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1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 627.0628, F.S., which
 4 provides a public record exemption for trade secrets and a
 5 public meeting exemption for those portions of meetings or
 6 rate proceedings wherein confidential and exempt trade
 7 secrets are discussed; providing that the public record
 8 exemption applies to trade secrets as defined in the
 9 Uniform Trade Secrets Act; requiring a recording of closed
 10 meetings wherein trade secrets are discussed; creating a
 11 public record exemption for recordings of the closed
 12 meetings; providing for future legislative review and
 13 repeal of the exemption; providing a statement of public
 14 necessity; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Paragraph (f) of subsection (3) of section
 19 627.0628, Florida Statutes, is amended to read:

20 627.0628 Florida Commission on Hurricane Loss Projection
 21 Methodology; public records exemption; public meetings
 22 exemption.—

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

24 (f)1. A trade secret, as defined in s. 688.002 ~~812.081~~,
 25 that is used in designing and constructing a hurricane loss
 26 model and that is provided pursuant to this section, by a
 27 private company, to the commission, office, or consumer advocate
 28 appointed pursuant to s. 627.0613, is confidential and exempt

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29 from s. 119.07(1) and s. 24(a), Art. I of the State
 30 Constitution.

31 2.a. That portion of a meeting of the commission or of a
 32 rate proceeding on an insurer's rate filing at which a trade
 33 secret made confidential and exempt by this paragraph is
 34 discussed is exempt from s. 286.011 and s. 24(b), Art. I of the
 35 State Constitution. The closed meeting must be recorded and no
 36 portion of the closed meeting may be off the record.

37 b. The recording of a closed portion of a meeting is
 38 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 39 Constitution.

40 c. 3- This subparagraph ~~paragraph~~ is subject to the Open
 41 Government Sunset Review Act in accordance with s. 119.15, and
 42 shall stand repealed on October 2, 2015 ~~2010~~, unless reviewed
 43 and saved from repeal through reenactment by the Legislature.

44 Section 2. The Legislature finds that it is a public
 45 necessity to make exempt from public records requirements the
 46 recording generated during those portions of meetings of the
 47 Florida Commission on Hurricane Loss projection Methodology or
 48 of a rate proceeding on an insurer's rate filing at which
 49 confidential and exempt trade secrets are discussed. Release of
 50 such recordings would compromise those discussions which took
 51 place during a closed meeting, and negates the public meeting
 52 exemption. Further, current law already provides a public record
 53 exemption for trade secrets. As such, release of the recording
 54 generated during those closed portions of meetings compromises
 55 the current protections already afforded trade secrets.

56 Section 3. This act shall take effect October 1, 2010.