  
337 material which is designated by the person supplying such  
338 material as proprietary confidential business information or  
339 which a court of competent jurisdiction has designated as  
340 confidential or secret shall be kept confidential and shall be  
341 exempt from the provisions of s. 119.07(1). As used in this  
342 paragraph, "proprietary confidential business information"  
343 ~~includes, but is not limited to, trade secrets; internal~~  
344 ~~auditing controls and reports of internal auditors; security~~  
345 ~~measures, systems, or procedures; information concerning bids or~~  
346 ~~other contractual data, the disclosure of which would impair the~~  
347 ~~efforts of the utility to contract for services on favorable~~  
348 ~~terms;~~ employee personnel information unrelated to compensation,  
349 duties, qualifications, or responsibilities; and formulas,  
350 patterns, devices, combinations of devices, ~~contract costs,~~ or

351 other information the disclosure of which would injure the  
 352 affected entity in the marketplace.

353 Section 6. Subsection (2) of section 202.195, Florida  
 354 Statutes, is amended to read:

355 202.195 Proprietary confidential business information;  
 356 public records exemption.—

357 (2) For the purposes of this exemption, "proprietary  
 358 confidential business information" includes maps, plans, billing  
 359 and payment records, ~~trade secrets~~, or other information  
 360 relating to the provision of or facilities for communications  
 361 service:

362 (a) That is intended to be and is treated by the company  
 363 as confidential;

364 (b) The disclosure of which would be reasonably likely to  
 365 be used by a competitor to harm the business interests of the  
 366 company; and

367 (c) That is not otherwise readily ascertainable or  
 368 publicly available by proper means by other persons from another  
 369 source in the same configuration as requested by the local  
 370 governmental entity.

371  
 372 Proprietary confidential business information does not include  
 373 schematics indicating the location of facilities for a specific  
 374 site that are provided in the normal course of the local  
 375 governmental entity's permitting process.

376 Section 7. Paragraphs (a), (c), and (d) of subsection (3)  
377 of section 215.4401, Florida Statutes, are amended to read:

378 215.4401 Board of Administration; public record  
379 exemptions.—

380 (3)(a) As used in this subsection, the term:

381 1. "Alternative investment" means an investment by the  
382 State Board of Administration in a private equity fund, venture  
383 fund, hedge fund, or distress fund or a direct investment in a  
384 portfolio company through an investment manager.

385 2. "Alternative investment vehicle" means the limited  
386 partnership, limited liability company, or similar legal  
387 structure or investment manager through which the State Board of  
388 Administration invests in a portfolio company.

389 3. "Portfolio company" means a corporation or other  
390 issuer, any of whose securities are owned by an alternative  
391 investment vehicle or the State Board of Administration and any  
392 subsidiary of such corporation or other issuer.

393 4. "Portfolio positions" means individual investments in  
394 portfolio companies which are made by the alternative investment  
395 vehicles, including information or specific investment terms  
396 associated with any portfolio company investment.

397 5. "Proprietor" means an alternative investment vehicle, a  
398 portfolio company in which the alternative investment vehicle is  
399 invested, or an outside consultant, including the respective  
400 authorized officers, employees, agents, or successors in



401 interest, which controls or owns information provided to the  
402 State Board of Administration.

403 6. "Proprietary confidential business information" means  
404 information that has been designated by the proprietor when  
405 provided to the State Board of Administration as information  
406 that is owned or controlled by a proprietor; that is intended to  
407 be and is treated by the proprietor as private, the disclosure  
408 of which would harm the business operations of the proprietor  
409 and has not been intentionally disclosed by the proprietor  
410 unless pursuant to a private agreement that provides that the  
411 information will not be released to the public except as  
412 required by law or legal process, or pursuant to law or an order  
413 of a court or administrative body; and that concerns:

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

415 a.b. Information provided to the State Board of  
416 Administration regarding a prospective investment in a private  
417 equity fund, venture fund, hedge fund, distress fund, or  
418 portfolio company which is proprietary to the provider of the  
419 information.

420 b.e. Financial statements and auditor reports of an  
421 alternative investment vehicle.

422 c.d. Meeting materials of an alternative investment  
423 vehicle relating to financial, operating, or marketing  
424 information of the alternative investment vehicle.

425 d.e. Information regarding the portfolio positions in

426 | which the alternative investment vehicles invest.

427 |     ~~e.f.~~ Capital call and distribution notices to investors of  
428 | an alternative investment vehicle.

429 |     ~~f.g.~~ Alternative investment agreements and related  
430 | records.

431 |     ~~g.h.~~ Information concerning investors, other than the  
432 | State Board of Administration, in an alternative investment  
433 | vehicle.

434 |     7. "Proprietary confidential business information" does  
435 | not include:

436 |         a. The name, address, and vintage year of an alternative  
437 | investment vehicle and the identity of the principals involved  
438 | in the management of the alternative investment vehicle.

439 |         b. The dollar amount of the commitment made by the State  
440 | Board of Administration to each alternative investment vehicle  
441 | since inception.

442 |         c. The dollar amount and date of cash contributions made  
443 | by the State Board of Administration to each alternative  
444 | investment vehicle since inception.

445 |         d. The dollar amount, on a fiscal-year-end basis, of cash  
446 | distributions received by the State Board of Administration from  
447 | each alternative investment vehicle.

448 |         e. The dollar amount, on a fiscal-year-end basis, of cash  
449 | distributions received by the State Board of Administration plus  
450 | the remaining value of alternative-vehicle assets that are

451 | attributable to the State Board of Administration's investment  
452 | in each alternative investment vehicle.

453 |       f. The net internal rate of return of each alternative  
454 | investment vehicle since inception.

455 |       g. The investment multiple of each alternative investment  
456 | vehicle since inception.

457 |       h. The dollar amount of the total management fees and  
458 | costs paid on an annual fiscal-year-end basis by the State Board  
459 | of Administration to each alternative investment vehicle.

460 |       i. The dollar amount of cash profit received by the State  
461 | Board of Administration from each alternative investment vehicle  
462 | on a fiscal-year-end basis.

463 |       j. A description of any compensation, fees, or expenses,  
464 | including the amount or value, paid or agreed to be paid by a  
465 | proprietor to any person to solicit the board to make an  
466 | alternative investment or investment through an alternative  
467 | investment vehicle. This does not apply to an executive officer,  
468 | general partner, managing member, or other employee of the  
469 | proprietor, who is paid by the proprietor to solicit the board  
470 | to make such investments.

471 |       (c)1. Notwithstanding the provisions of paragraph (b), a  
472 | request to inspect or copy a record under s. 119.07(1) that  
473 | contains proprietary confidential business information shall be  
474 | granted if the proprietor of the information fails, within a  
475 | reasonable period of time after the request is received by the

476 State Board of Administration, to verify the following to the  
477 State Board of Administration through a written declaration in  
478 the manner provided by s. 92.525:

479 a. That the requested record contains proprietary  
480 confidential business information and the specific location of  
481 such information within the record;

482 ~~b. If the proprietary confidential business information is~~  
483 ~~a trade secret, a verification that it is a trade secret as~~  
484 ~~defined in s. 688.002;~~

485 b.e. That the proprietary confidential business  
486 information is intended to be and is treated by the proprietor  
487 as private, is the subject of efforts of the proprietor to  
488 maintain its privacy, and is not readily ascertainable or  
489 publicly available from any other source; and

490 ~~c.d.~~ That the disclosure of the proprietary confidential  
491 business information to the public would harm the business  
492 operations of the proprietor.

493 2. The State Board of Administration shall maintain a list  
494 and a description of the records covered by any verified,  
495 written declaration made under this paragraph.

496 (d) Any person may petition a court of competent  
497 jurisdiction for an order for the public release of those  
498 portions of any record made confidential and exempt by paragraph  
499 (b). Any action under this paragraph must be brought in Leon  
500 County, Florida, and the petition or other initial pleading

501 shall be served on the State Board of Administration and, if  
502 determinable upon diligent inquiry, on the proprietor of the  
503 information sought to be released. In any order for the public  
504 release of a record under this paragraph, the court shall make a  
505 finding ~~that the record or portion thereof is not a trade secret~~  
506 ~~as defined in s. 688.002,~~ that a compelling public interest is  
507 served by the release of the record or portions thereof which  
508 exceed the public necessity for maintaining the confidentiality  
509 of such record, and that the release of the record will not  
510 cause damage to or adversely affect the interests of the  
511 proprietor of the released information, other private persons or  
512 business entities, the State Board of Administration, or any  
513 trust fund, the assets of which are invested by the State Board  
514 of Administration.

515 Section 8. Subsection (1) of section 252.88, Florida  
516 Statutes, is amended to read:

517 252.88 Public records.—

518 (1) Whenever EPCRA authorizes an employer to exclude trade  
519 secret information from its submittals, the employer shall  
520 furnish the information so excluded to the commission upon  
521 request. ~~Such information shall be confidential and exempt from~~  
522 ~~the provisions of s. 119.07(1). The commission shall not~~  
523 ~~disclose such information except pursuant to a final~~  
524 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
525 ~~Environmental Protection Agency that such information is not~~

526 ~~entitled to trade secret protection, or pursuant to an order of~~  
527 ~~court.~~

528 Section 9. Section 252.943, Florida Statutes, is repealed.

529 Section 10. Paragraph (h) of subsection (2) of section  
530 287.0943, Florida Statutes, is amended to read:

531 287.0943 Certification of minority business enterprises.-

532 (2)

533 (h) The certification procedures should allow an applicant  
534 seeking certification to designate on the application form the  
535 information the applicant considers to be proprietary,  
536 confidential business information. As used in this paragraph,  
537 "proprietary, confidential business information" includes, ~~but~~  
538 ~~is not limited to,~~ any information that would be exempt from  
539 public inspection pursuant to the provisions of chapter 119;  
540 ~~trade secrets;~~ internal auditing controls and reports; ~~contract~~  
541 ~~costs;~~ or other information the disclosure of which would injure  
542 the affected party in the marketplace or otherwise violate s.  
543 286.041. The executor in receipt of the application shall issue  
544 written and final notice of any information for which  
545 noninspection is requested but not provided for by law.

546 Section 11. Subsection (7) of section 288.047, Florida  
547 Statutes, is amended to read:

548 288.047 Quick-response training for economic development.-

549 (7) In providing instruction pursuant to this section,  
550 materials that relate to methods of manufacture or production,

551 ~~potential trade secrets,~~ business transactions, or proprietary  
552 information received, produced, ascertained, or discovered by  
553 employees of the respective departments, district school boards,  
554 community college district boards of trustees, or other  
555 personnel employed for the purposes of this section is  
556 confidential and exempt from the provisions of s. 119.07(1). The  
557 state may seek copyright protection for instructional materials  
558 and ancillary written documents developed wholly or partially  
559 with state funds as a result of instruction provided pursuant to  
560 this section, except for materials that are confidential and  
561 exempt from the provisions of s. 119.07(1).

562 Section 12. Paragraph (c) of subsection (1) and subsection  
563 (3) of section 288.075, Florida Statutes, are amended to read:

564 288.075 Confidentiality of records.—

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

566 ~~(c) "Trade secret" has the same meaning as in s. 688.002.~~

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

570 Section 13. Subsection (9) of section 288.1226, Florida  
571 Statutes, is amended to read:

572 288.1226 Florida Tourism Industry Marketing Corporation;  
573 use of property; board of directors; duties; audit.—

574 (9) PUBLIC RECORDS EXEMPTION.—The identity of any person  
575 who responds to a marketing project or advertising research

576 project conducted by the corporation in the performance of its  
577 duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
578 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
579 ~~activities, are exempt from s. 119.07(1) and s. 24(a), Art. I of~~  
580 ~~the State Constitution. This subsection is subject to the Open~~  
581 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
582 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
583 ~~saved from repeal through reenactment by the Legislature.~~

584 Section 14. Paragraph (d) of subsection (3) of section  
585 288.776, Florida Statutes, is amended to read:

586 288.776 Board of directors; powers and duties.—

587 (3) The board shall:

588 (d) Adopt policies, including criteria, establishing which  
589 exporters and export transactions shall be eligible for  
590 insurance, coinsurance, loan guarantees, and direct, guaranteed,  
591 or collateralized loans which may be extended by the  
592 corporation. Pursuant to this subsection, the board shall  
593 include the following criteria:

594 1. Any individual signing any corporation loan application  
595 and loan or guarantee agreement shall have an equity in the  
596 business applying for financial assistance.

597 2. Each program shall exclusively support the export of  
598 goods and services by small and medium-sized businesses which  
599 are domiciled in this state. Priority shall be given to goods  
600 which have value added in this state.



601           3. Financial assistance shall only be extended when at  
602 least one of the following circumstances exists:

603           a. The assistance is required to secure the participation  
604 of small and medium-sized export businesses in federal, state,  
605 or private financing programs.

606           b. No conventional source of lender support is available  
607 for the business from public or private financing sources.

608  
609 Personal financial records, ~~trade secrets~~, or proprietary  
610 information of applicants shall be confidential and exempt from  
611 the provisions of s. 119.07(1).

612           Section 15. Section 288.9520, Florida Statutes, is amended  
613 to read:

614           288.9520 Public records exemption.—Materials that relate  
615 to methods of manufacture or production, ~~potential trade~~  
616 ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,  
617 business transactions, financial and proprietary information,  
618 and agreements or proposals to receive funding that are  
619 received, generated, ascertained, or discovered by Enterprise  
620 Florida, Inc., including its affiliates or subsidiaries and  
621 partnership participants, such as private enterprises,  
622 educational institutions, and other organizations, are  
623 confidential and exempt from the provisions of s. 119.07(1) and  
624 s. 24(a), Art. I of the State Constitution, except that a  
625 recipient of Enterprise Florida, Inc., research funds shall make

626 available, upon request, the title and description of the  
627 research project, the name of the researcher, and the amount and  
628 source of funding provided for the project.

629 Section 16. Subsection (5) of section 288.9607, Florida  
630 Statutes, is amended to read:

631 288.9607 Guaranty of bond issues.—

632 (5) Personal financial records, ~~trade secrets,~~ or  
633 proprietary information of applicants delivered to or obtained  
634 by the corporation shall be confidential and exempt from the  
635 provisions of s. 119.07(1).

636 Section 17. Paragraph (f) of subsection (1), paragraph (a)  
637 of subsection (2), paragraph (a) of subsection (3), and  
638 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
639 Florida Statutes, are amended to read:

640 288.9626 Exemptions from public records and public  
641 meetings requirements for the Florida Opportunity Fund.—

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

643 (f)1. "Proprietary confidential business information"  
644 means information that has been designated by the proprietor  
645 when provided to the Florida Opportunity Fund as information  
646 that is owned or controlled by a proprietor; that is intended to  
647 be and is treated by the proprietor as private, the disclosure  
648 of which would harm the business operations of the proprietor  
649 and has not been intentionally disclosed by the proprietor  
650 unless pursuant to a private agreement that provides that the

651 information will not be released to the public except as  
652 required by law or legal process, or pursuant to law or an order  
653 of a court or administrative body; and that concerns:

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

655 a.b. Information provided to the Florida Opportunity Fund  
656 regarding an existing or prospective alternative investment in a  
657 private equity fund, venture capital fund, angel fund, or  
658 portfolio company that is proprietary to the provider of the  
659 information.

660 b.e. Financial statements and auditor reports of an  
661 alternative investment vehicle or portfolio company, unless  
662 publicly released by the alternative investment vehicle or  
663 portfolio company.

664 c.d. Meeting materials of an alternative investment  
665 vehicle or portfolio company relating to financial, operating,  
666 or marketing information of the alternative investment vehicle  
667 or portfolio company.

668 d.e. Information regarding the portfolio positions in  
669 which the alternative investment vehicles or Florida Opportunity  
670 Fund invest.

671 e.f. Capital call and distribution notices to investors or  
672 the Florida Opportunity Fund of an alternative investment  
673 vehicle.

674 f.g. Alternative investment agreements and related  
675 records.

676 ~~g.h.~~ Information concerning investors, other than the  
677 Florida Opportunity Fund, in an alternative investment vehicle  
678 or portfolio company.

679 2. "Proprietary confidential business information" does  
680 not include:

681 a. The name, address, and vintage year of an alternative  
682 investment vehicle or Florida Opportunity Fund and the identity  
683 of the principals involved in the management of the alternative  
684 investment vehicle or Florida Opportunity Fund.

685 b. The dollar amount of the commitment made by the Florida  
686 Opportunity Fund to each alternative investment vehicle since  
687 inception, if any.

688 c. The dollar amount and date of cash contributions made  
689 by the Florida Opportunity Fund to each alternative investment  
690 vehicle since inception, if any.

691 d. The dollar amount, on a fiscal-year-end basis, of cash  
692 or other fungible distributions received by the Florida  
693 Opportunity Fund from each alternative investment vehicle.

694 e. The dollar amount, on a fiscal-year-end basis, of cash  
695 or other fungible distributions received by the Florida  
696 Opportunity Fund plus the remaining value of alternative-vehicle  
697 assets that are attributable to the Florida Opportunity Fund's  
698 investment in each alternative investment vehicle.

699 f. The net internal rate of return of each alternative  
700 investment vehicle since inception.

701 g. The investment multiple of each alternative investment  
 702 vehicle since inception.

703 h. The dollar amount of the total management fees and  
 704 costs paid on an annual fiscal-year-end basis by the Florida  
 705 Opportunity Fund to each alternative investment vehicle.

706 i. The dollar amount of cash profit received by the  
 707 Florida Opportunity Fund from each alternative investment  
 708 vehicle on a fiscal-year-end basis.

709 (2) PUBLIC RECORDS EXEMPTION.—

710 (a) The following records held by the Florida Opportunity  
 711 Fund are confidential and exempt from s. 119.07(1) and s. 24(a),  
 712 Art. I of the State Constitution:

713 1. Materials that relate to methods of manufacture or  
 714 production, ~~potential trade secrets~~, or patentable material  
 715 received, generated, ascertained, or discovered during the  
 716 course of research or through research projects and that are  
 717 provided by a proprietor.

718 2. Information that would identify an investor or  
 719 potential investor who desires to remain anonymous in projects  
 720 reviewed by the Florida Opportunity Fund.

721 3. Proprietary confidential business information regarding  
 722 alternative investments for 7 years after the termination of the  
 723 alternative investment.

724 (3) PUBLIC MEETINGS EXEMPTION.—

725 (a) That portion of a meeting of the board of directors

726 of the Florida Opportunity Fund at which information is  
727 discussed which is confidential and exempt under subsection (2)  
728 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of  
729 the State Constitution.

730 (4) REQUEST TO INSPECT OR COPY A RECORD.—

731 (b) Notwithstanding the provisions of paragraph (2)(a), a  
732 request to inspect or copy a public record that contains  
733 proprietary confidential business information shall be granted  
734 if the proprietor of the information fails, within a reasonable  
735 period of time after the request is received by the Florida  
736 Opportunity Fund, to verify the following to the Florida  
737 Opportunity Fund through a written declaration in the manner  
738 provided by s. 92.525:

739 1. That the requested record contains proprietary  
740 confidential business information and the specific location of  
741 such information within the record;

742 ~~2. If the proprietary confidential business information is~~  
743 ~~a trade secret, a verification that it is a trade secret as~~  
744 ~~defined in s. 688.002;~~

745 ~~2.3.~~ That the proprietary confidential business  
746 information is intended to be and is treated by the proprietor  
747 as private, is the subject of efforts of the proprietor to  
748 maintain its privacy, and is not readily ascertainable or  
749 publicly available from any other source; and

750 ~~3.4.~~ That the disclosure of the proprietary confidential

751 business information to the public would harm the business  
752 operations of the proprietor.

753 (c)1. Any person may petition a court of competent  
754 jurisdiction for an order for the public release of those  
755 portions of any record made confidential and exempt by  
756 subsection (2).

757 2. Any action under this subsection must be brought in  
758 Orange County, and the petition or other initial pleading shall  
759 be served on the Florida Opportunity Fund and, if determinable  
760 upon diligent inquiry, on the proprietor of the information  
761 sought to be released.

762 3. In any order for the public release of a record under  
763 this subsection, the court shall make a finding that:

764 ~~a. The record or portion thereof is not a trade secret as~~  
765 ~~defined in s. 688.002;~~

766 a. ~~b.~~ A compelling public interest is served by the  
767 release of the record or portions thereof which exceed the  
768 public necessity for maintaining the confidentiality of such  
769 record; and

770 b. ~~e.~~ The release of the record will not cause damage to  
771 or adversely affect the interests of the proprietor of the  
772 released information, other private persons or business  
773 entities, or the Florida Opportunity Fund.

774 Section 18. Paragraph (b) of subsection (1), paragraph (a)  
775 of subsection (2), paragraph (a) of subsection (3), and

776 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
777 Florida Statutes, are amended to read:

778 288.9627 Exemptions from public records and public  
779 meetings requirements for the Institute for Commercialization of  
780 Florida Technology.—

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

782 (b)1. "Proprietary confidential business information"  
783 means information that has been designated by the proprietor  
784 when provided to the institute as information that is owned or  
785 controlled by a proprietor; that is intended to be and is  
786 treated by the proprietor as private, the disclosure of which  
787 would harm the business operations of the proprietor and has not  
788 been intentionally disclosed by the proprietor unless pursuant  
789 to a private agreement that provides that the information will  
790 not be released to the public except as required by law or legal  
791 process, or pursuant to law or an order of a court or  
792 administrative body; and that concerns:

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

794 a.b. Financial statements and internal or external auditor  
795 reports of a proprietor corporation, partnership, or person  
796 requesting confidentiality under this statute, unless publicly  
797 released by the proprietor.

798 b.e. Meeting materials related to financial, operating,  
799 investment, or marketing information of the proprietor  
800 corporation, partnership, or person.



801 c.d. Information concerning private investors in the  
 802 proprietor corporation, partnership, or person.

803 2. "Proprietary confidential business information" does  
 804 not include:

805 a. The identity and primary address of the proprietor's  
 806 principals.

807 b. The dollar amount and date of the financial commitment  
 808 or contribution made by the institute.

809 c. The dollar amount, on a fiscal-year-end basis, of cash  
 810 repayments or other fungible distributions received by the  
 811 institute from each proprietor.

812 d. The dollar amount, if any, of the total management fees  
 813 and costs paid on an annual fiscal-year-end basis by the  
 814 institute.

815 (2) PUBLIC RECORDS EXEMPTION.—

816 (a) The following records held by the institute are  
 817 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 818 of the State Constitution:

819 1. Materials that relate to methods of manufacture or  
 820 production, ~~potential trade secrets~~, or patentable material  
 821 received, generated, ascertained, or discovered during the  
 822 course of research or through research projects conducted by  
 823 universities and other publicly supported organizations in this  
 824 state and that are provided to the institute by a proprietor.

825 2. Information that would identify an investor or

826 potential investor who desires to remain anonymous in projects  
 827 reviewed by the institute for assistance.

828 3. Any information received from a person from another  
 829 state or nation or the Federal Government which is otherwise  
 830 confidential or exempt pursuant to the laws of that state or  
 831 nation or pursuant to federal law.

832 4. Proprietary confidential business information for 7  
 833 years after the termination of the institute's financial  
 834 commitment to the company.

835 (3) PUBLIC MEETINGS EXEMPTION.—

836 (a) That portion of a meeting of the institute's board of  
 837 directors at which information is discussed which is  
 838 confidential and exempt under subsection (2) or s. 688.01 is  
 839 exempt from s. 286.011 and s. 24(b), Art. I of the State  
 840 Constitution.

841 (4) REQUEST TO INSPECT OR COPY A RECORD.—

842 (b) Notwithstanding the provisions of paragraph (2)(a), a  
 843 request to inspect or copy a public record that contains  
 844 proprietary confidential business information shall be granted  
 845 if the proprietor of the information fails, within a reasonable  
 846 period of time after the request is received by the institute,  
 847 to verify the following to the institute through a written  
 848 declaration in the manner provided by s. 92.525:

849 1. That the requested record contains proprietary  
 850 confidential business information and the specific location of

851 such information within the record;

852 ~~2. If the proprietary confidential business information is~~  
853 ~~a trade secret, a verification that it is a trade secret as~~  
854 ~~defined in s. 688.002;~~

855 2.3. That the proprietary confidential business  
856 information is intended to be and is treated by the proprietor  
857 as private, is the subject of efforts of the proprietor to  
858 maintain its privacy, and is not readily ascertainable or  
859 publicly available from any other source; and

860 3.4. That the disclosure of the proprietary confidential  
861 business information to the public would harm the business  
862 operations of the proprietor.

863 (c)1. Any person may petition a court of competent  
864 jurisdiction for an order for the public release of those  
865 portions of any record made confidential and exempt by  
866 subsection (2).

867 2. Any action under this subsection must be brought in  
868 Palm Beach County or Alachua County, and the petition or other  
869 initial pleading shall be served on the institute and, if  
870 determinable upon diligent inquiry, on the proprietor of the  
871 information sought to be released.

872 3. In any order for the public release of a record under  
873 this subsection, the court shall make a finding that:

874 ~~a. The record or portion thereof is not a trade secret as~~  
875 ~~defined in s. 688.002;~~

876 ~~a.b.~~ A compelling public interest is served by the release  
 877 of the record or portions thereof which exceed the public  
 878 necessity for maintaining the confidentiality of such record;  
 879 and

880 ~~b.e.~~ The release of the record will not cause damage to or  
 881 adversely affect the interests of the proprietor of the released  
 882 information, other private persons or business entities, or the  
 883 institute.

884 Section 19. Section 331.326, Florida Statutes, is amended  
 885 to read:

886 331.326 Information relating to trade secrets  
 887 confidential.—The records of Space Florida regarding matters  
 888 encompassed by this act are public records subject to chapter  
 889 119. ~~Any information held by Space Florida which is a trade~~  
 890 ~~secret, as defined in s. 812.081, including trade secrets of~~  
 891 ~~Space Florida, any spaceport user, or the space industry~~  
 892 ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
 893 ~~24(a), Art. I of the State Constitution and may not be~~  
 894 ~~disclosed. If Space Florida determines that any information~~  
 895 ~~requested by the public will reveal a trade secret, it shall, in~~  
 896 ~~writing, inform the person making the request of that~~  
 897 ~~determination. The determination is a final order as defined in~~  
 898 ~~s. 120.52.~~ Any meeting or portion of a meeting of Space  
 899 Florida's board is exempt from s. 286.011 and s. 24(b), Art. I  
 900 of the State Constitution when the board is discussing trade

901 secrets as defined in s. 688.01. Any public record generated  
902 during the closed portions of the meetings, such as minutes,  
903 tape recordings, and notes, is confidential and exempt from s.  
904 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This~~  
905 ~~section is subject to the Open Government Sunset Review Act in~~  
906 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
907 ~~2021, unless reviewed and saved from repeal through reenactment~~  
908 ~~by the Legislature.~~

909 Section 20. Subsection (4) of section 334.049, Florida  
910 Statutes, is amended to read:

911 334.049 Patents, copyrights, trademarks; notice to  
912 Department of State; ~~confidentiality of trade secrets.~~

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

918 Section 21. Section 350.121, Florida Statutes, is amended  
919 to read:

920 350.121 Commission inquiries; confidentiality of business  
921 material.—If the commission undertakes an inquiry, any records,  
922 documents, papers, maps, books, tapes, photographs, files, sound  
923 recordings, or other business material, regardless of form or  
924 characteristics, obtained by the commission incident to the  
925 inquiry are considered confidential and exempt from s. 119.07(1)

926 while the inquiry is pending. If at the conclusion of an inquiry  
 927 the commission undertakes a formal proceeding, any matter  
 928 determined by the commission or by a judicial or administrative  
 929 body, federal or state, to be ~~trade secrets or~~ proprietary  
 930 confidential business information coming into its possession  
 931 pursuant to such inquiry shall be considered confidential and  
 932 exempt from s. 119.07(1). Such material may be used in any  
 933 administrative or judicial proceeding so long as the  
 934 confidential or proprietary nature of the material is  
 935 maintained.

936 Section 22. Paragraph (a) of subsection (3) of section  
 937 364.183, Florida Statutes, is amended to read:

938 364.183 Access to company records.—

939 (3) The term "proprietary confidential business  
 940 information" means information, regardless of form or  
 941 characteristics, which is owned or controlled by the person or  
 942 company, is intended to be and is treated by the person or  
 943 company as private in that the disclosure of the information  
 944 would cause harm to the ratepayers or the person's or company's  
 945 business operations, and has not been disclosed unless disclosed  
 946 pursuant to a statutory provision, an order of a court or  
 947 administrative body, or private agreement that provides that the  
 948 information will not be released to the public. The term  
 949 includes, ~~but is not limited to:~~

950 ~~(a) Trade secrets.~~

951        (a)~~(b)~~ Internal auditing controls and reports of internal  
952 auditors.

953        (b)~~(c)~~ Security measures, systems, or procedures.

954        (c)~~(d)~~ Information concerning bids or other contractual  
955 data, the disclosure of which would impair the efforts of the  
956 company or its affiliates to contract for goods or services on  
957 favorable terms.

958        (d)~~(e)~~ Information relating to competitive interests, the  
959 disclosure of which would impair the competitive business of the  
960 provider of information.

961        (e)~~(f)~~ Employee personnel information unrelated to  
962 compensation, duties, qualifications, or responsibilities.

963        Section 23. Subsection (3) of section 365.174, Florida  
964 Statutes, is amended to read:

965        365.174 Proprietary confidential business information.—

966        (3) As used in this section, the term "proprietary  
967 confidential business information" means customer lists,  
968 customer numbers, individual or aggregate customer data by  
969 location, usage and capacity data, network facilities used to  
970 serve subscribers, technology descriptions, or technical  
971 information, ~~or trade secrets, including trade secrets as~~  
972 ~~defined in s. 812.081,~~ and the actual or developmental costs of  
973 E911 systems that are developed, produced, or received  
974 internally by a provider or by a provider's employees,  
975 directors, officers, or agents.

976 Section 24. Subsection (3) of section 366.093, Florida  
977 Statutes, is amended to read:

978 366.093 Public utility records; confidentiality.—

979 (3) Proprietary confidential business information means  
980 information, regardless of form or characteristics, which is  
981 owned or controlled by the person or company, is intended to be  
982 and is treated by the person or company as private in that the  
983 disclosure of the information would cause harm to the ratepayers  
984 or the person's or company's business operations, and has not  
985 been disclosed unless disclosed pursuant to a statutory  
986 provision, an order of a court or administrative body, or  
987 private agreement that provides that the information will not be  
988 released to the public. Proprietary confidential business  
989 information includes, ~~but is not limited to:~~

990 ~~(a) Trade secrets.~~

991 (a) ~~(b)~~ Internal auditing controls and reports of internal  
992 auditors.

993 (b) ~~(e)~~ Security measures, systems, or procedures.

994 (c) ~~(d)~~ Information concerning bids or other contractual  
995 data, the disclosure of which would impair the efforts of the  
996 public utility or its affiliates to contract for goods or  
997 services on favorable terms.

998 (d) ~~(e)~~ Information relating to competitive interests, the  
999 disclosure of which would impair the competitive business of the  
1000 provider of the information.



1001        (e)~~(f)~~ Employee personnel information unrelated to  
1002 compensation, duties, qualifications, or responsibilities.  
1003        Section 25. Subsection (3) of section 367.156, Florida  
1004 Statutes, is amended to read:  
1005        367.156 Public utility records; confidentiality.—  
1006        (3) Proprietary confidential business information means  
1007 information, regardless of form or characteristics, which is  
1008 owned or controlled by the person or company, is intended to be  
1009 and is treated by the person or company as private in that the  
1010 disclosure of the information would cause harm to the ratepayers  
1011 or the person's or company's business operations, and has not  
1012 been disclosed unless disclosed pursuant to a statutory  
1013 provision, an order of a court or administrative body, or a  
1014 private agreement that provides that the information will not be  
1015 released to the public. Proprietary business information  
1016 includes, ~~but is not limited to:~~  
1017        ~~(a) Trade secrets.~~  
1018        (a)~~(b)~~ Internal auditing controls and reports of internal  
1019 auditors.  
1020        (b)~~(e)~~ Security measures, systems, or procedures.  
1021        (c)~~(d)~~ Information concerning bids or other contractual  
1022 data, the disclosure of which would impair the efforts of the  
1023 utility or its affiliates to contract for goods or services on  
1024 favorable terms.  
1025        (d)~~(e)~~ Information relating to competitive interests, the

1026 disclosure of which would impair the competitive businesses of  
 1027 the provider of the information.

1028 (e)~~(f)~~ Employee personnel information unrelated to  
 1029 compensation, duties, qualifications, or responsibilities.

1030 Section 26. Subsection (3) of section 368.108, Florida  
 1031 Statutes, is amended to read:

1032 368.108 Confidentiality; discovery.—

1033 (3) "Proprietary confidential business information" means  
 1034 information, regardless of form or characteristics, which is  
 1035 owned or controlled by the person or company, is intended to be  
 1036 and is treated by the person or company as private in that the  
 1037 disclosure of the information would cause harm to the ratepayers  
 1038 or the person's or company's business operations, and has not  
 1039 been disclosed unless disclosed pursuant to a statutory  
 1040 provision, an order of a court or administrative body, or a  
 1041 private agreement that provides that the information will not be  
 1042 released to the public. "Proprietary confidential business  
 1043 information" includes, ~~but is not limited to:~~

1044 ~~(a) Trade secrets.~~

1045 (a)~~(b)~~ Internal auditing controls and reports of internal  
 1046 auditors.

1047 (b)~~(e)~~ Security measures, systems, or procedures.

1048 (c)~~(d)~~ Information concerning bids or other contractual  
 1049 data, the disclosure of which would impair the efforts of the  
 1050 natural gas transmission company or its affiliates to contract

1051 for goods or services on favorable terms.

1052 (d)~~(e)~~ Information relating to competitive interests, the  
 1053 disclosure of which would impair the competitive business of the  
 1054 provider of the information.

1055 (e)~~(f)~~ Employee personnel information unrelated to  
 1056 compensation, duties, qualifications, or responsibilities.

1057 Section 27. Section 381.83, Florida Statutes, is repealed.

1058 Section 28. Paragraph (c) of subsection (2) of section  
 1059 395.3035, Florida Statutes, is amended to read:

1060 395.3035 Confidentiality of hospital records and  
 1061 meetings.—

1062 (2) The following records and information of any hospital  
 1063 that is subject to chapter 119 and s. 24(a), Art. I of the State  
 1064 Constitution are confidential and exempt from the provisions of  
 1065 s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1066 (c) ~~Trade secrets, as defined in s. 688.002, including~~  
 1067 Reimbursement methodologies and rates.

1068 Section 29. Subsection (2) and paragraph (b) of subsection  
 1069 (3) of section 403.7046, Florida Statutes, are amended to read:

1070 403.7046 Regulation of recovered materials.—

1071 (2) Notwithstanding s. 688.01, information reported  
 1072 pursuant to this section or any rule adopted pursuant to this  
 1073 section which, if disclosed, would reveal a trade secret, as  
 1074 defined in s. 688.01, may be provided by the department ~~s.~~  
 1075 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~

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1076 ~~24(a), Art. I of the State Constitution. For reporting or~~  
1077 ~~information purposes, however, the department may provide this~~  
1078 ~~information~~ in such form that the names of the persons reporting  
1079 such information and the specific information reported are not  
1080 revealed. ~~This subsection is subject to the Open Government~~  
1081 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1082 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1083 ~~repeal through reenactment by the Legislature.~~

1084 (3) Except as otherwise provided in this section or  
1085 pursuant to a special act in effect on or before January 1,  
1086 1993, a local government may not require a commercial  
1087 establishment that generates source-separated recovered  
1088 materials to sell or otherwise convey its recovered materials to  
1089 the local government or to a facility designated by the local  
1090 government, nor may the local government restrict such a  
1091 generator's right to sell or otherwise convey such recovered  
1092 materials to any properly certified recovered materials dealer  
1093 who has satisfied the requirements of this section. A local  
1094 government may not enact any ordinance that prevents such a  
1095 dealer from entering into a contract with a commercial  
1096 establishment to purchase, collect, transport, process, or  
1097 receive source-separated recovered materials.

1098 (b)~~1~~. Before engaging in business within the jurisdiction  
1099 of the local government, a recovered materials dealer or  
1100 pyrolysis facility must provide the local government with a copy

1101 of the certification provided for in this section. In addition,  
1102 the local government may establish a registration process  
1103 whereby a recovered materials dealer or pyrolysis facility must  
1104 register with the local government before engaging in business  
1105 within the jurisdiction of the local government. Such  
1106 registration process is limited to requiring the dealer or  
1107 pyrolysis facility to register its name, including the owner or  
1108 operator of the dealer or pyrolysis facility, and, if the dealer  
1109 or pyrolysis facility is a business entity, its general or  
1110 limited partners, its corporate officers and directors, its  
1111 permanent place of business, evidence of its certification under  
1112 this section, and a certification that the recovered materials  
1113 or post-use polymers will be processed at a recovered materials  
1114 processing facility or pyrolysis facility satisfying the  
1115 requirements of this section. The local government may not use  
1116 the information provided in the registration application to  
1117 compete unfairly with the recovered materials dealer until 90  
1118 days after receipt of the application. All counties, and  
1119 municipalities whose population exceeds 35,000 according to the  
1120 population estimates determined pursuant to s. 186.901, may  
1121 establish a reporting process that must be limited to the  
1122 regulations, reporting format, and reporting frequency  
1123 established by the department pursuant to this section, which  
1124 must, at a minimum, include requiring the dealer or pyrolysis  
1125 facility to identify the types and approximate amount of

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1126 recovered materials or post-use polymers collected, recycled, or  
1127 reused during the reporting period; the approximate percentage  
1128 of recovered materials or post-use polymers reused, stored, or  
1129 delivered to a recovered materials processing facility or  
1130 pyrolysis facility or disposed of in a solid waste disposal  
1131 facility; and the locations where any recovered materials or  
1132 post-use polymers were disposed of as solid waste. The local  
1133 government may charge the dealer or pyrolysis facility a  
1134 registration fee commensurate with and no greater than the cost  
1135 incurred by the local government in operating its registration  
1136 program. Registration program costs are limited to those costs  
1137 associated with the activities described in this paragraph  
1138 ~~subparagraph~~. Any reporting or registration process established  
1139 by a local government with regard to recovered materials or  
1140 post-use polymers is governed by this section and department  
1141 rules adopted pursuant thereto.

1142 ~~2. Information reported under this subsection which, if~~  
1143 ~~disclosed, would reveal a trade secret, as defined in s.~~  
1144 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
1145 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
1146 ~~subject to the Open Government Sunset Review Act in accordance~~  
1147 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1148 ~~unless reviewed and saved from repeal through reenactment by the~~  
1149 ~~Legislature.~~

1150 Section 30. Section 403.73, Florida Statutes, is repealed.

1151 Section 31. Paragraph (c) of subsection (1) of section  
 1152 408.061, Florida Statutes, is amended to read:

1153 408.061 Data collection; uniform systems of financial  
 1154 reporting; information relating to physician charges;  
 1155 confidential information; immunity.—

1156 (1) The agency shall require the submission by health care  
 1157 facilities, health care providers, and health insurers of data  
 1158 necessary to carry out the agency's duties and to facilitate  
 1159 transparency in health care pricing data and quality measures.  
 1160 Specifications for data to be collected under this section shall  
 1161 be developed by the agency and applicable contract vendors, with  
 1162 the assistance of technical advisory panels including  
 1163 representatives of affected entities, consumers, purchasers, and  
 1164 such other interested parties as may be determined by the  
 1165 agency.

1166 (c) Data to be submitted by health insurers may include,  
 1167 but are not limited to: claims, payments to health care  
 1168 facilities and health care providers as specified by rule,  
 1169 premium, administration, and financial information. Data  
 1170 submitted shall be certified by the chief financial officer, an  
 1171 appropriate and duly authorized representative, or an employee  
 1172 of the insurer that the information submitted is true and  
 1173 accurate. ~~Information that is considered a trade secret under s.~~  
 1174 ~~812.081 shall be clearly designated.~~

1175 Section 32. Subsection (1) of section 408.185, Florida

1176 Statutes, is amended to read:

1177 408.185 Information submitted for review of antitrust  
 1178 issues; confidentiality.—The following information held by the  
 1179 Office of the Attorney General, which is submitted by a member  
 1180 of the health care community pursuant to a request for an  
 1181 antitrust no-action letter shall be confidential and exempt from  
 1182 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 1183 Constitution for 1 year after the date of submission.

1184 ~~(1) Documents that reveal trade secrets as defined in s.~~  
 1185 ~~688.002.~~

1186 Section 33. Paragraph (a) of subsection (14) of section  
 1187 408.910, Florida Statutes, is amended to read:

1188 408.910 Florida Health Choices Program.—

1189 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

1190 (a) Definitions.—For purposes of this subsection, the  
 1191 term:

1192 1. "Buyer's representative" means a participating  
 1193 insurance agent as described in paragraph (4)(g).

1194 2. "Enrollee" means an employer who is eligible to enroll  
 1195 in the program pursuant to paragraph (4)(a).

1196 3. "Participant" means an individual who is eligible to  
 1197 participate in the program pursuant to paragraph (4)(b).

1198 4. "Proprietary confidential business information" means  
 1199 information, regardless of form or characteristics, that is  
 1200 owned or controlled by a vendor requesting confidentiality under



1201 this section; that is intended to be and is treated by the  
 1202 vendor as private in that the disclosure of the information  
 1203 would cause harm to the business operations of the vendor; that  
 1204 has not been disclosed unless disclosed pursuant to a statutory  
 1205 provision, an order of a court or administrative body, or a  
 1206 private agreement providing that the information may be released  
 1207 to the public; and that is information concerning:

- 1208 a. Business plans.
- 1209 b. Internal auditing controls and reports of internal  
 1210 auditors.
- 1211 c. Reports of external auditors for privately held  
 1212 companies.
- 1213 d. Client and customer lists.
- 1214 e. Potentially patentable material.
- 1215 ~~f. A trade secret as defined in s. 688.002.~~

1216 5. "Vendor" means a participating insurer or other  
 1217 provider of services as described in paragraph (4) (d).

1218 Section 34. Section 409.91196, Florida Statutes, is  
 1219 amended to read:

1220 409.91196 Supplemental rebate agreements; public records  
 1221 and public meetings exemption.—

1222 (1) The rebate amount, percent of rebate, manufacturer's  
 1223 pricing, and supplemental rebate, ~~and other trade secrets as~~  
 1224 ~~defined in s. 688.002 that the agency has identified for use in~~  
 1225 ~~negotiations,~~ held by the Agency for Health Care Administration

1226 | under s. 409.912(5)(a)7. are confidential and exempt from s.  
 1227 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

1228 |       (2) That portion of a meeting of the Medicaid  
 1229 | Pharmaceutical and Therapeutics Committee at which the rebate  
 1230 | amount, percent of rebate, manufacturer's pricing, or  
 1231 | supplemental rebate, or confidential and exempt ~~other~~ trade  
 1232 | secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
 1233 | the agency has identified for use in negotiations, are discussed  
 1234 | is exempt from s. 286.011 and s. 24(b), Art. I of the State  
 1235 | Constitution. A record shall be made of each exempt portion of a  
 1236 | meeting. Such record must include the times of commencement and  
 1237 | termination, all discussions and proceedings, the names of all  
 1238 | persons present at any time, and the names of all persons  
 1239 | speaking. No exempt portion of a meeting may be held off the  
 1240 | record.

1241 |       Section 35. Paragraph (b) of subsection (2) of section  
 1242 | 440.108, Florida Statutes, is amended to read:

1243 |       440.108 Investigatory records relating to workers'  
 1244 | compensation employer compliance; confidentiality.—

1245 |       (2) After an investigation is completed or ceases to be  
 1246 | active, information in records relating to the investigation  
 1247 | remains confidential and exempt from the provisions of s.  
 1248 | 119.07(1) and s. 24(a), Art. I of the State Constitution if  
 1249 | disclosure of that information would:

1250 |       ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1251 Section 36. Paragraph (c) of subsection (1) of section  
 1252 494.00125, Florida Statutes, is amended to read:  
 1253 494.00125 Public records exemptions.—  
 1254 (1) INVESTIGATIONS OR EXAMINATIONS.—  
 1255 (c) Except as necessary for the office to enforce the  
 1256 provisions of this chapter, a consumer complaint and other  
 1257 information relative to an investigation or examination shall  
 1258 remain confidential and exempt from s. 119.07(1) after the  
 1259 investigation or examination is completed or ceases to be active  
 1260 to the extent disclosure would:  
 1261 1. Jeopardize the integrity of another active  
 1262 investigation or examination.  
 1263 2. Reveal the name, address, telephone number, social  
 1264 security number, or any other identifying number or information  
 1265 of any complainant, customer, or account holder.  
 1266 3. Disclose the identity of a confidential source.  
 1267 4. Disclose investigative techniques or procedures.  
 1268 ~~5. Reveal a trade secret as defined in s. 688.002.~~  
 1269 Section 37. Subsection (4) of section 497.172, Florida  
 1270 Statutes, is amended to read:  
 1271 497.172 Public records exemptions; public meetings  
 1272 exemptions.—  
 1273 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~  
 1274 ~~688.002, held by the department or board, are confidential and~~  
 1275 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~

1276 ~~Constitution.~~

1277 Section 38. Paragraph (c) of subsection (3) of section  
1278 499.012, Florida Statutes, is amended to read:

1279 499.012 Permit application requirements.—

1280 (3)

1281 ~~(c) Information submitted by an applicant on an~~  
1282 ~~application required pursuant to this subsection which is a~~  
1283 ~~trade secret, as defined in s. 812.081, shall be maintained by~~  
1284 ~~the department as trade secret information pursuant to s.~~  
1285 ~~499.051(7).~~

1286 Section 39. Paragraph (b) of subsection (7) of section  
1287 499.0121, Florida Statutes, is amended to read:

1288 499.0121 Storage and handling of prescription drugs;  
1289 recordkeeping.—The department shall adopt rules to implement  
1290 this section as necessary to protect the public health, safety,  
1291 and welfare. Such rules shall include, but not be limited to,  
1292 requirements for the storage and handling of prescription drugs  
1293 and for the establishment and maintenance of prescription drug  
1294 distribution records.

1295 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1296 ~~(b) Such portions of the information required pursuant to~~  
1297 ~~this subsection which are a trade secret, as defined in s.~~  
1298 ~~812.081, shall be maintained by the department as trade secret~~  
1299 ~~information is required to be maintained under s. 499.051. This~~  
1300 ~~paragraph is subject to the Open Government Sunset Review Act in~~

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1301 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
 1302 ~~2021, unless reviewed and saved from repeal through reenactment~~  
 1303 ~~by the Legislature.~~

1304 Section 40. Paragraph (g) of subsection (1) of section  
 1305 499.05, Florida Statutes, is amended to read:

1306 499.05 Rules.—

1307 (1) The department shall adopt rules to implement and  
 1308 enforce this chapter with respect to:

1309 (g) Inspections and investigations conducted under s.  
 1310 499.051 or s. 499.93, ~~and the identification of information~~  
 1311 ~~claimed to be a trade secret and exempt from the public records~~  
 1312 ~~law as provided in s. 499.051(7).~~

1313 Section 41. Paragraph (b) of subsection (7) of section  
 1314 499.051, Florida Statutes, is amended to read:

1315 499.051 Inspections and investigations.—

1316 (7)

1317 ~~(b) Information that constitutes a trade secret, as~~  
 1318 ~~defined in s. 812.081, contained in the complaint or obtained by~~  
 1319 ~~the department pursuant to the investigation must remain~~  
 1320 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
 1321 ~~of the State Constitution as long as the information is held by~~  
 1322 ~~the department. This paragraph is subject to the Open Government~~  
 1323 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 1324 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
 1325 ~~repeal through reenactment by the Legislature.~~

1326 Section 42. Section 499.931, Florida Statutes, is  
 1327 repealed.

1328 Section 43. Paragraph (d) of subsection (11) of section  
 1329 501.171, Florida Statutes, is amended to read:

1330 501.171 Security of confidential personal information.—

1331 (11) PUBLIC RECORDS EXEMPTION.—

1332 (d) For purposes of this subsection, the term "proprietary  
 1333 information" means information that:

1334 1. Is owned or controlled by the covered entity.

1335 2. Is intended to be private and is treated by the covered  
 1336 entity as private because disclosure would harm the covered  
 1337 entity or its business operations.

1338 3. Has not been disclosed except as required by law or a  
 1339 private agreement that provides that the information will not be  
 1340 released to the public.

1341 4. Is not publicly available or otherwise readily  
 1342 ascertainable through proper means from another source in the  
 1343 same configuration as received by the department.

1344 5. Includes:

1345 ~~a. Trade secrets as defined in s. 688.002.~~

1346 ~~b.~~ competitive interests, the disclosure of which would  
 1347 impair the competitive business of the covered entity who is the  
 1348 subject of the information.

1349 Section 44. Section 502.222, Florida Statutes, is  
 1350 repealed.

1351 Section 45. Paragraph (b) of subsection (1) of section  
 1352 517.2015, Florida Statutes, is amended to read:

1353 517.2015 Confidentiality of information relating to  
 1354 investigations and examinations.—

1355 (1)

1356 (b) Except as necessary for the office to enforce the  
 1357 provisions of this chapter, a consumer complaint and other  
 1358 information relative to an investigation or examination shall  
 1359 remain confidential and exempt from s. 119.07(1) after the  
 1360 investigation or examination is completed or ceases to be active  
 1361 to the extent disclosure would:

1362 1. Jeopardize the integrity of another active  
 1363 investigation or examination.

1364 2. Reveal the name, address, telephone number, social  
 1365 security number, or any other identifying number or information  
 1366 of any complainant, customer, or account holder.

1367 3. Disclose the identity of a confidential source.

1368 4. Disclose investigative techniques or procedures.

1369 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1370 Section 46. Paragraph (b) of subsection (1) of section  
 1371 520.9965, Florida Statutes, is amended to read:

1372 520.9965 Confidentiality of information relating to  
 1373 investigations and examinations.—

1374 (1)

1375 (b) Except as necessary for the office to enforce the

1376 provisions of this chapter, a consumer complaint and other  
 1377 information relative to an investigation or examination shall  
 1378 remain confidential and exempt from s. 119.07(1) after the  
 1379 investigation or examination is completed or ceases to be active  
 1380 to the extent disclosure would:

- 1381 1. Jeopardize the integrity of another active
- 1382 investigation or examination.
- 1383 2. Reveal the name, address, telephone number, social
- 1384 security number, or any other identifying number or information
- 1385 of any complainant, customer, or account holder.
- 1386 3. Disclose the identity of a confidential source.
- 1387 4. Disclose investigative techniques or procedures.
- 1388 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1389 Section 47. Subsection (2) of section 526.311, Florida  
 1390 Statutes, is amended to read:

1391 526.311 Enforcement; civil penalties; injunctive relief.-

1392 (2) The Department of Agriculture and Consumer Services  
 1393 shall investigate any complaints regarding violations of this  
 1394 act and may request in writing the production of documents and  
 1395 records as part of its investigation of a complaint. If the  
 1396 person upon whom such request was made fails to produce the  
 1397 documents or records within 30 days after the date of the  
 1398 request, the department, through the department's office of  
 1399 general counsel, may issue and serve a subpoena to compel the  
 1400 production of such documents and records. If any person shall



1401 refuse to comply with a subpoena issued under this section, the  
 1402 department may petition a court of competent jurisdiction to  
 1403 enforce the subpoena and assess such sanctions as the court may  
 1404 direct. Refiners shall afford the department reasonable access  
 1405 to the refiners' posted terminal price. Any records, documents,  
 1406 papers, maps, books, tapes, photographs, files, sound  
 1407 recordings, or other business material, regardless of form or  
 1408 characteristics, obtained by the department are confidential and  
 1409 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
 1410 of the State Constitution while the investigation is pending. At  
 1411 the conclusion of an investigation, any matter determined by the  
 1412 department or by a judicial or administrative body, federal or  
 1413 state, to be ~~a trade secret or~~ proprietary confidential business  
 1414 information held by the department pursuant to such  
 1415 investigation shall be considered confidential and exempt from  
 1416 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 1417 Constitution. Such materials may be used in any administrative  
 1418 or judicial proceeding so long as the confidential or  
 1419 proprietary nature of the material is maintained.

1420 Section 48. Paragraph (e) of subsection (1) of section  
 1421 548.062, Florida Statutes, is amended to read:

1422 548.062 Public records exemption.—

1423 (1) As used in this section, the term "proprietary  
 1424 confidential business information" means information that:

1425 (e) Concerns any of the following:

1426 | 1. The number of ticket sales for a match;  
 1427 | 2. The amount of gross receipts after a match;  
 1428 | ~~3. A trade secret, as defined in s. 688.002;~~  
 1429 | 3.4. Business plans;  
 1430 | ~~4.5.~~ Internal auditing controls and reports of internal  
 1431 | auditors; or  
 1432 | ~~5.6.~~ Reports of external auditors.  
 1433 | Section 49. Paragraph (a) of subsection (1) of section  
 1434 | 556.113, Florida Statutes, is amended to read:  
 1435 | 556.113 Sunshine State One-Call of Florida, Inc.; public  
 1436 | records exemption.—  
 1437 | (1) As used in this section, the term "proprietary  
 1438 | confidential business information" means information provided  
 1439 | by:  
 1440 | (a) A member operator which is a map, plan, facility  
 1441 | location diagram, internal damage investigation report or  
 1442 | analysis, or dispatch methodology, ~~or trade secret as defined in~~  
 1443 | ~~s. 688.002,~~ or which describes the exact location of a utility  
 1444 | underground facility or the protection, repair, or restoration  
 1445 | thereof, and:  
 1446 | 1. Is intended to be and is treated by the member operator  
 1447 | as confidential;  
 1448 | 2. The disclosure of which would likely be used by a  
 1449 | competitor to harm the business interests of the member operator  
 1450 | or could be used for the purpose of inflicting damage on

1451 | underground facilities; and

1452 |         3. Is not otherwise readily ascertainable or publicly  
1453 | available by proper means by other persons from another source  
1454 | in the same configuration as provided to Sunshine State One-Call  
1455 | of Florida, Inc.

1456 |         Section 50. Paragraph (b) of subsection (2) of section  
1457 | 559.5558, Florida Statutes, is amended to read:

1458 |         559.5558 Public records exemption; investigations and  
1459 | examinations.—

1460 |         (2)

1461 |         (b) Information made confidential and exempt pursuant to  
1462 | this section is no longer confidential and exempt once the  
1463 | investigation or examination is completed or ceases to be active  
1464 | unless disclosure of the information would:

1465 |             1. Jeopardize the integrity of another active  
1466 | investigation or examination.

1467 |             2. Reveal the personal identifying information of a  
1468 | consumer, unless the consumer is also the complainant. A  
1469 | complainant's personal identifying information is subject to  
1470 | disclosure after the investigation or examination is completed  
1471 | or ceases to be active. However, a complainant's personal  
1472 | financial and health information remains confidential and  
1473 | exempt.

1474 |             3. Reveal the identity of a confidential source.

1475 |             4. Reveal investigative or examination techniques or

1476 | procedures.

1477 | ~~5. Reveal trade secrets, as defined in s. 688.002.~~

1478 | Section 51. Paragraph (c) of subsection (3) of section  
1479 | 559.9285, Florida Statutes, is amended to read:

1480 | 559.9285 Certification of business activities.—

1481 | (3) The department shall specify by rule the form of each  
1482 | certification under this section which shall include the  
1483 | following information:

1484 | (c) The legal name, any trade names or fictitious names,  
1485 | mailing address, physical address, telephone number or numbers,  
1486 | facsimile number or numbers, and all Internet and electronic  
1487 | contact information of every other commercial entity with which  
1488 | the certifying party engages in business or commerce that is  
1489 | related in any way to the certifying party's business or  
1490 | commerce with any terrorist state. The information disclosed  
1491 | pursuant to this paragraph does not constitute customer lists  
1492 | or, customer names, ~~or trade secrets~~ protected under s.  
1493 | 570.544(8) or trade secrets protected under s. 688.01.

1494 | Section 52. Subsection (2) of section 560.129, Florida  
1495 | Statutes, is amended to read:

1496 | 560.129 Confidentiality.—

1497 | (2) All information obtained by the office in the course  
1498 | of its investigation or examination ~~which is a trade secret, as~~  
1499 | ~~defined in s. 688.002, or~~ which is personal financial  
1500 | information shall remain confidential and exempt from s.

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1501 119.07(1) and s. 24(a), Art. I of the State Constitution. If any  
1502 administrative, civil, or criminal proceeding against a money  
1503 services business, its authorized vendor, or an affiliated party  
1504 is initiated and the office seeks to use matter that a licensee  
1505 believes to be ~~a trade secret or~~ personal financial information,  
1506 such records shall be subject to an in camera review by the  
1507 administrative law judge, if the matter is before the Division  
1508 of Administrative Hearings, or a judge of any court of this  
1509 state, any other state, or the United States, as appropriate,  
1510 for the purpose of determining if the matter is ~~a trade secret~~  
1511 ~~or is~~ personal financial information. ~~If it is determined that~~  
1512 ~~the matter is a trade secret, the matter shall remain~~  
1513 ~~confidential.~~ If it is determined that the matter is personal  
1514 financial information, the matter shall remain confidential  
1515 unless the administrative law judge or judge determines that, in  
1516 the interests of justice, the matter should become public.

1517 Section 53. Subsection (3) of section 570.48, Florida  
1518 Statutes, is amended to read:

1519 570.48 Division of Fruit and Vegetables; powers and  
1520 duties; records.—The duties of the Division of Fruit and  
1521 Vegetables include, but are not limited to:

1522 (3) Maintaining the records of the division. The records  
1523 of the division are public records .; ~~however, trade secrets as~~  
1524 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1525 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~

1526 ~~subsection is subject to the Open Government Sunset Review Act~~  
 1527 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
 1528 ~~2, 2021, unless reviewed and saved from repeal through~~  
 1529 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
 1530 ~~construed to prohibit:~~

1531 ~~(a) A disclosure necessary to enforcement procedures.~~

1532 ~~(b) The department from releasing information to other~~  
 1533 ~~governmental agencies. Other governmental agencies that receive~~  
 1534 ~~confidential information from the department under this~~  
 1535 ~~subsection shall maintain the confidentiality of that~~  
 1536 ~~information.~~

1537 ~~(c) the department or other agencies from compiling and~~  
 1538 ~~publishing appropriate data regarding procedures, yield,~~  
 1539 ~~recovery, quality, and related matters, provided such released~~  
 1540 ~~data do not reveal by whom the activity to which the data relate~~  
 1541 ~~was conducted.~~

1542 Section 54. Subsection (8) of section 570.544, Florida  
 1543 Statutes, is amended to read:

1544 570.544 Division of Consumer Services; director; powers;  
 1545 processing of complaints; records.—

1546 (8) The records of the Division of Consumer Services are  
 1547 public records. However, customer lists and, customer names, ~~and~~  
 1548 ~~trade secrets~~ are confidential and exempt from the provisions of  
 1549 s. 119.07(1). Disclosure necessary to enforcement procedures  
 1550 does not violate this prohibition.

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1551 Section 55. Subsection (2) of section 573.123, Florida  
1552 Statutes, is amended to read:

1553 573.123 Maintenance and production of records.—

1554 ~~(2) Information that, if disclosed, would reveal a trade~~  
1555 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1556 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1557 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
1558 ~~disclosed except to an attorney who provides legal advice to the~~  
1559 ~~division about enforcing a marketing order or by court order. A~~  
1560 ~~person who receives confidential information under this~~  
1561 ~~subsection shall maintain the confidentiality of that~~  
1562 ~~information. This subsection is subject to the Open Government~~  
1563 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1564 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1565 ~~repeal through reenactment by the Legislature.~~

1566 Section 56. Section 581.199, Florida Statutes, is  
1567 repealed.

1568 Section 57. Paragraph (b) of subsection (8) of section  
1569 601.10, Florida Statutes, is amended to read:

1570 601.10 Powers of the Department of Citrus.—The department  
1571 shall have and shall exercise such general and specific powers  
1572 as are delegated to it by this chapter and other statutes of the  
1573 state, which powers shall include, but are not limited to, the  
1574 following:

1575 (8)

1576 ~~(b) Any information provided to the department which~~  
1577 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1578 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1579 ~~of the State Constitution. This paragraph is subject to the Open~~  
1580 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
1581 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
1582 ~~saved from repeal through reenactment by the Legislature.~~

1583 Section 58. Paragraph (d) of subsection (7) of section  
1584 601.15, Florida Statutes, is amended to read:

1585 601.15 Advertising campaign; methods of conducting;  
1586 assessments; emergency reserve fund; citrus research.—

1587 (7) All assessments levied and collected under this  
1588 chapter shall be paid into the State Treasury on or before the  
1589 15th day of each month. Such moneys shall be accounted for in a  
1590 special fund to be designated as the Florida Citrus Advertising  
1591 Trust Fund, and all moneys in such fund are appropriated to the  
1592 department for the following purposes:

1593 (d)1. The pro rata portion of moneys allocated to each  
1594 type of citrus product in noncommodity programs shall be used by  
1595 the department to encourage substantial increases in the  
1596 effectiveness, frequency, and volume of noncommodity  
1597 advertising, merchandising, publicity, and sales promotion of  
1598 such citrus products through rebates and incentive payments to  
1599 handlers and trade customers for these activities. The  
1600 department shall adopt rules providing for the use of such



1601 moneys. The rules shall establish alternate incentive programs,  
 1602 including at least one incentive program for product sold under  
 1603 advertised brands, one incentive program for product sold under  
 1604 private label brands, and one incentive program for product sold  
 1605 in bulk. For each incentive program, the rules must establish  
 1606 eligibility and performance requirements and must provide  
 1607 appropriate limitations on amounts payable to a handler or trade  
 1608 customer for a particular season. Such limitations may relate to  
 1609 the amount of citrus assessments levied and collected on the  
 1610 citrus product handled by such handler or trade customer during  
 1611 a 12-month representative period.

1612         2. The department may require from participants in  
 1613 noncommodity advertising and promotional programs commercial  
 1614 information necessary to determine eligibility for and  
 1615 performance in such programs. ~~Any information required which~~  
 1616 ~~constitutes a trade secret as defined in s. 812.081 is~~  
 1617 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
 1618 ~~of the State Constitution. This subparagraph is subject to the~~  
 1619 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
 1620 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
 1621 ~~saved from repeal through reenactment by the Legislature.~~

1622         Section 59. Paragraph (c) of subsection (8) of section  
 1623 601.152, Florida Statutes, is amended to read:

1624             601.152 Special marketing orders.—

1625             (8)

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1626           (c)~~1~~. Every handler shall, at such times as the department  
1627 may require, file with the department a return, not under oath,  
1628 on forms to be prescribed and furnished by the department,  
1629 certified as true and correct, stating the quantity of the type,  
1630 variety, and form of citrus fruit or citrus product specified in  
1631 the marketing order first handled in the primary channels of  
1632 trade in the state by such handler during the period of time  
1633 specified in the marketing order. Such returns must contain any  
1634 further information deemed by the department to be reasonably  
1635 necessary to properly administer or enforce this section or any  
1636 marketing order implemented under this section.

1637           ~~2. Information that, if disclosed, would reveal a trade~~  
1638 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1639 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1640 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
1641 ~~subject to the Open Government Sunset Review Act in accordance~~  
1642 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1643 ~~unless reviewed and saved from repeal through reenactment by the~~  
1644 ~~Legislature.~~

1645           Section 60. Section 601.76, Florida Statutes, is amended  
1646 to read:

1647           601.76 Manufacturer to furnish formula and other  
1648 information.—Any formula required to be filed with the  
1649 Department of Agriculture ~~shall be deemed a trade secret as~~  
1650 ~~defined in s. 812.081, is confidential and exempt from s.~~

1651 119.07(1) and s. 24(a), Art. I of the State Constitution, and  
 1652 may be divulged only to the Department of Agriculture or to its  
 1653 duly authorized representatives or upon court order when  
 1654 necessary in the enforcement of this law. A person who receives  
 1655 such a formula from the Department of Agriculture under this  
 1656 section shall maintain the confidentiality of the formula. ~~This~~  
 1657 ~~section is subject to the Open Government Sunset Review Act in~~  
 1658 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
 1659 ~~2021, unless reviewed and saved from repeal through reenactment~~  
 1660 ~~by the Legislature.~~

1661 Section 61. Subsection (6) of section 607.0505, Florida  
 1662 Statutes, is amended to read:

1663 607.0505 Registered agent; duties.—

1664 (6) Information provided to, and records and  
 1665 transcriptions of testimony obtained by, the Department of Legal  
 1666 Affairs pursuant to this section are confidential and exempt  
 1667 from the provisions of s. 119.07(1) while the investigation is  
 1668 active. For purposes of this section, an investigation shall be  
 1669 considered "active" while such investigation is being conducted  
 1670 with a reasonable, good faith belief that it may lead to the  
 1671 filing of an administrative, civil, or criminal proceeding. An  
 1672 investigation does not cease to be active so long as the  
 1673 Department of Legal Affairs is proceeding with reasonable  
 1674 dispatch and there is a good faith belief that action may be  
 1675 initiated by the Department of Legal Affairs or other

1676 administrative or law enforcement agency. Except for active  
1677 criminal intelligence or criminal investigative information, as  
1678 defined in s. 119.011, and information which, if disclosed,  
1679 ~~would reveal a trade secret, as defined in s. 688.002, or~~ would  
1680 jeopardize the safety of an individual, all information,  
1681 records, and transcriptions become public record when the  
1682 investigation is completed or ceases to be active. The  
1683 Department of Legal Affairs shall not disclose confidential  
1684 information, records, or transcriptions of testimony except  
1685 pursuant to the authorization by the Attorney General in any of  
1686 the following circumstances:

1687 (a) To a law enforcement agency participating in or  
1688 conducting a civil investigation under chapter 895, or  
1689 participating in or conducting a criminal investigation.

1690 (b) In the course of filing, participating in, or  
1691 conducting a judicial proceeding instituted pursuant to this  
1692 section or chapter 895.

1693 (c) In the course of filing, participating in, or  
1694 conducting a judicial proceeding to enforce an order or judgment  
1695 entered pursuant to this section or chapter 895.

1696 (d) In the course of a criminal or civil proceeding.

1697

1698 A person or law enforcement agency which receives any  
1699 information, record, or transcription of testimony that has been  
1700 made confidential by this subsection shall maintain the

1701 confidentiality of such material and shall not disclose such  
1702 information, record, or transcription of testimony except as  
1703 provided for herein. Any person who willfully discloses any  
1704 information, record, or transcription of testimony that has been  
1705 made confidential by this subsection, except as provided for  
1706 herein, is guilty of a misdemeanor of the first degree,  
1707 punishable as provided in s. 775.082 or s. 775.083. If any  
1708 information, record, or testimony obtained pursuant to  
1709 subsection (2) is offered in evidence in any judicial  
1710 proceeding, the court may, in its discretion, seal that portion  
1711 of the record to further the policies of confidentiality set  
1712 forth herein.

1713 Section 62. Subsection (6) of section 617.0503, Florida  
1714 Statutes, is amended to read:

1715 617.0503 Registered agent; duties; confidentiality of  
1716 investigation records.—

1717 (6) Information provided to, and records and  
1718 transcriptions of testimony obtained by, the Department of Legal  
1719 Affairs pursuant to this section are confidential and exempt  
1720 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the  
1721 State Constitution while the investigation is active. For  
1722 purposes of this section, an investigation shall be considered  
1723 "active" while such investigation is being conducted with a  
1724 reasonable, good faith belief that it may lead to the filing of  
1725 an administrative, civil, or criminal proceeding. An

1726 investigation does not cease to be active so long as the  
1727 department is proceeding with reasonable dispatch and there is a  
1728 good faith belief that action may be initiated by the department  
1729 or other administrative or law enforcement agency. Except for  
1730 active criminal intelligence or criminal investigative  
1731 information, as defined in s. 119.011, and information which, if  
1732 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1733 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1734 information, records, and transcriptions become available to the  
1735 public when the investigation is completed or ceases to be  
1736 active. The department shall not disclose confidential  
1737 information, records, or transcriptions of testimony except  
1738 pursuant to authorization by the Attorney General in any of the  
1739 following circumstances:

1740 (a) To a law enforcement agency participating in or  
1741 conducting a civil investigation under chapter 895, or  
1742 participating in or conducting a criminal investigation.

1743 (b) In the course of filing, participating in, or  
1744 conducting a judicial proceeding instituted pursuant to this  
1745 section or chapter 895.

1746 (c) In the course of filing, participating in, or  
1747 conducting a judicial proceeding to enforce an order or judgment  
1748 entered pursuant to this section or chapter 895.

1749 (d) In the course of a criminal proceeding.  
1750

1751 A person or law enforcement agency that receives any  
 1752 information, record, or transcription of testimony that has been  
 1753 made confidential by this subsection shall maintain the  
 1754 confidentiality of such material and shall not disclose such  
 1755 information, record, or transcription of testimony except as  
 1756 provided for herein. Any person who willfully discloses any  
 1757 information, record, or transcription of testimony that has been  
 1758 made confidential by this subsection, except as provided for in  
 1759 this subsection, commits a misdemeanor of the first degree,  
 1760 punishable as provided in s. 775.082 or s. 775.083. If any  
 1761 information, record, or testimony obtained pursuant to  
 1762 subsection (2) is offered in evidence in any judicial  
 1763 proceeding, the court may, in its discretion, seal that portion  
 1764 of the record to further the policies of confidentiality set  
 1765 forth in this subsection.

1766 Section 63. Subsection (4) of section 624.307, Florida  
 1767 Statutes, is amended to read:

1768 624.307 General powers; duties.—

1769 (4) The department and office may each collect, propose,  
 1770 publish, and disseminate information relating to the subject  
 1771 matter of any duties imposed upon it by law. Notwithstanding any  
 1772 other provision of law, information reported to and collected by  
 1773 the office may be made available on an aggregate basis. The  
 1774 office may report, publish, or otherwise make available such  
 1775 information from all insurers on an aggregate basis by line of

1776 business and by county, even if marked trade secret pursuant to  
 1777 s. 688.01, but shall otherwise maintain trade secret  
 1778 confidentiality in accordance with s. 688.01.

1779 Section 64. Subsection (4) is added to section 624.315,  
 1780 Florida Statutes, to read:

1781 624.315 Department; annual report.—

1782 (4) Notwithstanding any other provision of law, the office  
 1783 may make the information in subsection (2) available on an  
 1784 aggregate basis. The office may include such statistical  
 1785 information from all insurers on an aggregate basis by line of  
 1786 business and by county, even if marked trade secret pursuant to  
 1787 s. 688.01, but shall otherwise maintain trade secret  
 1788 confidentiality in accordance with s. 688.01.

1789 Section 65. Paragraph (c) of subsection (1) and subsection  
 1790 (5) of section 624.4212, Florida Statutes, are amended to read:

1791 624.4212 Confidentiality of proprietary business and other  
 1792 information.—

1793 (1) As used in this section, the term "proprietary  
 1794 business information" means information, regardless of form or  
 1795 characteristics, which is owned or controlled by an insurer, or  
 1796 a person or an affiliated person who seeks acquisition of  
 1797 controlling stock in a domestic stock insurer or controlling  
 1798 company, and which:

1799 (c) Includes:

1800 ~~1. Trade secrets as defined in s. 688.002 which comply~~



1801 ~~with s. 624.4213.~~

1802 1.2. Information relating to competitive interests, the  
1803 disclosure of which would impair the competitive business of the  
1804 provider of the information.

1805 2.3. The source, nature, and amount of the consideration  
1806 used or to be used in carrying out a merger or other acquisition  
1807 of control in the ordinary course of business, including the  
1808 identity of the lender, if the person filing a statement  
1809 regarding consideration so requests.

1810 3.4. Information relating to bids or other contractual  
1811 data, the disclosure of which would impair the efforts of the  
1812 insurer or its affiliates to contract for goods or services on  
1813 favorable terms.

1814 4.5. Internal auditing controls and reports of internal  
1815 auditors.

1816 (5) The office may disclose information made confidential  
1817 and exempt under this section or s. 688.01:

1818 (a) If the insurer to which it pertains gives prior  
1819 written consent;

1820 (b) Pursuant to a court order;

1821 (c) To the Actuarial Board for Counseling and Discipline  
1822 upon a request stating that the information is for the purpose  
1823 of professional disciplinary proceedings and specifying  
1824 procedures satisfactory to the office for preserving the  
1825 confidentiality of the information;

1826 (d) To other states, federal and international agencies,  
 1827 the National Association of Insurance Commissioners and its  
 1828 affiliates and subsidiaries, and state, federal, and  
 1829 international law enforcement authorities, including members of  
 1830 a supervisory college described in s. 628.805 if the recipient  
 1831 agrees in writing to maintain the confidential and exempt status  
 1832 of the document, material, or other information and has  
 1833 certified in writing its legal authority to maintain such  
 1834 confidentiality; or

1835 (e) For the purpose of aggregating information on an  
 1836 industrywide basis and disclosing the information to the public  
 1837 only if the specific identities of the insurers, or persons or  
 1838 affiliated persons, are not revealed.

1839 Section 66. Section 624.4213, Florida Statutes, is  
 1840 repealed.

1841 Section 67. Paragraph (d) of subsection (1) of section  
 1842 626.84195, Florida Statutes, is amended to read:

1843 626.84195 Confidentiality of information supplied by title  
 1844 insurance agencies and insurers.—

1845 (1) As used in this section, the term "proprietary  
 1846 business information" means information that:

1847 (d) Concerns:

- 1848 1. Business plans;
- 1849 2. Internal auditing controls and reports of internal  
 1850 auditors;

1851           3. Reports of external auditors for privately held  
 1852 companies; or  
 1853           ~~4. Trade secrets, as defined in s. 688.002; or~~  
 1854           4.5. Financial information, including revenue data, loss  
 1855 expense data, gross receipts, taxes paid, capital investment,  
 1856 and employee wages.

1857           Section 68. Subsection (2) of section 626.884, Florida  
 1858 Statutes, is amended to read:

1859           626.884 Maintenance of records by administrator; access;  
 1860 confidentiality.—

1861           (2) The office shall have access to books and records  
 1862 maintained by the administrator for the purpose of examination,  
 1863 audit, and inspection. ~~Information contained in such books and~~  
 1864 ~~records is confidential and exempt from the provisions of s.~~  
 1865 ~~119.07(1) if the disclosure of such information would reveal a~~  
 1866 ~~trade secret as defined in s. 688.002. However,~~ The office may  
 1867 use such information in any proceeding instituted against the  
 1868 administrator.

1869           Section 69. Paragraph (a) of subsection (1) of section  
 1870 626.9936, Florida Statutes, is amended to read:

1871           626.9936 Access to records.—

1872           (1) Notwithstanding subsections (1) and (2) of Article  
 1873 VIII, subsection (2) of Article X, and subsection (6) of Article  
 1874 XII of the Interstate Insurance Product Regulation Compact, a  
 1875 request by a resident of this state for public inspection and

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1876 copying of information, data, or official records that includes:

1877 (a) An insurer's trade secrets shall be referred to the  
1878 commissioner who shall respond to the request, with the  
1879 cooperation and assistance of the commission, in accordance with  
1880 s. 688.01 ~~s. 624.4213~~; or

1881 Section 70. Paragraph (g) of subsection (3) of section  
1882 627.0628, Florida Statutes, is amended to read:

1883 627.0628 Florida Commission on Hurricane Loss Projection  
1884 Methodology; public records exemption; public meetings  
1885 exemption.—

1886 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1887 ~~(g)1. A trade secret, as defined in s. 688.002, which is  
1888 used in designing and constructing a hurricane or flood loss  
1889 model and which is provided pursuant to this section, by a  
1890 private company, to the commission, office, or consumer advocate  
1891 appointed pursuant to s. 627.0613 is confidential and exempt  
1892 from s. 119.07(1) and s. 24(a), Art. I of the State  
1893 Constitution.~~

1894 (g)1.2.a. That portion of a meeting of the commission or  
1895 of a rate proceeding on an insurer's rate filing at which a  
1896 trade secret made confidential and exempt pursuant to s. 688.01  
1897 ~~by this paragraph~~ is discussed is exempt from s. 286.011 and s.  
1898 24(b), Art. I of the State Constitution. The closed meeting must  
1899 be recorded, and no portion of the closed meeting may be off the  
1900 record.

1901        ~~2.b.~~ The recording of a closed portion of a meeting is  
 1902 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1903 Constitution.

1904        Section 71. Paragraph (a) of subsection (11) of section  
 1905 627.3518, Florida Statutes, is amended to read:

1906        627.3518 Citizens Property Insurance Corporation  
 1907 policyholder eligibility clearinghouse program.—The purpose of  
 1908 this section is to provide a framework for the corporation to  
 1909 implement a clearinghouse program by January 1, 2014.

1910        (11) Proprietary business information provided to the  
 1911 corporation's clearinghouse by insurers with respect to  
 1912 identifying and selecting risks for an offer of coverage is  
 1913 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 1914 of the State Constitution.

1915        (a) As used in this subsection, the term "proprietary  
 1916 business information" means information, regardless of form or  
 1917 characteristics, which is owned or controlled by an insurer and:

1918        1. Is identified by the insurer as proprietary business  
 1919 information and is intended to be and is treated by the insurer  
 1920 as private in that the disclosure of the information would cause  
 1921 harm to the insurer, an individual, or the company's business  
 1922 operations and has not been disclosed unless disclosed pursuant  
 1923 to a statutory requirement, an order of a court or  
 1924 administrative body, or a private agreement that provides that  
 1925 the information will not be released to the public;

1926           2. Is not otherwise readily ascertainable or publicly  
 1927 available by proper means by other persons from another source  
 1928 in the same configuration as provided to the clearinghouse; and

1929           3. Includes-

1930           ~~a. Trade secrets, as defined in s. 688.002.~~

1931           ~~b.~~ information relating to competitive interests, the  
 1932 disclosure of which would impair the competitive business of the  
 1933 provider of the information.

1934  
 1935 Proprietary business information may be found in underwriting  
 1936 criteria or instructions which are used to identify and select  
 1937 risks through the program for an offer of coverage and are  
 1938 shared with the clearinghouse to facilitate the shopping of  
 1939 risks with the insurer.

1940           Section 72. Subsections (4) and (5) of section 655.057,  
 1941 Florida Statutes, are amended to read:

1942           655.057 Records; limited restrictions upon public access.-

1943           ~~(4) Except as otherwise provided in this section and~~  
 1944 ~~except for those portions that are otherwise public record,~~  
 1945 ~~trade secrets as defined in s. 688.002 which comply with s.~~  
 1946 ~~655.0591 and which are held by the office in accordance with its~~  
 1947 ~~statutory duties with respect to the financial institutions~~  
 1948 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
 1949 ~~24(a), Art. I of the State Constitution.~~

1950           ~~(4)-(5)~~   Neither this section nor s. 688.01 prevents ~~does~~

1951 ~~not prevent~~ or restricts ~~restrict~~:

1952 (a) Publishing reports that are required to be submitted  
 1953 to the office pursuant to s. 655.045(2) or required by  
 1954 applicable federal statutes or regulations to be published.

1955 (b) Furnishing records or information to any other state,  
 1956 federal, or foreign agency responsible for the regulation or  
 1957 supervision of financial institutions.

1958 (c) Disclosing or publishing summaries of the condition  
 1959 of financial institutions and general economic and similar  
 1960 statistics and data, provided that the identity of a particular  
 1961 financial institution is not disclosed.

1962 (d) Reporting any suspected criminal activity, with  
 1963 supporting documents and information, to appropriate law  
 1964 enforcement and prosecutorial agencies.

1965 (e) Furnishing information upon request to the Chief  
 1966 Financial Officer or the Division of Treasury of the Department  
 1967 of Financial Services regarding the financial condition of any  
 1968 financial institution that is, or has applied to be, designated  
 1969 as a qualified public depository pursuant to chapter 280.

1970 (f) Furnishing information to Federal Home Loan Banks  
 1971 regarding its member institutions pursuant to an information  
 1972 sharing agreement between the Federal Home Loan Banks and the  
 1973 office.

1974  
 1975 Any confidential information or records obtained from the office

1976 | pursuant to this subsection shall be maintained as confidential  
 1977 | and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1978 | Constitution.

1979 |       Section 73. Section 655.0591, Florida Statutes, is  
 1980 | repealed.

1981 |       Section 74. Subsection (11) of section 663.533, Florida  
 1982 | Statutes, is amended to read:

1983 |       663.533 Applicability of the financial institutions  
 1984 | codes.—A qualified limited service affiliate is subject to the  
 1985 | financial institutions codes. Without limiting the foregoing,  
 1986 | the following provisions are applicable to a qualified limited  
 1987 | service affiliate:

1988 |       (11) Section 688.01 ~~655.0591~~, relating to trade secret  
 1989 | documents.

1991 | This section does not prohibit the office from investigating or  
 1992 | examining an entity to ensure that it is not in violation of  
 1993 | this chapter or applicable provisions of the financial  
 1994 | institutions codes.

1995 |       Section 75. Section 721.071, Florida Statutes, is  
 1996 | repealed.

1997 |       Section 76. Subsections (3) and (4) of section 815.04,  
 1998 | Florida Statutes, are amended to read:

1999 |       815.04 Offenses against intellectual property; ~~public~~  
 2000 | ~~records exemption.~~—



2001           ~~(3) Data, programs, or supporting documentation that is a~~  
 2002 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
 2003 ~~as defined in chapter 119, and that resides or exists internal~~  
 2004 ~~or external to a computer, computer system, computer network, or~~  
 2005 ~~electronic device is confidential and exempt from the provisions~~  
 2006 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
 2007 ~~This subsection is subject to the Open Government Sunset Review~~  
 2008 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
 2009 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
 2010 ~~reenactment by the Legislature.~~

2011           (3)~~(4)~~ A person who willfully, knowingly, and without  
 2012 authorization discloses or takes data, programs, or supporting  
 2013 documentation that is a trade secret as defined in s. 812.081 ~~or~~  
 2014 ~~is confidential as provided by law~~ residing or existing internal  
 2015 or external to a computer, computer system, computer network, or  
 2016 electronic device commits an offense against intellectual  
 2017 property.

2018           Section 77. Section 815.045, Florida Statutes, is  
 2019 repealed.

2020           Section 78. Subsection (2) of section 1004.22, Florida  
 2021 Statutes, is amended to read:

2022           1004.22 Divisions of sponsored research at state  
 2023 universities.—

2024           (2) The university shall set such policies to regulate the  
 2025 activities of the divisions of sponsored research as it may

2026 consider necessary to administer the research programs in a  
 2027 manner which assures efficiency and effectiveness, producing the  
 2028 maximum benefit for the educational programs and maximum service  
 2029 to the state. To this end, materials that relate to methods of  
 2030 manufacture or production, ~~potential trade secrets,~~ potentially  
 2031 patentable material, ~~actual~~ trade secrets, as defined in s.  
 2032 688.01, business transactions, or proprietary information  
 2033 received, generated, ascertained, or discovered during the  
 2034 course of research conducted within the state universities shall  
 2035 be confidential and exempt from the provisions of s. 119.07(1),  
 2036 except that a division of sponsored research shall make  
 2037 available upon request the title and description of a research  
 2038 project, the name of the researcher, and the amount and source  
 2039 of funding provided for such project.

2040 Section 79. Paragraph (c) of subsection (2) and  
 2041 subsections (3), (4), and (7) of section 1004.30, Florida  
 2042 Statutes, are amended to read:

2043 1004.30 University health services support organization;  
 2044 confidentiality of information.—

2045 (2) The following university health services support  
 2046 organization's records and information are confidential and  
 2047 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
 2048 of the State Constitution:

2049 ~~(c) Trade secrets, as defined in s. 688.002, including~~  
 2050 ~~reimbursement methodologies and rates.~~

2051 (3) Any portion of a governing board or peer review panel  
 2052 or committee meeting during which a confidential and exempt  
 2053 contract, document, record, or marketing plan, ~~or trade secret,~~  
 2054 as provided for in subsection (2), or a confidential and exempt  
 2055 trade secret, as provided for in s. 688.01, is discussed is  
 2056 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of  
 2057 the State Constitution.

2058 (4) Those portions of any public record, such as a tape  
 2059 recording, minutes, and notes, generated during that portion of  
 2060 a governing board or peer review panel or committee meeting  
 2061 which is closed to the public pursuant to this section, ~~which~~  
 2062 ~~contain information relating to contracts, documents, records,~~  
 2063 ~~marketing plans, or trade secrets which are made confidential~~  
 2064 ~~and exempt by this section,~~ are confidential and exempt from the  
 2065 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 2066 Constitution.

2067 (7) Those portions of any public record, such as a tape  
 2068 recording, minutes, or notes, generated during that portion of a  
 2069 governing board meeting at which negotiations for contracts for  
 2070 managed-care arrangements occur, are reported on, or are acted  
 2071 on by the governing board, which record is made confidential and  
 2072 exempt by subsection (4), shall become public records 2 years  
 2073 after the termination or completion of the term of the contract  
 2074 to which such negotiations relate or, if no contract was  
 2075 executed, 2 years after the termination of the negotiations.

2076 Notwithstanding paragraph (2) (a) and subsection (4), a  
 2077 university health services support organization must make  
 2078 available, upon request, the title and general description of a  
 2079 contract for managed-care arrangements, the names of the  
 2080 contracting parties, and the duration of the contract term. All  
 2081 contracts for managed-care arrangements which are made  
 2082 confidential and exempt by paragraph (2) (a), except those  
 2083 portions of any contract containing trade secrets which are made  
 2084 confidential and exempt by s. 688.01 ~~paragraph (2) (c)~~, shall  
 2085 become public 2 years after the termination or completion of the  
 2086 term of the contract.

2087 Section 80. Paragraph (b) of subsection (8) of section  
 2088 1004.43, Florida Statutes, is amended to read:

2089 1004.43 H. Lee Moffitt Cancer Center and Research  
 2090 Institute.—There is established the H. Lee Moffitt Cancer Center  
 2091 and Research Institute, a statewide resource for basic and  
 2092 clinical research and multidisciplinary approaches to patient  
 2093 care.

2094 (8)

2095 (b) Proprietary confidential business information is  
 2096 confidential and exempt from the provisions of s. 119.07(1) and  
 2097 s. 24(a), Art. I of the State Constitution. However, the Auditor  
 2098 General, the Office of Program Policy Analysis and Government  
 2099 Accountability, and the Board of Governors, pursuant to their  
 2100 oversight and auditing functions, must be given access to all

2101 proprietary confidential business information upon request and  
2102 without subpoena and must maintain the confidentiality of  
2103 information so received. As used in this paragraph, the term  
2104 "proprietary confidential business information" means  
2105 information, regardless of its form or characteristics, which is  
2106 owned or controlled by the not-for-profit corporation or its  
2107 subsidiaries; is intended to be and is treated by the not-for-  
2108 profit corporation or its subsidiaries as private and the  
2109 disclosure of which would harm the business operations of the  
2110 not-for-profit corporation or its subsidiaries; has not been  
2111 intentionally disclosed by the corporation or its subsidiaries  
2112 unless pursuant to law, an order of a court or administrative  
2113 body, a legislative proceeding pursuant to s. 5, Art. III of the  
2114 State Constitution, or a private agreement that provides that  
2115 the information may be released to the public; and which is  
2116 information concerning:

- 2117 1. Internal auditing controls and reports of internal  
2118 auditors;
- 2119 2. Matters reasonably encompassed in privileged attorney-  
2120 client communications;
- 2121 3. Contracts for managed-care arrangements, including  
2122 preferred provider organization contracts, health maintenance  
2123 organization contracts, and exclusive provider organization  
2124 contracts, and any documents directly relating to the  
2125 negotiation, performance, and implementation of any such

2126 | contracts for managed-care arrangements;

2127 |       4. Bids or other contractual data, banking records, and

2128 | credit agreements the disclosure of which would impair the

2129 | efforts of the not-for-profit corporation or its subsidiaries to

2130 | contract for goods or services on favorable terms;

2131 |       5. Information relating to private contractual data, the

2132 | disclosure of which would impair the competitive interest of the

2133 | provider of the information;

2134 |       6. Corporate officer and employee personnel information;

2135 |       7. Information relating to the proceedings and records of

2136 | credentialing panels and committees and of the governing board

2137 | of the not-for-profit corporation or its subsidiaries relating

2138 | to credentialing;

2139 |       8. Minutes of meetings of the governing board of the not-

2140 | for-profit corporation and its subsidiaries, except minutes of

2141 | meetings open to the public pursuant to subsection (9);

2142 |       9. Information that reveals plans for marketing services

2143 | that the corporation or its subsidiaries reasonably expect to be

2144 | provided by competitors;

2145 |       10. Trade secrets as defined in s. 688.01 ~~s. 688.002~~,

2146 | including:

2147 |       a. Information relating to methods of manufacture or

2148 | production, ~~potential trade secrets~~, potentially patentable

2149 | materials, or proprietary information received, generated,

2150 | ascertained, or discovered during the course of research

2151 | conducted by the not-for-profit corporation or its subsidiaries;  
 2152 | and

2153 |       b. Reimbursement methodologies or rates;

2154 |       11. The identity of donors or prospective donors of  
 2155 | property who wish to remain anonymous or any information  
 2156 | identifying such donors or prospective donors. The anonymity of  
 2157 | these donors or prospective donors must be maintained in the  
 2158 | auditor's report; or

2159 |       12. Any information received by the not-for-profit  
 2160 | corporation or its subsidiaries from an agency in this or  
 2161 | another state or nation or the Federal Government which is  
 2162 | otherwise exempt or confidential pursuant to the laws of this or  
 2163 | another state or nation or pursuant to federal law.

2164 |  
 2165 | As used in this paragraph, the term "managed care" means systems  
 2166 | or techniques generally used by third-party payors or their  
 2167 | agents to affect access to and control payment for health care  
 2168 | services. Managed-care techniques most often include one or more  
 2169 | of the following: prior, concurrent, and retrospective review of  
 2170 | the medical necessity and appropriateness of services or site of  
 2171 | services; contracts with selected health care providers;  
 2172 | financial incentives or disincentives related to the use of  
 2173 | specific providers, services, or service sites; controlled  
 2174 | access to and coordination of services by a case manager; and  
 2175 | payor efforts to identify treatment alternatives and modify

2176 benefit restrictions for high-cost patient care.

2177 Section 81. Paragraph (a) of subsection (2) of section  
2178 1004.4472, Florida Statutes, is amended to read:

2179 1004.4472 Florida Institute for Human and Machine  
2180 Cognition, Inc.; public records exemption; public meetings  
2181 exemption.—

2182 (2) The following information held by the corporation or  
2183 its subsidiary is confidential and exempt from s. 119.07(1) and  
2184 s. 24(a), Art. I of the State Constitution:

2185 (a) Material relating to methods of manufacture or  
2186 production, ~~potential trade secrets~~, patentable material, ~~actual~~  
2187 trade secrets as defined in s. 688.01 ~~s. 688.002~~ or proprietary  
2188 information received, generated, ascertained, or discovered  
2189 during the course of research conducted by or through the  
2190 corporation or a subsidiary, and business transactions resulting  
2191 from such research.

2192 Section 82. Subsection (2) of section 1004.78, Florida  
2193 Statutes, is amended to read:

2194 1004.78 Technology transfer centers at Florida College  
2195 System institutions.—

2196 (2) The Florida College System institution board of  
2197 trustees shall set such policies to regulate the activities of  
2198 the technology transfer center as it may consider necessary to  
2199 effectuate the purposes of this section and to administer the  
2200 programs of the center in a manner which assures efficiency and



2201 effectiveness, producing the maximum benefit for the educational  
 2202 programs and maximum service to the state. To this end,  
 2203 materials that relate to methods of manufacture or production,  
 2204 ~~potential trade secrets~~, potentially patentable material, ~~actual~~  
 2205 trade secrets as defined in s. 688.01, business transactions, or  
 2206 proprietary information received, generated, ascertained, or  
 2207 discovered during the course of activities conducted within the  
 2208 Florida College System institutions shall be confidential and  
 2209 exempt from the provisions of s. 119.07(1), except that a  
 2210 Florida College System institution shall make available upon  
 2211 request the title and description of a project, the name of the  
 2212 investigator, and the amount and source of funding provided for  
 2213 such project.

2214 Section 83. Section 601.80, Florida Statutes, is amended  
 2215 to read:

2216 601.80 Unlawful to use uncertified coloring matter.—It is  
 2217 unlawful for any person to use on oranges or citrus hybrids any  
 2218 coloring matter which has not first received the approval of the  
 2219 Department of Agriculture ~~as provided under s. 601.76.~~

2220 Section 84. Subsection (11) of section 663.533, Florida  
 2221 Statutes, is amended to read:

2222 663.533 Applicability of the financial institutions  
 2223 codes.—A qualified limited service affiliate is subject to the  
 2224 financial institutions codes. Without limiting the foregoing,  
 2225 the following provisions are applicable to a qualified limited

2226 service affiliate:

2227 ~~(11) Section 655.0591, relating to trade secret documents.~~

2228  
 2229 This section does not prohibit the office from investigating or  
 2230 examining an entity to ensure that it is not in violation of  
 2231 this chapter or applicable provisions of the financial  
 2232 institutions codes.

2233 Section 85. Paragraph (c) of subsection (12) of section  
 2234 721.13, Florida Statutes, is amended to read:

2235 721.13 Management.—

2236 (12)

2237 (c) The managing entity shall maintain copies of all  
 2238 records, data, and information supporting the processes,  
 2239 analyses, procedures, and methods utilized by the managing  
 2240 entity in its determination to reserve accommodations of the  
 2241 timeshare plan pursuant to this subsection for a period of 5  
 2242 years from the date of such determination. In the event of an  
 2243 investigation by the division for failure of a managing entity  
 2244 to comply with this subsection, the managing entity shall make  
 2245 all such records, data, and information available to the  
 2246 division for inspection, ~~provided that if the managing entity~~  
 2247 ~~complies with the provisions of s. 721.071, any such records,~~  
 2248 ~~data, and information provided to the division shall constitute~~  
 2249 ~~a trade secret pursuant to that section.~~

2250 Section 86. Paragraphs (a) and (c) of subsection (3) of

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2251 section 921.0022, Florida Statutes, are amended to read:  
 2252 921.0022 Criminal Punishment Code; offense severity  
 2253 ranking chart.—

2254 (3) OFFENSE SEVERITY RANKING CHART

2255 (a) LEVEL 1

2256

Florida	Felony	Description
Statute	Degree	Description
24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30 (5)	3rd	Sell, exchange, give away certificate of title or

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2262			identification number plate.
	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
2263			
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
2264			
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2265			
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2266			
	322.212 (5) (a)	3rd	False application for driver license or identification card.
2267			
	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more

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2268			than \$200.
	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
2269			
	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
2270			
	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2271			
	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
2272			
	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2273			
	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.

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2274	<u>815.04(4)(a)</u> <del>815.04(5)(a)</del>	3rd	Offense against intellectual property (i.e., computer programs, data).
2275	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
2276	817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2277	826.01	3rd	Bigamy.
2278	828.122(3)	3rd	Fighting or baiting animals.
2279	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
2280	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled

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			substances, all but s. 893.03(5) drugs.
2281	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
2282	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
2283	838.15(2)	3rd	Commercial bribe receiving.
2284	838.16	3rd	Commercial bribery.
2285	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2286	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2287	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or

2288			advertise drawing for prizes, or dispose of property or money by means of lottery.
	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2289			
	849.25 (2)	3rd	Engaging in bookmaking.
2290			
	860.08	3rd	Interfere with a railroad signal.
2291			
	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
2292			
	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
2293			
	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
2294			
	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2295			



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2296	(c)	LEVEL 3		
2297				
	Florida		Felony	
	Statute		Degree	Description
2298				
	119.10 (2) (b)		3rd	Unlawful use of confidential information from police reports.
2299				
	316.066		3rd	Unlawfully obtaining or using confidential crash reports.
	(3) (b) - (d)			
2300				
	316.193 (2) (b)		3rd	Felony DUI, 3rd conviction.
2301				
	316.1935 (2)		3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2302				
	319.30 (4)		3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2303				
	319.33 (1) (a)		3rd	Alter or forge any certificate of title to a motor vehicle or

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2304	319.33(1)(c)	3rd	mobile home. Procure or pass title on stolen vehicle.
2305	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2306	327.35(2)(b)	3rd	Felony BUI.
2307	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2308	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2309	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2310			

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2311	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2312	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
2313	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.

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2314	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2315	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2316	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2317	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2318	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2319	626.902 (1) (a) &	3rd	Representing an unauthorized

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2320	(b)		insurer.
2321	697.08	3rd	Equity skimming.
2322	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2323	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2324	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2325	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2326	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
	812.0145 (2) (c)	3rd	Theft from person 65 years of

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			age or older; \$300 or more but less than \$10,000.
2327	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
2328	<u>815.04 (4) (b)</u> <del>815.04 (5) (b)</del>	2nd	Computer offense devised to defraud or obtain property.
2329	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2330	817.233	3rd	Burning to defraud insurer.
2331	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2332	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2333	817.236	3rd	Filing a false motor vehicle insurance application.

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2334	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2335	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
2336	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
2337	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2338	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2339	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.

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2340	860.15 (3)	3rd	Overcharging for repairs and parts.
2341	870.01 (2)	3rd	Riot; inciting or encouraging.
2342	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
2343	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs within 1,000 feet of university.
2344	893.13 (1) (f) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9.,



2345	893.13(4)(c)	3rd	(2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.
2346	893.13(6)(a)	3rd	Use or hire of minor; deliver to minor other controlled substances.
2347	893.13(7)(a)8.	3rd	Possession of any controlled substance other than felony possession of cannabis.
2348	893.13(7)(a)9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2349	893.13(7)(a)10.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
			Affix false or forged label to package of controlled substance.

2350	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2351	893.13 (8) (a) 1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
2352	893.13 (8) (a) 2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
2353	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.

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2354

893.13 (8) (a) 4.            3rd    Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

2355

918.13 (1) (a)            3rd    Alter, destroy, or conceal investigation evidence.

2356

944.47                    3rd    Introduce contraband to (1) (a) 1. & 2.            correctional facility.

2357

944.47 (1) (c)            2nd    Possess contraband while upon the grounds of a correctional institution.

2358

985.721                    3rd    Escapes from a juvenile facility (secure detention or residential commitment facility).

2359

2360

Section 87. This act shall take effect upon becoming a law

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2361 | if HB 799 or similar legislation is adopted in the same  
2362 | legislative session or an extension thereof and becomes law.