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# Oversight, Transparency & Administration Subcommittee

January 17, 2018  
8:30 AM – 11:30 AM  
Morris Hall (17 HOB)

## Action Packet

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Oversight, Transparency & Administration Subcommittee

**Start Date and Time:** Wednesday, January 17, 2018 08:30 am  
**End Date and Time:** Wednesday, January 17, 2018 11:30 am  
**Location:** Morris Hall (17 HOB)  
**Duration:** 3.00 hrs

**Consideration of the following bill(s):**

HB 411 Public Records and Public Meetings/Firesafety Systems by Clemons  
HB 439 Public Meetings and Records by Donalds  
HB 459 Public Records by Massullo  
HB 461 Pub. Rec./Trade Secrets Held by an Agency by Massullo  
HB 707 Campaign Finance by Jenne  
HB 755 Pub. Rec./First Responder Network Authority/Nationwide Public Safety Broadband Network by Williamson  
HB 767 Pay-For-Success Contracts by Ausley  
HJR 989 Repeal of Public Campaign Financing Requirement by White  
HB 991 Campaign Finance by White  
HB 1127 Pub. Rec./Citizens Property Insurance Corporation by Lee  
HB 1177 Joint Task Force on State Agency Law Enforcement Communications by Ingoglia  
HB 6033 Volunteer Florida, Inc. by Ponder  
HB 7019 Pub. Rec./Minor Victims of Sexual Offenses by Criminal Justice Subcommittee, Sullivan

**Consideration of the following proposed committee bill(s):**

PCB OTA 18-05 -- OGSR/Ethics Complaints and Investigations

**NOTICE FINALIZED on 01/12/2018 4:16PM by Larson.Lisa**

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**  
**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**Summary:**

**Oversight, Transparency & Administration Subcommittee**

*Wednesday January 17, 2018 08:30 am*

HB 411	Favorable	Yeas: 12	Nays: 0
HB 439	Favorable With Committee Substitute Amendment 705741 Adopted Without Objection	Yeas: 13	Nays: 0
HB 459	Favorable With Committee Substitute Amendment 196695 Adopted Without Objection	Yeas: 13	Nays: 0
HB 461	Favorable With Committee Substitute Amendment 667739 Adopted Without Objection	Yeas: 13	Nays: 0
HB 707	Favorable With Committee Substitute Amendment 627195 Adopted Without Objection	Yeas: 11	Nays: 1
HB 755	Favorable With Committee Substitute Amendment 633211 Adopted Without Objection	Yeas: 14	Nays: 0
HB 767	Favorable	Yeas: 12	Nays: 0
HJR 989	Favorable	Yeas: 14	Nays: 0
HB 991	Favorable	Yeas: 13	Nays: 1
HB 1127	Favorable With Committee Substitute Amendment 686789 Adopted Without Objection	Yeas: 13	Nays: 0
HB 1177	Favorable With Committee Substitute Amendment 130543 Adopted Without Objection	Yeas: 13	Nays: 0
HB 6033	Favorable	Yeas: 12	Nays: 0
HB 7019	Favorable	Yeas: 13	Nays: 0
PCB OTA 18-05	Favorable	Yeas: 14	Nays: 0

**Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM**

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Jennifer Sullivan (Chair)	X		
Daniel Burgess, Jr.	X		
Kimberly Daniels	X		
Tracie Davis	X		
Brad Drake	X		
Katie Edwards-Walpole	X		
Patrick Henry	X		
Blaise Ingoglia	X		
Lawrence McClure	X		
Cary Pigman	X		
Bob Rommel	X		
Charlie Stone	X		
Jayer Williamson	X		
Clay Yarborough	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 411 : Public Records and Public Meetings/Firesafety Systems**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough			X		
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pasture, John (General Public) - Proponent  
 Alarm Association of Florida

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 439 : Public Meetings and Records**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 439 Amendments**

**Amendment 705741**

*Adopted Without Objection*

**Appearances:**

Bermudez, Jose (Lobbyist) - Waive In Support  
 City of Miami  
 121 Alhambra Plz Fl 10  
 Coral Gables FL 33134-4540  
 Phone: (305) 262-4433

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 439 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Donalds offered the following:  
4

5 **Amendment**

6 Remove lines 86-92 and insert:  
7 agency. In addition, the Legislature finds that it is a public  
8 necessity to exempt the transcript of such exempt meetings from  
9 public record requirements. These public meeting and public  
10 record exemptions are necessary to allow a governmental entity  
11 to privately prepare for threatened and pending litigation by  
12 obtaining legal advice, exploring and developing relevant facts,  
13 and considering an early settlement or discussing other possible  
14 resolutions in order to make better-informed decisions. The  
15 Legislature also finds that these public meeting and public  
16 record exemptions will help ensure that

705741 - HB 439 Amendment.docx

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**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 459 : Public Records**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 459 Amendments**

**Amendment 196695**

*Adopted Without Objection*

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Massullo offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 119.07135, Florida Statutes, is created  
8 to read:

9 119.07135 Agency contracts; public records.-

10 (1) Any contract or agreement, or an addendum thereto, to  
11 which an agency or an entity subject to this chapter is a party,  
12 is a public record, except that confidential or exempt  
13 information contained therein may be redacted prior to release  
14 of the contract or agreement, or an addendum thereto, if the  
15 specific statutory exemption is identified.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

16        (2) Notwithstanding any other provision of law, financial  
17 information related to any contract or agreement, or an addendum  
18 thereto, with an agency or an entity subject to this chapter is  
19 not confidential or exempt from s. 119.07(1) and s. 24(a), Art.  
20 I of the State Constitution. Such financial information includes  
21 the amount of money paid, any payment structure or plan,  
22 expenditures, incentives, bonuses, fees, and penalties.

23        Section 2. Paragraph (a) of subsection (12) of section  
24 24.105, Florida Statutes, is amended to read:

25        24.105 Powers and duties of department.—The department  
26 shall:

27        ~~(12)(a) Determine by rule information relating to the~~  
28 ~~operation of the lottery which is confidential and exempt from~~  
29 ~~the provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~  
30 ~~Constitution. Such information includes trade secrets, security~~  
31 ~~measures, systems, or procedures, security reports, information~~  
32 ~~concerning bids or other contractual data, the disclosure of~~  
33 ~~which would impair the efforts of the department to contract for~~  
34 ~~goods or services on favorable terms, employee personnel~~  
35 ~~information unrelated to compensation, duties, qualifications,~~  
36 ~~or responsibilities, and information obtained by the Division of~~  
37 ~~Security pursuant to its investigations which is otherwise~~  
38 ~~confidential. To be deemed confidential, the information must be~~  
39 ~~necessary to the security and integrity of the lottery.~~  
40 ~~Confidential information may be released to other governmental~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

41 ~~entities as needed in connection with the performance of their~~  
42 ~~duties. The receiving governmental entity shall retain the~~  
43 ~~confidentiality of such information as provided for in this~~  
44 ~~subsection.~~

45 Section 3. Paragraph (e) of subsection (1) of section  
46 73.0155, Florida Statutes, is amended to read:

47 73.0155 Confidentiality; business information provided to  
48 a governmental condemning authority.-

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

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

58 Section 4. Paragraph (f) of subsection (1) of section  
59 119.071, Florida Statutes, is amended to read:

60 119.071 General exemptions from inspection or copying of  
61 public records.-

62 (1) AGENCY ADMINISTRATION.-

63 (f) ~~Data processing software obtained by an agency under a~~  
64 ~~licensing agreement that prohibits its disclosure and which~~  
65 ~~software is a trade secret, as defined in s. 812.081, and~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

66 Agency-produced data processing software that is sensitive is  
67 ~~are~~ exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
68 Constitution. The designation of agency-produced software as  
69 sensitive does not prohibit an agency head from sharing or  
70 exchanging such software with another public agency. ~~This~~  
71 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
72 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
73 ~~2021, unless reviewed and saved from repeal through reenactment~~  
74 ~~by the Legislature.~~

75 Section 5. Paragraph (a) of subsection (4) of section  
76 119.0713, Florida Statutes, is amended to read:

77 119.0713 Local government agency exemptions from  
78 inspection or copying of public records.-

79 (4) (a) Proprietary confidential business information means  
80 information, regardless of form or characteristics, which is  
81 held by an electric utility that is subject to chapter 119, is  
82 intended to be and is treated by the entity that provided the  
83 information to the electric utility as private in that the  
84 disclosure of the information would cause harm to the entity  
85 providing the information or its business operations, and has  
86 not been disclosed unless disclosed pursuant to a statutory  
87 provision, an order of a court or administrative body, or a  
88 private agreement that provides that the information will not be  
89 released to the public. Proprietary confidential business  
90 information includes, ~~but is not limited to:~~

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

91 ~~1. Trade secrets.~~

92 ~~1.2.~~ Internal auditing controls and reports of internal  
93 auditors.

94 ~~2.3.~~ Security measures, systems, or procedures.

95 ~~3.4.~~ Information concerning bids or other contractual  
96 data, the disclosure of which would impair the efforts of the  
97 electric utility to contract for goods or services on favorable  
98 terms.

99 ~~4.5.~~ Information relating to competitive interests, the  
100 disclosure of which would impair the competitive business of the  
101 provider of the information.

102 Section 6. Paragraph (d) of subsection (9) of section  
103 125.0104, Florida Statutes, is amended to read:

104 125.0104 Tourist development tax; procedure for levying;  
105 authorized uses; referendum; enforcement.—

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

110 (d) Undertake marketing research and advertising research  
111 studies and provide reservations services and convention and  
112 meetings booking services consistent with the authorized uses of  
113 revenue as set forth in subsection (5).

114 1. Information given to a county tourism promotion agency  
115 which, if released, would reveal the identity of persons or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

116 entities who provide data or other information as a response to  
117 a sales promotion effort, an advertisement, or a research  
118 project or whose names, addresses, meeting or convention plan  
119 information or accommodations or other visitation needs become  
120 booking or reservation list data, is exempt from s. 119.07(1)  
121 and s. 24(a), Art. I of the State Constitution.

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

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

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

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

138 Section 7. Paragraph (m) of subsection (15) of section  
139 163.01, Florida Statutes, is amended to read:

140 163.01 Florida Interlocal Cooperation Act of 1969.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

141 (15) Notwithstanding any other provision of this section  
142 or of any other law except s. 361.14, any public agency of this  
143 state which is an electric utility, or any separate legal entity  
144 created pursuant to the provisions of this section, the  
145 membership of which consists only of electric utilities, and  
146 which exercises or proposes to exercise the powers granted by  
147 part II of chapter 361, the Joint Power Act, may exercise any or  
148 all of the following powers:

149 (m) In the event that any public agency or any such legal  
150 entity, or both, should receive, in connection with its joint  
151 ownership or right to the services, output, capacity, or energy  
152 of an electric project, as defined in paragraph (3)(d), any  
153 material which is designated by the person supplying such  
154 material as proprietary confidential business information or  
155 which a court of competent jurisdiction has designated as  
156 confidential or secret shall be kept confidential and shall be  
157 exempt from the provisions of s. 119.07(1). As used in this  
158 paragraph, "proprietary confidential business information"  
159 includes, ~~but is not limited to, trade secrets,~~ internal  
160 auditing controls and reports of internal auditors; security  
161 measures, systems, or procedures; ~~information concerning bids or~~  
162 ~~other contractual data, the disclosure of which would impair the~~  
163 ~~efforts of the utility to contract for services on favorable~~  
164 ~~terms,~~ employee personnel information unrelated to compensation,  
165 duties, qualifications, or responsibilities; and formulas,

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Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

166 patterns, devices, combinations of devices, ~~contract costs~~, or  
167 other information the disclosure of which would injure the  
168 affected entity in the marketplace.

169 Section 8. Subsection (2) of section 202.195, Florida  
170 Statutes, is amended to read:

171 202.195 Proprietary confidential business information;  
172 public records exemption.-

173 (2) For the purposes of this exemption, "proprietary  
174 confidential business information" includes maps, plans, billing  
175 and payment records, ~~trade secrets~~, or other information  
176 relating to the provision of or facilities for communications  
177 service:

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

180 (b) The disclosure of which would be reasonably likely to  
181 be used by a competitor to harm the business interests of the  
182 company; and

183 (c) That is not otherwise readily ascertainable or  
184 publicly available by proper means by other persons from another  
185 source in the same configuration as requested by the local  
186 governmental entity.

187

188 Proprietary confidential business information does not include  
189 schematics indicating the location of facilities for a specific



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

190 site that are provided in the normal course of the local  
191 governmental entity's permitting process.

192 Section 9. Paragraphs (a), (c), and (d) of subsection (3)  
193 of section 215.4401, Florida Statutes, are amended to read:

194 215.4401 Board of Administration; public record  
195 exemptions.-

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

197 1. "Alternative investment" means an investment by the  
198 State Board of Administration in a private equity fund, venture  
199 fund, hedge fund, or distress fund or a direct investment in a  
200 portfolio company through an investment manager.

201 2. "Alternative investment vehicle" means the limited  
202 partnership, limited liability company, or similar legal  
203 structure or investment manager through which the State Board of  
204 Administration invests in a portfolio company.

205 3. "Portfolio company" means a corporation or other  
206 issuer, any of whose securities are owned by an alternative  
207 investment vehicle or the State Board of Administration and any  
208 subsidiary of such corporation or other issuer.

209 4. "Portfolio positions" means individual investments in  
210 portfolio companies which are made by the alternative investment  
211 vehicles, including information or specific investment terms  
212 associated with any portfolio company investment.

213 5. "Proprietor" means an alternative investment vehicle, a  
214 portfolio company in which the alternative investment vehicle is

Amendment No.

215 invested, or an outside consultant, including the respective  
216 authorized officers, employees, agents, or successors in  
217 interest, which controls or owns information provided to the  
218 State Board of Administration.

219 6. "Proprietary confidential business information" means  
220 information that has been designated by the proprietor when  
221 provided to the State Board of Administration as information  
222 that is owned or controlled by a proprietor; that is intended to  
223 be and is treated by the proprietor as private, the disclosure  
224 of which would harm the business operations of the proprietor  
225 and has not been intentionally disclosed by the proprietor  
226 unless pursuant to a private agreement that provides that the  
227 information will not be released to the public except as  
228 required by law or legal process, or pursuant to law or an order  
229 of a court or administrative body; and that concerns:

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

231 a.b. Information provided to the State Board of  
232 Administration regarding a prospective investment in a private  
233 equity fund, venture fund, hedge fund, distress fund, or  
234 portfolio company which is proprietary to the provider of the  
235 information.

236 b.e. Financial statements and auditor reports of an  
237 alternative investment vehicle.

Amendment No.

238        c.d. Meeting materials of an alternative investment  
239 vehicle relating to financial, operating, or marketing  
240 information of the alternative investment vehicle.

241        d.e. Information regarding the portfolio positions in  
242 which the alternative investment vehicles invest.

243        e.f. Capital call and distribution notices to investors of  
244 an alternative investment vehicle.

245        f.g. Alternative investment agreements and related  
246 records.

247        g.h. Information concerning investors, other than the  
248 State Board of Administration, in an alternative investment  
249 vehicle.

250        7. "Proprietary confidential business information" does  
251 not include:

252        a. The name, address, and vintage year of an alternative  
253 investment vehicle and the identity of the principals involved  
254 in the management of the alternative investment vehicle.

255        b. The dollar amount of the commitment made by the State  
256 Board of Administration to each alternative investment vehicle  
257 since inception.

258        c. The dollar amount and date of cash contributions made  
259 by the State Board of Administration to each alternative  
260 investment vehicle since inception.

Amendment No.

261 d. The dollar amount, on a fiscal-year-end basis, of cash  
262 distributions received by the State Board of Administration from  
263 each alternative investment vehicle.

264 e. The dollar amount, on a fiscal-year-end basis, of cash  
265 distributions received by the State Board of Administration plus  
266 the remaining value of alternative-vehicle assets that are  
267 attributable to the State Board of Administration's investment  
268 in each alternative investment vehicle.

269 f. The net internal rate of return of each alternative  
270 investment vehicle since inception.

271 g. The investment multiple of each alternative investment  
272 vehicle since inception.

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

276 i. The dollar amount of cash profit received by the State  
277 Board of Administration from each alternative investment vehicle  
278 on a fiscal-year-end basis.

279 j. A description of any compensation, fees, or expenses,  
280 including the amount or value, paid or agreed to be paid by a  
281 proprietor to any person to solicit the board to make an  
282 alternative investment or investment through an alternative  
283 investment vehicle. This does not apply to an executive officer,  
284 general partner, managing member, or other employee of the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

285 proprietor, who is paid by the proprietor to solicit the board  
286 to make such investments.

287 (c)1. Notwithstanding the provisions of paragraph (b), a  
288 request to inspect or copy a record under s. 119.07(1) that  
289 contains proprietary confidential business information shall be  
290 granted if the proprietor of the information fails, within a  
291 reasonable period of time after the request is received by the  
292 State Board of Administration, to verify the following to the  
293 State Board of Administration through a written declaration in  
294 the manner provided by s. 92.525:

295 a. That the requested record contains proprietary  
296 confidential business information and the specific location of  
297 such information within the record;

298 ~~b. If the proprietary confidential business information is~~  
299 ~~a trade secret, a verification that it is a trade secret as~~  
300 ~~defined in s. 688.002;~~

301 b.e. That the proprietary confidential business  
302 information is intended to be and is treated by the proprietor  
303 as private, is the subject of efforts of the proprietor to  
304 maintain its privacy, and is not readily ascertainable or  
305 publicly available from any other source; and

306 c.d. That the disclosure of the proprietary confidential  
307 business information to the public would harm the business  
308 operations of the proprietor.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

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

312           (d) Any person may petition a court of competent  
313 jurisdiction for an order for the public release of those  
314 portions of any record made confidential and exempt by paragraph  
315 (b). Any action under this paragraph must be brought in Leon  
316 County, Florida, and the petition or other initial pleading  
317 shall be served on the State Board of Administration and, if  
318 determinable upon diligent inquiry, on the proprietor of the  
319 information sought to be released. In any order for the public  
320 release of a record under this paragraph, the court shall make a  
321 finding ~~that the record or portion thereof is not a trade secret~~  
322 ~~as defined in s. 688.002,~~ that a compelling public interest is  
323 served by the release of the record or portions thereof which  
324 exceed the public necessity for maintaining the confidentiality  
325 of such record, and that the release of the record will not  
326 cause damage to or adversely affect the interests of the  
327 proprietor of the released information, other private persons or  
328 business entities, the State Board of Administration, or any  
329 trust fund, the assets of which are invested by the State Board  
330 of Administration.

331           Section 10. Subsection (1) of section 252.88, Florida  
332 Statutes, is amended to read:

333           252.88 Public records.—

Amendment No.

334 (1) Whenever EPCRA authorizes an employer to exclude trade  
335 secret information from its submittals, the employer shall  
336 furnish the information so excluded to the commission upon  
337 request. ~~Such information shall be confidential and exempt from~~  
338 ~~the provisions of s. 119.07(1). The commission shall not~~  
339 ~~disclose such information except pursuant to a final~~  
340 ~~determination under s. 322 of EPCRA by the Administrator of the~~  
341 ~~Environmental Protection Agency that such information is not~~  
342 ~~entitled to trade secret protection, or pursuant to an order of~~  
343 ~~court.~~

344 Section 11. Section 252.943, Florida Statutes, is  
345 repealed.

346 Section 12. Paragraph (h) of subsection (2) of section  
347 287.0943, Florida Statutes, is amended to read:

348 287.0943 Certification of minority business enterprises.-

349 (2)

350 (h) The certification procedures should allow an applicant  
351 seeking certification to designate on the application form the  
352 information the applicant considers to be proprietary,  
353 confidential business information. As used in this paragraph,  
354 "proprietary, confidential business information" includes, ~~but~~  
355 ~~is not limited to,~~ any information that would be exempt from  
356 public inspection pursuant to the provisions of chapter 119;  
357 ~~trade secrets,~~ internal auditing controls and reports; ~~contract~~  
358 ~~costs,~~ or other information the disclosure of which would injure

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

359 the affected party in the marketplace or otherwise violate s.  
360 286.041. The executor in receipt of the application shall issue  
361 written and final notice of any information for which  
362 noninspection is requested but not provided for by law.

363 Section 13. Subsection (7) of section 288.047, Florida  
364 Statutes, is amended to read:

365 288.047 Quick-response training for economic development.—

366 (7) In providing instruction pursuant to this section,  
367 materials that relate to methods of manufacture or production,  
368 ~~potential trade secrets~~, business transactions, or proprietary  
369 information received, produced, ascertained, or discovered by  
370 employees of the respective departments, district school boards,  
371 community college district boards of trustees, or other  
372 personnel employed for the purposes of this section is  
373 confidential and exempt from the provisions of s. 119.07(1). The  
374 state may seek copyright protection for instructional materials  
375 and ancillary written documents developed wholly or partially  
376 with state funds as a result of instruction provided pursuant to  
377 this section, except for materials that are confidential and  
378 exempt from the provisions of s. 119.07(1).

379 Section 14. Paragraph (c) of subsection (1) and subsection  
380 (3) of section 288.075, Florida Statutes, are amended to read:

381 288.075 Confidentiality of records.—

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

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



Amendment No.

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

387       Section 15. Subsection (9) of section 288.1226, Florida  
388 Statutes, is amended to read:

389       288.1226 Florida Tourism Industry Marketing Corporation;  
390 use of property; board of directors; duties; audit.—

391       (9) PUBLIC RECORDS EXEMPTION.—The identity of any person  
392 who responds to a marketing project or advertising research  
393 project conducted by the corporation in the performance of its  
394 duties on behalf of Enterprise Florida, Inc., is ~~or trade~~  
395 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
396 ~~activities, are exempt from s. 119.07(1) and s. 24(a), Art. I of~~  
397 ~~the State Constitution. This subsection is subject to the Open~~  
398 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
399 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
400 ~~saved from repeal through reenactment by the Legislature.~~

401       Section 16. Paragraph (d) of subsection (3) of section  
402 288.776, Florida Statutes, is amended to read:

403       288.776 Board of directors; powers and duties.—

404       (3) The board shall:

405       (d) Adopt policies, including criteria, establishing which  
406 exporters and export transactions shall be eligible for  
407 insurance, coinsurance, loan guarantees, and direct, guaranteed,  
408 or collateralized loans which may be extended by the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

409 corporation. Pursuant to this subsection, the board shall  
410 include the following criteria:

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

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

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

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

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

425

426 Personal financial records, ~~trade secrets~~, or proprietary  
427 information of applicants shall be confidential and exempt from  
428 the provisions of s. 119.07(1).

429 Section 17. Section 288.9520, Florida Statutes, is amended  
430 to read:

431 288.9520 Public records exemption.—Materials that relate  
432 to methods of manufacture or production, ~~potential trade~~  
433 ~~secrets~~, potentially patentable material, ~~actual trade secrets~~,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

434 business transactions, financial and proprietary information,  
435 and agreements or proposals to receive funding that are  
436 received, generated, ascertained, or discovered by Enterprise  
437 Florida, Inc., including its affiliates or subsidiaries and  
438 partnership participants, such as private enterprises,  
439 educational institutions, and other organizations, are  
440 confidential and exempt from the provisions of s. 119.07(1) and  
441 s. 24(a), Art. I of the State Constitution, except that a  
442 recipient of Enterprise Florida, Inc., research funds shall make  
443 available, upon request, the title and description of the  
444 research project, the name of the researcher, and the amount and  
445 source of funding provided for the project.

446 Section 18. Subsection (5) of section 288.9607, Florida  
447 Statutes, is amended to read:

448 288.9607 Guaranty of bond issues.—

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

453 Section 19. Paragraph (f) of subsection (1), paragraph (a)  
454 of subsection (2), paragraph (a) of subsection (3), and  
455 paragraphs (b) and (c) of subsection (4) of section 288.9626,  
456 Florida Statutes, are amended to read:

457 288.9626 Exemptions from public records and public  
458 meetings requirements for the Florida Opportunity Fund.—

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

459 (1) DEFINITIONS.—As used in this section, the term:  
460 (f)1. "Proprietary confidential business information"  
461 means information that has been designated by the proprietor  
462 when provided to the Florida Opportunity Fund as information  
463 that is owned or controlled by a proprietor; that is intended to  
464 be and is treated by the proprietor as private, the disclosure  
465 of which would harm the business operations of the proprietor  
466 and has not been intentionally disclosed by the proprietor  
467 unless pursuant to a private agreement that provides that the  
468 information will not be released to the public except as  
469 required by law or legal process, or pursuant to law or an order  
470 of a court or administrative body; and that concerns:  
471 ~~a. Trade secrets as defined in s. 688.002.~~  
472 a.b. Information provided to the Florida Opportunity Fund  
473 regarding an existing or prospective alternative investment in a  
474 private equity fund, venture capital fund, angel fund, or  
475 portfolio company that is proprietary to the provider of the  
476 information.  
477 b.e. Financial statements and auditor reports of an  
478 alternative investment vehicle or portfolio company, unless  
479 publicly released by the alternative investment vehicle or  
480 portfolio company.  
481 c.d. Meeting materials of an alternative investment  
482 vehicle or portfolio company relating to financial, operating,

Amendment No.

483 or marketing information of the alternative investment vehicle  
484 or portfolio company.

485 d.e. Information regarding the portfolio positions in  
486 which the alternative investment vehicles or Florida Opportunity  
487 Fund invest.

488 e.f. Capital call and distribution notices to investors or  
489 the Florida Opportunity Fund of an alternative investment  
490 vehicle.

491 f.g. Alternative investment agreements and related  
492 records.

493 g.h. Information concerning investors, other than the  
494 Florida Opportunity Fund, in an alternative investment vehicle  
495 or portfolio company.

496 2. "Proprietary confidential business information" does  
497 not include:

498 a. The name, address, and vintage year of an alternative  
499 investment vehicle or Florida Opportunity Fund and the identity  
500 of the principals involved in the management of the alternative  
501 investment vehicle or Florida Opportunity Fund.

502 b. The dollar amount of the commitment made by the Florida  
503 Opportunity Fund to each alternative investment vehicle since  
504 inception, if any.

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

Amendment No.

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

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

516 f. The net internal rate of return of each alternative  
517 investment vehicle since inception.

518 g. The investment multiple of each alternative investment  
519 vehicle since inception.

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

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

526 (2) PUBLIC RECORDS EXEMPTION.—

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

530 1. Materials that relate to methods of manufacture or  
531 production, ~~potential trade secrets~~, or patentable material  
532 received, generated, ascertained, or discovered during the

Amendment No.

533 course of research or through research projects and that are  
534 provided by a proprietor.

535 2. Information that would identify an investor or  
536 potential investor who desires to remain anonymous in projects  
537 reviewed by the Florida Opportunity Fund.

538 3. Proprietary confidential business information regarding  
539 alternative investments for 7 years after the termination of the  
540 alternative investment.

541 (3) PUBLIC MEETINGS EXEMPTION.—

542 (a) That portion of a meeting of the board of directors  
543 of the Florida Opportunity Fund at which information is  
544 discussed which is confidential and exempt under subsection (2)  
545 or s. 688.01 is exempt from s. 286.011 and s. 24(b), Art. I of  
546 the State Constitution.

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

548 (b) Notwithstanding the provisions of paragraph (2)(a), a  
549 request to inspect or copy a public record that contains  
550 proprietary confidential business information shall be granted  
551 if the proprietor of the information fails, within a reasonable  
552 period of time after the request is received by the Florida  
553 Opportunity Fund, to verify the following to the Florida  
554 Opportunity Fund through a written declaration in the manner  
555 provided by s. 92.525:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

556 1. That the requested record contains proprietary  
557 confidential business information and the specific location of  
558 such information within the record;

559 ~~2. If the proprietary confidential business information is~~  
560 ~~a trade secret, a verification that it is a trade secret as~~  
561 ~~defined in s. 688.002;~~

562 2.3. That the proprietary confidential business  
563 information is intended to be and is treated by the proprietor  
564 as private, is the subject of efforts of the proprietor to  
565 maintain its privacy, and is not readily ascertainable or  
566 publicly available from any other source; and

567 3.4. That the disclosure of the proprietary confidential  
568 business information to the public would harm the business  
569 operations of the proprietor.

570 (c)1. Any person may petition a court of competent  
571 jurisdiction for an order for the public release of those  
572 portions of any record made confidential and exempt by  
573 subsection (2).

574 2. Any action under this subsection must be brought in  
575 Orange County, and the petition or other initial pleading shall  
576 be served on the Florida Opportunity Fund and, if determinable  
577 upon diligent inquiry, on the proprietor of the information  
578 sought to be released.

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

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

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

583 a. ~~b.~~ A compelling public interest is served by the  
584 release of the record or portions thereof which exceed the  
585 public necessity for maintaining the confidentiality of such  
586 record; and

587 b. ~~e.~~ The release of the record will not cause damage to  
588 or adversely affect the interests of the proprietor of the  
589 released information, other private persons or business  
590 entities, or the Florida Opportunity Fund.

591 Section 20. Paragraph (b) of subsection (1), paragraph (a)  
592 of subsection (2), paragraph (a) of subsection (3), and  
593 paragraphs (b) and (c) of subsection (4) of section 288.9627,  
594 Florida Statutes, are amended to read:

595 288.9627 Exemptions from public records and public  
596 meetings requirements for the Institute for the  
597 Commercialization of Public Research.—

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

599 (b)1. "Proprietary confidential business information"  
600 means information that has been designated by the proprietor  
601 when provided to the institute as information that is owned or  
602 controlled by a proprietor; that is intended to be and is  
603 treated by the proprietor as private, the disclosure of which  
604 would harm the business operations of the proprietor and has not  
605 been intentionally disclosed by the proprietor unless pursuant

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

606 to a private agreement that provides that the information will  
607 not be released to the public except as required by law or legal  
608 process, or pursuant to law or an order of a court or  
609 administrative body; and that concerns:

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

611 a.b. Financial statements and internal or external auditor  
612 reports of a proprietor corporation, partnership, or person  
613 requesting confidentiality under this statute, unless publicly  
614 released by the proprietor.

615 b.e. Meeting materials related to financial, operating,  
616 investment, or marketing information of the proprietor  
617 corporation, partnership, or person.

618 c.d. Information concerning private investors in the  
619 proprietor corporation, partnership, or person.

620 2. "Proprietary confidential business information" does  
621 not include:

622 a. The identity and primary address of the proprietor's  
623 principals.

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

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

Amendment No.

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

632 (2) PUBLIC RECORDS EXEMPTION.—

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

636 1. Materials that relate to methods of manufacture or  
637 production, ~~potential trade secrets~~, or patentable material  
638 received, generated, ascertained, or discovered during the  
639 course of research or through research projects conducted by  
640 universities and other publicly supported organizations in this  
641 state and that are provided to the institute by a proprietor.

642 2. Information that would identify an investor or  
643 potential investor who desires to remain anonymous in projects  
644 reviewed by the institute for assistance.

645 3. Any information received from a person from another  
646 state or nation or the Federal Government which is otherwise  
647 confidential or exempt pursuant to the laws of that state or  
648 nation or pursuant to federal law.

649 4. Proprietary confidential business information for 7  
650 years after the termination of the institute's financial  
651 commitment to the company.

652 (3) PUBLIC MEETINGS EXEMPTION.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

653 (a) That portion of a meeting of the institute's board of  
654 directors at which information is discussed which is  
655 confidential and exempt under subsection (2) or s. 688.01 is  
656 exempt from s. 286.011 and s. 24(b), Art. I of the State  
657 Constitution.

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

659 (b) Notwithstanding the provisions of paragraph (2)(a), a  
660 request to inspect or copy a public record that contains  
661 proprietary confidential business information shall be granted  
662 if the proprietor of the information fails, within a reasonable  
663 period of time after the request is received by the institute,  
664 to verify the following to the institute through a written  
665 declaration in the manner provided by s. 92.525:

666 1. That the requested record contains proprietary  
667 confidential business information and the specific location of  
668 such information within the record;

669 ~~2. If the proprietary confidential business information is~~  
670 ~~a trade secret, a verification that it is a trade secret as~~  
671 ~~defined in s. 688.002;~~

672 2.3. That the proprietary confidential business  
673 information is intended to be and is treated by the proprietor  
674 as private, is the subject of efforts of the proprietor to  
675 maintain its privacy, and is not readily ascertainable or  
676 publicly available from any other source; and

Amendment No.

677           3.4. That the disclosure of the proprietary confidential  
678 business information to the public would harm the business  
679 operations of the proprietor.

680           (c)1. Any person may petition a court of competent  
681 jurisdiction for an order for the public release of those  
682 portions of any record made confidential and exempt by  
683 subsection (2).

684           2. Any action under this subsection must be brought in  
685 Palm Beach County or Alachua County, and the petition or other  
686 initial pleading shall be served on the institute and, if  
687 determinable upon diligent inquiry, on the proprietor of the  
688 information sought to be released.

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

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

693           a.b. A compelling public interest is served by the release  
694 of the record or portions thereof which exceed the public  
695 necessity for maintaining the confidentiality of such record;  
696 and

697           b.e. The release of the record will not cause damage to or  
698 adversely affect the interests of the proprietor of the released  
699 information, other private persons or business entities, or the  
700 institute.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

701 Section 21. Section 331.326, Florida Statutes, is amended  
702 to read:

703 331.326 Information relating to trade secrets  
704 confidential.—The records of Space Florida regarding matters  
705 encompassed by this act are public records subject to chapter  
706 119. ~~Any information held by Space Florida which is a trade~~  
707 ~~secret, as defined in s. 812.081, including trade secrets of~~  
708 ~~Space Florida, any spaceport user, or the space industry~~  
709 ~~business, is confidential and exempt from s. 119.07(1) and s.~~  
710 ~~24(a), Art. I of the State Constitution and may not be~~  
711 ~~disclosed. If Space Florida determines that any information~~  
712 ~~requested by the public will reveal a trade secret, it shall, in~~  
713 ~~writing, inform the person making the request of that~~  
714 ~~determination. The determination is a final order as defined in~~  
715 ~~s. 120.52. Any meeting or portion of a meeting of Space~~  
716 ~~Florida's board is exempt from s. 286.011 and s. 24(b), Art. I~~  
717 ~~of the State Constitution when the board is discussing trade~~  
718 ~~secrets as defined in s. 688.01. Any public record generated~~  
719 ~~during the closed portions of the meetings, such as minutes,~~  
720 ~~tape recordings, and notes, is confidential and exempt from s.~~  
721 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
722 ~~section is subject to the Open Government Sunset Review Act in~~  
723 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
724 ~~2021, unless reviewed and saved from repeal through reenactment~~  
725 ~~by the Legislature.~~

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

726 Section 22. Subsection (4) of section 334.049, Florida  
727 Statutes, is amended to read:

728 334.049 Patents, copyrights, trademarks; notice to  
729 Department of State; ~~confidentiality of trade secrets.~~

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

735 Section 23. Section 350.121, Florida Statutes, is amended  
736 to read:

737 350.121 Commission inquiries; confidentiality of business  
738 material.—If the commission undertakes an inquiry, any records,  
739 documents, papers, maps, books, tapes, photographs, files, sound  
740 recordings, or other business material, regardless of form or  
741 characteristics, obtained by the commission incident to the  
742 inquiry are considered confidential and exempt from s. 119.07(1)  
743 while the inquiry is pending. If at the conclusion of an inquiry  
744 the commission undertakes a formal proceeding, any matter  
745 determined by the commission or by a judicial or administrative  
746 body, federal or state, to be ~~trade secrets~~ or proprietary  
747 confidential business information coming into its possession  
748 pursuant to such inquiry shall be considered confidential and  
749 exempt from s. 119.07(1). Such material may be used in any  
750 administrative or judicial proceeding so long as the

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Amendment No.

751 confidential or proprietary nature of the material is  
752 maintained.

753 Section 24. Paragraph (a) of subsection (3) of section  
754 364.183, Florida Statutes, is amended to read:

755 364.183 Access to company records.—

756 (3) The term "proprietary confidential business  
757 information" means information, regardless of form or  
758 characteristics, which is owned or controlled by the person or  
759 company, is intended to be and is treated by the person or  
760 company as private in that the disclosure of the information  
761 would cause harm to the ratepayers or the person's or company's  
762 business operations, and has not been disclosed unless disclosed  
763 pursuant to a statutory provision, an order of a court or  
764 administrative body, or private agreement that provides that the  
765 information will not be released to the public. The term  
766 includes, ~~but is not limited to:~~

767 ~~(a) Trade secrets.~~

768 Section 25. Subsection (3) of section 365.174, Florida  
769 Statutes, is amended to read:

770 365.174 Proprietary confidential business information.—

771 (3) As used in this section, the term "proprietary  
772 confidential business information" means customer lists,  
773 customer numbers, individual or aggregate customer data by  
774 location, usage and capacity data, network facilities used to  
775 serve subscribers, technology descriptions, or technical



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

776 information, ~~or trade secrets, including trade secrets as~~  
777 ~~defined in s. 812.081,~~ and the actual or developmental costs of  
778 E911 systems that are developed, produced, or received  
779 internally by a provider or by a provider's employees,  
780 directors, officers, or agents.

781 Section 26. Paragraph (a) of subsection (3) of section  
782 366.093, Florida Statutes, is amended to read:

783 366.093 Public utility records; confidentiality.-

784 (3) Proprietary confidential business information means  
785 information, regardless of form or characteristics, which is  
786 owned or controlled by the person or company, is intended to be  
787 and is treated by the person or company as private in that the  
788 disclosure of the information would cause harm to the ratepayers  
789 or the person's or company's business operations, and has not  
790 been disclosed unless disclosed pursuant to a statutory  
791 provision, an order of a court or administrative body, or  
792 private agreement that provides that the information will not be  
793 released to the public. Proprietary confidential business  
794 information includes, ~~but is not limited to:~~

795 ~~(a) Trade secrets.~~

796 Section 27. Paragraph (a) of subsection (3) of section  
797 367.156, Florida Statutes, is amended to read:

798 367.156 Public utility records; confidentiality.-

799 (3) Proprietary confidential business information means  
800 information, regardless of form or characteristics, which is

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

801 owned or controlled by the person or company, is intended to be  
802 and is treated by the person or company as private in that the  
803 disclosure of the information would cause harm to the ratepayers  
804 or the person's or company's business operations, and has not  
805 been disclosed unless disclosed pursuant to a statutory  
806 provision, an order of a court or administrative body, or a  
807 private agreement that provides that the information will not be  
808 released to the public. Proprietary business information  
809 includes, ~~but is not limited to:~~

810 ~~(a) Trade secrets.~~

811 Section 28. Paragraph (a) of subsection (3) of section  
812 368.108, Florida Statutes, is amended to read:

813 368.108 Confidentiality; discovery.—

814 (3) "Proprietary confidential business information" means  
815 information, regardless of form or characteristics, which is  
816 owned or controlled by the person or company, is intended to be  
817 and is treated by the person or company as private in that the  
818 disclosure of the information would cause harm to the ratepayers  
819 or the person's or company's business operations, and has not  
820 been disclosed unless disclosed pursuant to a statutory  
821 provision, an order of a court or administrative body, or a  
822 private agreement that provides that the information will not be  
823 released to the public. "Proprietary confidential business  
824 information" includes, ~~but is not limited to:~~

825 ~~(a) Trade secrets.~~

Amendment No.

826 Section 29. Paragraph (e) of subsection (1) of section  
827 377.24075, Florida Statutes, is amended to read:

828 377.24075 Exemption from public records requirements.—  
829 Proprietary business information held by the Department of  
830 Environmental Protection in accordance with its statutory duties  
831 with respect to an application for a natural gas storage  
832 facility permit is confidential and exempt from s. 119.07(1) and  
833 s. 24(a), Art. I of the State Constitution.

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

836 (e) Includes, ~~but is not limited to:~~

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

838 ~~1.2.~~ Leasing plans, real property acquisition plans,  
839 exploration budgets, or marketing studies, the disclosure of  
840 which would impair the efforts of the applicant or its  
841 affiliates to contract for goods or services or to acquire real  
842 property interests on favorable terms.

843 ~~2.3.~~ Competitive interests, which may include well design  
844 or completion plans, geological or engineering studies related  
845 to storage reservoir performance characteristics, or field  
846 utilization strategies or operating plans, the disclosure of  
847 which would impair the competitive business of the applicant  
848 providing the information.

849 Section 30. Section 381.83, Florida Statutes, is repealed.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

850 Section 31. Paragraph (c) of subsection (2) of section  
851 395.3035, Florida Statutes, is amended to read:

852 395.3035 Confidentiality of hospital records and  
853 meetings.-

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

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

860 Section 32. Subsection (2) and paragraph (b) of subsection  
861 (3) of section 403.7046, Florida Statutes, are amended to read:

862 403.7046 Regulation of recovered materials.-

863 (2) Notwithstanding s. 688.01, information reported  
864 pursuant to this section or any rule adopted pursuant to this  
865 section which, if disclosed, would reveal a trade secret, as  
866 defined in s. 688.01, may be provided by the department ~~812.081~~,  
867 ~~is confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~  
868 ~~I of the State Constitution. For reporting or information~~  
869 ~~purposes, however, the department may provide this information~~  
870 in such form that the names of the persons reporting such  
871 information and the specific information reported are not  
872 revealed. ~~This subsection is subject to the Open Government~~  
873 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

874 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
875 ~~repeal through reenactment by the Legislature.~~

876 (3) Except as otherwise provided in this section or  
877 pursuant to a special act in effect on or before January 1,  
878 1993, a local government may not require a commercial  
879 establishment that generates source-separated recovered  
880 materials to sell or otherwise convey its recovered materials to  
881 the local government or to a facility designated by the local  
882 government, nor may the local government restrict such a  
883 generator's right to sell or otherwise convey such recovered  
884 materials to any properly certified recovered materials dealer  
885 who has satisfied the requirements of this section. A local  
886 government may not enact any ordinance that prevents such a  
887 dealer from entering into a contract with a commercial  
888 establishment to purchase, collect, transport, process, or  
889 receive source-separated recovered materials.

890 (b)~~1~~. Before engaging in business within the jurisdiction  
891 of the local government, a recovered materials dealer or  
892 pyrolysis facility must provide the local government with a copy  
893 of the certification provided for in this section. In addition,  
894 the local government may establish a registration process  
895 whereby a recovered materials dealer or pyrolysis facility must  
896 register with the local government before engaging in business  
897 within the jurisdiction of the local government. Such  
898 registration process is limited to requiring the dealer or

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

899 pyrolysis facility to register its name, including the owner or  
900 operator of the dealer or pyrolysis facility, and, if the dealer  
901 or pyrolysis facility is a business entity, its general or  
902 limited partners, its corporate officers and directors, its  
903 permanent place of business, evidence of its certification under  
904 this section, and a certification that the recovered materials  
905 or post-use polymers will be processed at a recovered materials  
906 processing facility or pyrolysis facility satisfying the  
907 requirements of this section. The local government may not use  
908 the information provided in the registration application to  
909 compete unfairly with the recovered materials dealer until 90  
910 days after receipt of the application. All counties, and  
911 municipalities whose population exceeds 35,000 according to the  
912 population estimates determined pursuant to s. 186.901, may  
913 establish a reporting process that must be limited to the  
914 regulations, reporting format, and reporting frequency  
915 established by the department pursuant to this section, which  
916 must, at a minimum, include requiring the dealer or pyrolysis  
917 facility to identify the types and approximate amount of  
918 recovered materials or post-use polymers collected, recycled, or  
919 reused during the reporting period; the approximate percentage  
920 of recovered materials or post-use polymers reused, stored, or  
921 delivered to a recovered materials processing facility or  
922 pyrolysis facility or disposed of in a solid waste disposal  
923 facility; and the locations where any recovered materials or

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

924 post-use polymers were disposed of as solid waste. The local  
925 government may charge the dealer or pyrolysis facility a  
926 registration fee commensurate with and no greater than the cost  
927 incurred by the local government in operating its registration  
928 program. Registration program costs are limited to those costs  
929 associated with the activities described in this paragraph  
930 ~~subparagraph~~. Any reporting or registration process established  
931 by a local government with regard to recovered materials or  
932 post-use polymers is governed by this section and department  
933 rules adopted pursuant thereto.

934 ~~2. Information reported under this subsection which, if~~  
935 ~~disclosed, would reveal a trade secret, as defined in s.~~  
936 ~~812.081, is confidential and exempt from s. 119.07(1) and s.~~  
937 ~~24(a), Art. I of the State Constitution. This subparagraph is~~  
938 ~~subject to the Open Government Sunset Review Act in accordance~~  
939 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
940 ~~unless reviewed and saved from repeal through reenactment by the~~  
941 ~~Legislature.~~

942 Section 33. Section 403.73, Florida Statutes, is repealed.

943 Section 34. Paragraph (c) of subsection (1) of section  
944 408.061, Florida Statutes, is amended to read:

945 408.061 Data collection; uniform systems of financial  
946 reporting; information relating to physician charges;  
947 confidential information; immunity.-

Amendment No.

948 (1) The agency shall require the submission by health care  
949 facilities, health care providers, and health insurers of data  
950 necessary to carry out the agency's duties and to facilitate  
951 transparency in health care pricing data and quality measures.  
952 Specifications for data to be collected under this section shall  
953 be developed by the agency and applicable contract vendors, with  
954 the assistance of technical advisory panels including  
955 representatives of affected entities, consumers, purchasers, and  
956 such other interested parties as may be determined by the  
957 agency.

958 (c) Data to be submitted by health insurers may include,  
959 but are not limited to: claims, payments to health care  
960 facilities and health care providers as specified by rule,  
961 premium, administration, and financial information. Data  
962 submitted shall be certified by the chief financial officer, an  
963 appropriate and duly authorized representative, or an employee  
964 of the insurer that the information submitted is true and  
965 accurate. ~~Information that is considered a trade secret under s.~~  
966 ~~812.081 shall be clearly designated.~~

967 Section 35. Subsection (1) of section 408.185, Florida  
968 Statutes, is amended to read:

969 408.185 Information submitted for review of antitrust  
970 issues; confidentiality.—The following information held by the  
971 Office of the Attorney General, which is submitted by a member  
972 of the health care community pursuant to a request for an



Amendment No.

973 antitrust no-action letter shall be confidential and exempt from  
974 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
975 Constitution for 1 year after the date of submission.

976 ~~(1) Documents that reveal trade secrets as defined in s.~~  
977 ~~688.002.~~

978 Section 36. Paragraph (a) of subsection (14) of section  
979 408.910, Florida Statutes, is amended to read:

980 408.910 Florida Health Choices Program.—

981 (14) EXEMPTION FROM PUBLIC RECORDS REQUIREMENTS.—

982 (a) Definitions.—For purposes of this subsection, the  
983 term:

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

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

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

990 4. "Proprietary confidential business information" means  
991 information, regardless of form or characteristics, that is  
992 owned or controlled by a vendor requesting confidentiality under  
993 this section; that is intended to be and is treated by the  
994 vendor as private in that the disclosure of the information  
995 would cause harm to the business operations of the vendor; that  
996 has not been disclosed unless disclosed pursuant to a statutory  
997 provision, an order of a court or administrative body, or a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

998 private agreement providing that the information may be released  
999 to the public; and that is information concerning:  
1000 a. Business plans.  
1001 b. Internal auditing controls and reports of internal  
1002 auditors.  
1003 c. Reports of external auditors for privately held  
1004 companies.  
1005 d. Client and customer lists.  
1006 e. Potentially patentable material.  
1007 ~~f. A trade secret as defined in s. 688.002.~~  
1008 5. "Vendor" means a participating insurer or other  
1009 provider of services as described in paragraph (4) (d).  
1010 Section 37. Section 409.91196, Florida Statutes, is amended  
1011 to read:  
1012 409.91196 Supplemental rebate agreements; public records  
1013 and public meetings exemption.—  
1014 (1) The rebate amount, percent of rebate, manufacturer's  
1015 pricing, and supplemental rebate, ~~and other trade secrets as~~  
1016 ~~defined in s. 688.002 that the agency has identified for use in~~  
1017 ~~negotiations,~~ held by the Agency for Health Care Administration  
1018 under s. 409.912(5)(a)7. are confidential and exempt from s.  
1019 119.07(1) and s. 24(a), Art. I of the State Constitution.  
1020 (2) That portion of a meeting of the Medicaid  
1021 Pharmaceutical and Therapeutics Committee at which the rebate  
1022 amount, percent of rebate, manufacturer's pricing, or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1023 supplemental rebate, or confidential and exempt ~~other~~ trade  
1024 secrets as provided for in s. 688.01 ~~defined in s. 688.002~~ that  
1025 the agency has identified for use in negotiations, are discussed  
1026 is exempt from s. 286.011 and s. 24(b), Art. I of the State  
1027 Constitution. A record shall be made of each exempt portion of a  
1028 meeting. Such record must include the times of commencement and  
1029 termination, all discussions and proceedings, the names of all  
1030 persons present at any time, and the names of all persons  
1031 speaking. No exempt portion of a meeting may be held off the  
1032 record.

1033 Section 38. Paragraph (b) of subsection (2) of section  
1034 440.108, Florida Statutes, is amended to read:

1035 440.108 Investigatory records relating to workers'  
1036 compensation employer compliance; confidentiality.-

1037 (2) After an investigation is completed or ceases to be  
1038 active, information in records relating to the investigation  
1039 remains confidential and exempt from the provisions of s.  
1040 119.07(1) and s. 24(a), Art. I of the State Constitution if  
1041 disclosure of that information would:

1042 ~~(b) Reveal a trade secret, as defined in s. 688.002;~~

1043 Section 39. Paragraph (c) of subsection (1) of section  
1044 494.00125, Florida Statutes, is amended to read:

1045 494.00125 Public records exemptions.-

1046 (1) INVESTIGATIONS OR EXAMINATIONS.-

Amendment No.

1047 (c) Except as necessary for the office to enforce the  
1048 provisions of this chapter, a consumer complaint and other  
1049 information relative to an investigation or examination shall  
1050 remain confidential and exempt from s. 119.07(1) after the  
1051 investigation or examination is completed or ceases to be active  
1052 to the extent disclosure would:

1053 1. Jeopardize the integrity of another active  
1054 investigation or examination.

1055 2. Reveal the name, address, telephone number, social  
1056 security number, or any other identifying number or information  
1057 of any complainant, customer, or account holder.

1058 3. Disclose the identity of a confidential source.

1059 4. Disclose investigative techniques or procedures.

1060 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1061 Section 40. Subsection (4) of section 497.172, Florida  
1062 Statutes, is amended to read:

1063 497.172 Public records exemptions; public meetings  
1064 exemptions.-

1065 ~~(4) TRADE SECRETS. Trade secrets, as defined in s.~~  
1066 ~~688.002, held by the department or board, are confidential and~~  
1067 ~~exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
1068 ~~Constitution.~~

1069 Section 41. Paragraph (c) of subsection (3) of section  
1070 499.012, Florida Statutes, is amended to read:

1071 499.012 Permit application requirements.-

Amendment No.

1072 (3)

1073 ~~(c) Information submitted by an applicant on an~~  
1074 ~~application required pursuant to this subsection which is a~~  
1075 ~~trade secret, as defined in s. 812.081, shall be maintained by~~  
1076 ~~the department as trade secret information pursuant to s.~~  
1077 ~~499.051(7).~~

1078 Section 42. Paragraph (b) of subsection (7) of section  
1079 499.0121, Florida Statutes, is amended to read:

1080 499.0121 Storage and handling of prescription drugs;  
1081 recordkeeping.—The department shall adopt rules to implement  
1082 this section as necessary to protect the public health, safety,  
1083 and welfare. Such rules shall include, but not be limited to,  
1084 requirements for the storage and handling of prescription drugs  
1085 and for the establishment and maintenance of prescription drug  
1086 distribution records.

1087 (7) PRESCRIPTION DRUG PURCHASE LIST.—

1088 ~~(b) Such portions of the information required pursuant to~~  
1089 ~~this subsection which are a trade secret, as defined in s.~~  
1090 ~~812.081, shall be maintained by the department as trade secret~~  
1091 ~~information is required to be maintained under s. 499.051. This~~  
1092 ~~paragraph is subject to the Open Government Sunset Review Act in~~  
1093 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
1094 ~~2021, unless reviewed and saved from repeal through reenactment~~  
1095 ~~by the Legislature.~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1096 Section 43. Paragraph (g) of subsection (1) of section  
1097 499.05, Florida Statutes, is amended to read:

1098 499.05 Rules.—

1099 (1) The department shall adopt rules to implement and  
1100 enforce this chapter with respect to:

1101 (g) Inspections and investigations conducted under s.  
1102 499.051 or s. 499.93, ~~and the identification of information~~  
1103 ~~claimed to be a trade secret and exempt from the public records~~  
1104 ~~law as provided in s. 499.051(7).~~

1105 Section 44. Paragraph (b) of subsection (7) of section  
1106 499.051, Florida Statutes, is amended to read:

1107 499.051 Inspections and investigations.—

1108 (7)

1109 ~~(b) Information that constitutes a trade secret, as~~  
1110 ~~defined in s. 812.081, contained in the complaint or obtained by~~  
1111 ~~the department pursuant to the investigation must remain~~  
1112 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1113 ~~of the State Constitution as long as the information is held by~~  
1114 ~~the department. This paragraph is subject to the Open Government~~  
1115 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1116 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1117 ~~repeal through reenactment by the Legislature.~~

1118 Section 45. Section 499.931, Florida Statutes, is  
1119 repealed.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1120 Section 46. Paragraph (d) of subsection (11) of section  
1121 501.171, Florida Statutes, is amended to read:

1122 501.171 Security of confidential personal information.—

1123 (11) PUBLIC RECORDS EXEMPTION.—

1124 (d) For purposes of this subsection, the term "proprietary  
1125 information" means information that:

1126 1. Is owned or controlled by the covered entity.

1127 2. Is intended to be private and is treated by the covered  
1128 entity as private because disclosure would harm the covered  
1129 entity or its business operations.

1130 3. Has not been disclosed except as required by law or a  
1131 private agreement that provides that the information will not be  
1132 released to the public.

1133 4. Is not publicly available or otherwise readily  
1134 ascertainable through proper means from another source in the  
1135 same configuration as received by the department.

1136 5. Includes+

1137 ~~a. Trade secrets as defined in s. 688.002.~~

1138 ~~b.~~ competitive interests, the disclosure of which would  
1139 impair the competitive business of the covered entity who is the  
1140 subject of the information.

1141 Section 47. Section 502.222, Florida Statutes, is  
1142 repealed.

1143 Section 48. Paragraph (b) of subsection (1) of section  
1144 517.2015, Florida Statutes, is amended to read:

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1145 517.2015 Confidentiality of information relating to  
1146 investigations and examinations.-

1147 (1)

1148 (b) Except as necessary for the office to enforce the  
1149 provisions of this chapter, a consumer complaint and other  
1150 information relative to an investigation or examination shall  
1151 remain confidential and exempt from s. 119.07(1) after the  
1152 investigation or examination is completed or ceases to be active  
1153 to the extent disclosure would:

1154 1. Jeopardize the integrity of another active  
1155 investigation or examination.

1156 2. Reveal the name, address, telephone number, social  
1157 security number, or any other identifying number or information  
1158 of any complainant, customer, or account holder.

1159 3. Disclose the identity of a confidential source.

1160 4. Disclose investigative techniques or procedures.

1161 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1162 Section 49. Paragraph (b) of subsection (1) of section  
1163 520.9965, Florida Statutes, is amended to read:

1164 520.9965 Confidentiality of information relating to  
1165 investigations and examinations.-

1166 (1)

1167 (b) Except as necessary for the office to enforce the  
1168 provisions of this chapter, a consumer complaint and other  
1169 information relative to an investigation or examination shall



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1170 remain confidential and exempt from s. 119.07(1) after the  
1171 investigation or examination is completed or ceases to be active  
1172 to the extent disclosure would:

1173 1. Jeopardize the integrity of another active  
1174 investigation or examination.

1175 2. Reveal the name, address, telephone number, social  
1176 security number, or any other identifying number or information  
1177 of any complainant, customer, or account holder.

1178 3. Disclose the identity of a confidential source.

1179 4. Disclose investigative techniques or procedures.

1180 ~~5. Reveal a trade secret as defined in s. 688.002.~~

1181 Section 50. Subsection (2) of section 526.311, Florida  
1182 Statutes, is amended to read:

1183 526.311 Enforcement; civil penalties; injunctive relief.-

1184 (2) The Department of Agriculture and Consumer Services  
1185 shall investigate any complaints regarding violations of this  
1186 act and may request in writing the production of documents and  
1187 records as part of its investigation of a complaint. If the  
1188 person upon whom such request was made fails to produce the  
1189 documents or records within 30 days after the date of the  
1190 request, the department, through the department's office of  
1191 general counsel, may issue and serve a subpoena to compel the  
1192 production of such documents and records. If any person shall  
1193 refuse to comply with a subpoena issued under this section, the  
1194 department may petition a court of competent jurisdiction to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1195 enforce the subpoena and assess such sanctions as the court may  
1196 direct. Refiners shall afford the department reasonable access  
1197 to the refiners' posted terminal price. Any records, documents,  
1198 papers, maps, books, tapes, photographs, files, sound  
1199 recordings, or other business material, regardless of form or  
1200 characteristics, obtained by the department are confidential and  
1201 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1202 of the State Constitution while the investigation is pending. At  
1203 the conclusion of an investigation, any matter determined by the  
1204 department or by a judicial or administrative body, federal or  
1205 state, to be a ~~trade secret or~~ proprietary confidential business  
1206 information held by the department pursuant to such  
1207 investigation shall be considered confidential and exempt from  
1208 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1209 Constitution. Such materials may be used in any administrative  
1210 or judicial proceeding so long as the confidential or  
1211 proprietary nature of the material is maintained.

1212 Section 51. Paragraph (e) of subsection (1) of section  
1213 548.062, Florida Statutes, is amended to read:

1214 548.062 Public records exemption.—

1215 (1) As used in this section, the term "proprietary  
1216 confidential business information" means information that:

1217 (e) Concerns any of the following:

- 1218 1. The number of ticket sales for a match;  
1219 2. The amount of gross receipts after a match;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1220           ~~3. A trade secret, as defined in s. 688.002;~~  
1221           3.4. Business plans;  
1222           ~~4.5.~~ Internal auditing controls and reports of internal  
1223 auditors; or  
1224           ~~5.6.~~ Reports of external auditors.  
1225           Section 52. Paragraph (a) of subsection (1) of section  
1226 556.113, Florida Statutes, is amended to read:  
1227           556.113 Sunshine State One-Call of Florida, Inc.; public  
1228 records exemption.—  
1229           (1) As used in this section, the term "proprietary  
1230 confidential business information" means information provided  
1231 by:  
1232           (a) A member operator which is a map, plan, facility  
1233 location diagram, internal damage investigation report or  
1234 analysis, or dispatch methodology, ~~or trade secret as defined in~~  
1235 ~~s. 688.002,~~ or which describes the exact location of a utility  
1236 underground facility or the protection, repair, or restoration  
1237 thereof, and:  
1238           1. Is intended to be and is treated by the member operator  
1239 as confidential;  
1240           2. The disclosure of which would likely be used by a  
1241 competitor to harm the business interests of the member operator  
1242 or could be used for the purpose of inflicting damage on  
1243 underground facilities; and

Amendment No.

1244 3. Is not otherwise readily ascertainable or publicly  
1245 available by proper means by other persons from another source  
1246 in the same configuration as provided to Sunshine State One-Call  
1247 of Florida, Inc.

1248 Section 53. Paragraph (b) of subsection (2) of section  
1249 559.5558, Florida Statutes, is amended to read:

1250 559.5558 Public records exemption; investigations and  
1251 examinations.-

1252 (2)

1253 (b) Information made confidential and exempt pursuant to  
1254 this section is no longer confidential and exempt once the  
1255 investigation or examination is completed or ceases to be active  
1256 unless disclosure of the information would:

1257 1. Jeopardize the integrity of another active  
1258 investigation or examination.

1259 2. Reveal the personal identifying information of a  
1260 consumer, unless the consumer is also the complainant. A  
1261 complainant's personal identifying information is subject to  
1262 disclosure after the investigation or examination is completed  
1263 or ceases to be active. However, a complainant's personal  
1264 financial and health information remains confidential and  
1265 exempt.

1266 3. Reveal the identity of a confidential source.

1267 4. Reveal investigative or examination techniques or  
1268 procedures.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1269           5. ~~Reveal trade secrets, as defined in s. 688.002.~~  
1270           Section 54. Paragraph (c) of subsection (3) of section  
1271 559.9285, Florida Statutes, is amended to read:  
1272           559.9285 Certification of business activities.—  
1273           (3) The department shall specify by rule the form of each  
1274 certification under this section which shall include the  
1275 following information:  
1276           (c) The legal name, any trade names or fictitious names,  
1277 mailing address, physical address, telephone number or numbers,  
1278 facsimile number or numbers, and all Internet and electronic  
1279 contact information of every other commercial entity with which  
1280 the certifying party engages in business or commerce that is  
1281 related in any way to the certifying party's business or  
1282 commerce with any terrorist state. The information disclosed  
1283 pursuant to this paragraph does not constitute customer lists  
1284 or customer names, ~~or trade secrets~~ protected under s.  
1285 570.544(8) or trade secrets protected under s. 688.01.  
1286           Section 55. Subsection (2) of section 560.129, Florida  
1287 Statutes, is amended to read:  
1288           560.129 Confidentiality.—  
1289           (2) All information obtained by the office in the course  
1290 of its investigation or examination ~~which is a trade secret, as~~  
1291 ~~defined in s. 688.002, or~~ which is personal financial  
1292 information shall remain confidential and exempt from s.  
1293 119.07(1) and s. 24(a), Art. I of the State Constitution. If any

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1294 administrative, civil, or criminal proceeding against a money  
1295 services business, its authorized vendor, or an affiliated party  
1296 is initiated and the office seeks to use matter that a licensee  
1297 believes to be ~~a trade secret or~~ personal financial information,  
1298 such records shall be subject to an in camera review by the  
1299 administrative law judge, if the matter is before the Division  
1300 of Administrative Hearings, or a judge of any court of this  
1301 state, any other state, or the United States, as appropriate,  
1302 for the purpose of determining if the matter is ~~a trade secret~~  
1303 ~~or is~~ personal financial information. ~~If it is determined that~~  
1304 ~~the matter is a trade secret, the matter shall remain~~  
1305 ~~confidential.~~ If it is determined that the matter is personal  
1306 financial information, the matter shall remain confidential  
1307 unless the administrative law judge or judge determines that, in  
1308 the interests of justice, the matter should become public.

1309 Section 56. Subsection (3) of section 570.48, Florida  
1310 Statutes, is amended to read:

1311 570.48 Division of Fruit and Vegetables; powers and  
1312 duties; records.—The duties of the Division of Fruit and  
1313 Vegetables include, but are not limited to:

1314 (3) Maintaining the records of the division. The records  
1315 of the division are public records, ~~however, trade secrets as~~  
1316 ~~defined in s. 812.081 are confidential and exempt from s.~~  
1317 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~  
1318 ~~subsection is subject to the Open Government Sunset Review Act~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1319 ~~in accordance with s. 119.15 and shall stand repealed on October~~  
1320 ~~2, 2021, unless reviewed and saved from repeal through~~  
1321 ~~reenactment by the Legislature. This Section 688.01 may not be~~  
1322 ~~construed to prohibit-~~

1323 ~~(a) A disclosure necessary to enforcement procedures.~~

1324 ~~(b) The department from releasing information to other~~  
1325 ~~governmental agencies. Other governmental agencies that receive~~  
1326 ~~confidential information from the department under this~~  
1327 ~~subsection shall maintain the confidentiality of that~~  
1328 ~~information.~~

1329 ~~(c) the department or other agencies from compiling and~~  
1330 ~~publishing appropriate data regarding procedures, yield,~~  
1331 ~~recovery, quality, and related matters, provided such released~~  
1332 ~~data do not reveal by whom the activity to which the data relate~~  
1333 ~~was conducted.~~

1334 Section 57. Subsection (8) of section 570.544, Florida  
1335 Statutes, is amended to read:

1336 570.544 Division of Consumer Services; director; powers;  
1337 processing of complaints; records.-

1338 (8) The records of the Division of Consumer Services are  
1339 public records. However, customer lists and, customer names, ~~and~~  
1340 ~~trade secrets~~ are confidential and exempt from the provisions of  
1341 s. 119.07(1). Disclosure necessary to enforcement procedures  
1342 does not violate this prohibition.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1343 Section 58. Subsection (2) of section 573.123, Florida  
1344 Statutes, is amended to read:

1345 573.123 Maintenance and production of records.—

1346 ~~(2) Information that, if disclosed, would reveal a trade~~  
1347 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1348 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1349 ~~s. 24(a), Art. I of the State Constitution and may not be~~  
1350 ~~disclosed except to an attorney who provides legal advice to the~~  
1351 ~~division about enforcing a marketing order or by court order. A~~  
1352 ~~person who receives confidential information under this~~  
1353 ~~subsection shall maintain the confidentiality of that~~  
1354 ~~information. This subsection is subject to the Open Government~~  
1355 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1356 ~~repealed on October 2, 2021, unless reviewed and saved from~~  
1357 ~~repeal through reenactment by the Legislature.~~

1358 Section 59. Section 581.199, Florida Statutes, is  
1359 repealed.

1360 Section 60. Paragraph (b) of subsection (8) of section  
1361 601.10, Florida Statutes, is amended to read:

1362 601.10 Powers of the Department of Citrus.—The department  
1363 shall have and shall exercise such general and specific powers  
1364 as are delegated to it by this chapter and other statutes of the  
1365 state, which powers shall include, but are not limited to, the  
1366 following:

1367 (8)



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1368           ~~(b) Any information provided to the department which~~  
1369 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1370 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1371 ~~of the State Constitution. This paragraph is subject to the Open~~  
1372 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
1373 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
1374 ~~saved from repeal through reenactment by the Legislature.~~

1375           Section 61. Paragraph (d) of subsection (7) of section  
1376 601.15, Florida Statutes, is amended to read:

1377           601.15 Advertising campaign; methods of conducting;  
1378 assessments; emergency reserve fund; citrus research.—

1379           (7) All assessments levied and collected under this  
1380 chapter shall be paid into the State Treasury on or before the  
1381 15th day of each month. Such moneys shall be accounted for in a  
1382 special fund to be designated as the Florida Citrus Advertising  
1383 Trust Fund, and all moneys in such fund are appropriated to the  
1384 department for the following purposes:

1385           (d)1. The pro rata portion of moneys allocated to each  
1386 type of citrus product in noncommodity programs shall be used by  
1387 the department to encourage substantial increases in the  
1388 effectiveness, frequency, and volume of noncommodity  
1389 advertising, merchandising, publicity, and sales promotion of  
1390 such citrus products through rebates and incentive payments to  
1391 handlers and trade customers for these activities. The  
1392 department shall adopt rules providing for the use of such

Amendment No.

1393 moneys. The rules shall establish alternate incentive programs,  
1394 including at least one incentive program for product sold under  
1395 advertised brands, one incentive program for product sold under  
1396 private label brands, and one incentive program for product sold  
1397 in bulk. For each incentive program, the rules must establish  
1398 eligibility and performance requirements and must provide  
1399 appropriate limitations on amounts payable to a handler or trade  
1400 customer for a particular season. Such limitations may relate to  
1401 the amount of citrus assessments levied and collected on the  
1402 citrus product handled by such handler or trade customer during  
1403 a 12-month representative period.

1404 2. The department may require from participants in  
1405 noncommodity advertising and promotional programs commercial  
1406 information necessary to determine eligibility for and  
1407 performance in such programs. ~~Any information required which~~  
1408 ~~constitutes a trade secret as defined in s. 812.081 is~~  
1409 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~  
1410 ~~of the State Constitution. This subparagraph is subject to the~~  
1411 ~~Open Government Sunset Review Act in accordance with s. 119.15~~  
1412 ~~and shall stand repealed on October 2, 2021, unless reviewed and~~  
1413 ~~saved from repeal through reenactment by the Legislature.~~

1414 Section 62. Paragraph (c) of subsection (8) of section  
1415 601.152, Florida Statutes, is amended to read:

1416 601.152 Special marketing orders.—

1417 (8)

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1418 (c)~~1~~. Every handler shall, at such times as the department  
1419 may require, file with the department a return, not under oath,  
1420 on forms to be prescribed and furnished by the department,  
1421 certified as true and correct, stating the quantity of the type,  
1422 variety, and form of citrus fruit or citrus product specified in  
1423 the marketing order first handled in the primary channels of  
1424 trade in the state by such handler during the period of time  
1425 specified in the marketing order. Such returns must contain any  
1426 further information deemed by the department to be reasonably  
1427 necessary to properly administer or enforce this section or any  
1428 marketing order implemented under this section.

1429 ~~2. Information that, if disclosed, would reveal a trade~~  
1430 ~~secret, as defined in s. 812.081, of any person subject to a~~  
1431 ~~marketing order is confidential and exempt from s. 119.07(1) and~~  
1432 ~~s. 24(a), Art. I of the State Constitution. This subparagraph is~~  
1433 ~~subject to the Open Government Sunset Review Act in accordance~~  
1434 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
1435 ~~unless reviewed and saved from repeal through reenactment by the~~  
1436 ~~Legislature.~~

1437 Section 63. Section 601.76, Florida Statutes, is repealed.

1438 Section 64. Subsection (6) of section 607.0505, Florida  
1439 Statutes, is amended to read:

1440 607.0505 Registered agent; duties.—

1441 (6) Information provided to, and records and  
1442 transcriptions of testimony obtained by, the Department of Legal

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1443 Affairs pursuant to this section are confidential and exempt  
1444 from the provisions of s. 119.07(1) while the investigation is  
1445 active. For purposes of this section, an investigation shall be  
1446 considered "active" while such investigation is being conducted  
1447 with a reasonable, good faith belief that it may lead to the  
1448 filing of an administrative, civil, or criminal proceeding. An  
1449 investigation does not cease to be active so long as the  
1450 department is proceeding with reasonable dispatch and there is a  
1451 good faith belief that action may be initiated by the department  
1452 or other administrative or law enforcement agency. Except for  
1453 active criminal intelligence or criminal investigative  
1454 information, as defined in s. 119.011, and information which, if  
1455 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1456 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1457 information, records, and transcriptions become public record  
1458 when the investigation is completed or ceases to be active. The  
1459 department shall not disclose confidential information, records,  
1460 or transcriptions of testimony except pursuant to the  
1461 authorization by the Attorney General in any of the following  
1462 circumstances:

1463 (a) To a law enforcement agency participating in or  
1464 conducting a civil investigation under chapter 895, or  
1465 participating in or conducting a criminal investigation.

Amendment No.

1466 (b) In the course of filing, participating in, or  
1467 conducting a judicial proceeding instituted pursuant to this  
1468 section or chapter 895.

1469 (c) In the course of filing, participating in, or  
1470 conducting a judicial proceeding to enforce an order or judgment  
1471 entered pursuant to this section or chapter 895.

1472 (d) In the course of a criminal or civil proceeding.  
1473

1474 A person or law enforcement agency which receives any  
1475 information, record, or transcription of testimony that has been  
1476 made confidential by this subsection shall maintain the  
1477 confidentiality of such material and shall not disclose such  
1478 information, record, or transcription of testimony except as  
1479 provided for herein. Any person who willfully discloses any  
1480 information, record, or transcription of testimony that has been  
1481 made confidential by this subsection, except as provided for  
1482 herein, is guilty of a misdemeanor of the first degree,  
1483 punishable as provided in s. 775.082 or s. 775.083. If any  
1484 information, record, or testimony obtained pursuant to  
1485 subsection (2) is offered in evidence in any judicial  
1486 proceeding, the court may, in its discretion, seal that portion  
1487 of the record to further the policies of confidentiality set  
1488 forth herein.

1489 Section 65. Subsection (6) of section 617.0503, Florida  
1490 Statutes, is amended to read:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1491           617.0503 Registered agent; duties; confidentiality of  
1492 investigation records.-  
1493           (6) Information provided to, and records and  
1494 transcriptions of testimony obtained by, the Department of Legal  
1495 Affairs pursuant to this section are confidential and exempt  
1496 from the provisions of s. 119.07(1) and s. 24(a), Art. I of the  
1497 State Constitution while the investigation is active. For  
1498 purposes of this section, an investigation shall be considered  
1499 "active" while such investigation is being conducted with a  
1500 reasonable, good faith belief that it may lead to the filing of  
1501 an administrative, civil, or criminal proceeding. An  
1502 investigation does not cease to be active so long as the  
1503 department is proceeding with reasonable dispatch and there is a  
1504 good faith belief that action may be initiated by the department  
1505 or other administrative or law enforcement agency. Except for  
1506 active criminal intelligence or criminal investigative  
1507 information, as defined in s. 119.011, and information which, if  
1508 disclosed, ~~would reveal a trade secret, as defined in s.~~  
1509 ~~688.002, or~~ would jeopardize the safety of an individual, all  
1510 information, records, and transcriptions become available to the  
1511 public when the investigation is completed or ceases to be  
1512 active. The department shall not disclose confidential  
1513 information, records, or transcriptions of testimony except  
1514 pursuant to authorization by the Attorney General in any of the  
1515 following circumstances:

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Amendment No.

1516 (a) To a law enforcement agency participating in or  
1517 conducting a civil investigation under chapter 895, or  
1518 participating in or conducting a criminal investigation.

1519 (b) In the course of filing, participating in, or  
1520 conducting a judicial proceeding instituted pursuant to this  
1521 section or chapter 895.

1522 (c) In the course of filing, participating in, or  
1523 conducting a judicial proceeding to enforce an order or judgment  
1524 entered pursuant to this section or chapter 895.

1525 (d) In the course of a criminal proceeding.

1526

1527 A person or law enforcement agency that receives any  
1528 information, record, or transcription of testimony that has been  
1529 made confidential by this subsection shall maintain the  
1530 confidentiality of such material and shall not disclose such  
1531 information, record, or transcription of testimony except as  
1532 provided for herein. Any person who willfully discloses any  
1533 information, record, or transcription of testimony that has been  
1534 made confidential by this subsection, except as provided for in  
1535 this subsection, commits a misdemeanor of the first degree,  
1536 punishable as provided in s. 775.082 or s. 775.083. If any  
1537 information, record, or testimony obtained pursuant to  
1538 subsection (2) is offered in evidence in any judicial  
1539 proceeding, the court may, in its discretion, seal that portion

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1540 of the record to further the policies of confidentiality set  
1541 forth in this subsection.

1542 Section 66. Paragraph (c) of subsection (1) of section  
1543 624.4212, Florida Statutes, is amended to read:

1544 624.4212 Confidentiality of proprietary business and other  
1545 information.—

1546 (1) As used in this section, the term "proprietary  
1547 business information" means information, regardless of form or  
1548 characteristics, which is owned or controlled by an insurer, or  
1549 a person or an affiliated person who seeks acquisition of  
1550 controlling stock in a domestic stock insurer or controlling  
1551 company, and which:

1552 (c) Includes:

1553 ~~1. Trade secrets as defined in s. 688.002 which comply~~  
1554 ~~with s. 624.4213.~~

1555 ~~1.2-~~ Information relating to competitive interests, the  
1556 disclosure of which would impair the competitive business of the  
1557 provider of the information.

1558 ~~2.3-~~ The source, nature, and amount of the consideration  
1559 used or to be used in carrying out a merger or other acquisition  
1560 of control in the ordinary course of business, including the  
1561 identity of the lender, if the person filing a statement  
1562 regarding consideration so requests.

1563 ~~3.4-~~ Information relating to bids or other contractual  
1564 data, the disclosure of which would impair the efforts of the



Amendment No.

1565 insurer or its affiliates to contract for goods or services on  
1566 favorable terms.

1567 ~~4.5.~~ Internal auditing controls and reports of internal  
1568 auditors.

1569 Section 67. Section 624.4213, Florida Statutes, is  
1570 repealed.

1571 Section 68. Paragraph (d) of subsection (1) of section  
1572 626.84195, Florida Statutes, is amended to read:

1573 626.84195 Confidentiality of information supplied by title  
1574 insurance agencies and insurers.—

1575 (1) As used in this section, the term "proprietary  
1576 business information" means information that:

1577 (d) Concerns:

1578 1. Business plans;

1579 2. Internal auditing controls and reports of internal  
1580 auditors;

1581 3. Reports of external auditors for privately held  
1582 companies;

1583 ~~4. Trade secrets, as defined in s. 688.002; or~~

1584 ~~4.5.~~ Financial information, including revenue data, loss  
1585 expense data, gross receipts, taxes paid, capital investment,  
1586 and employee wages.

1587 Section 69. Subsection (2) of section 626.884, Florida  
1588 Statutes, is amended to read:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1589 626.884 Maintenance of records by administrator; access;  
1590 confidentiality.-

1591 (2) The office shall have access to books and records  
1592 maintained by the administrator for the purpose of examination,  
1593 audit, and inspection. ~~Information contained in such books and~~  
1594 ~~records is confidential and exempt from the provisions of s.~~  
1595 ~~119.07(1) if the disclosure of such information would reveal a~~  
1596 ~~trade secret as defined in s. 688.002. However, the office may~~  
1597 ~~use such information in any proceeding instituted against the~~  
1598 ~~administrator.~~

1599 Section 70. Subsection (1) of section 626.9936, Florida  
1600 Statutes, is amended to read:

1601 626.9936 Access to records.-

1602 (1) Notwithstanding subsections (1) and (2) of Article  
1603 VIII, subsection (2) of Article X, and subsection (6) of Article  
1604 XII of the Interstate Insurance Product Regulation Compact, a  
1605 request by a resident of this state for public inspection and  
1606 copying of information, data, or official records that includes-

1607 ~~(a) An insurer's trade secrets shall be referred to the~~  
1608 ~~commissioner who shall respond to the request, with the~~  
1609 ~~cooperation and assistance of the commission, in accordance with~~  
1610 ~~s. 624.4213; or~~

1611 ~~(b) matters of privacy of individuals shall be referred to~~  
1612 ~~the commissioner who shall respond to the request, with the~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1613 cooperation and assistance of the commission, in accordance with  
1614 s. 119.07(1).

1615 Section 71. Paragraph (g) of subsection (3) of section  
1616 627.0628, Florida Statutes, is amended to read:

1617 627.0628 Florida Commission on Hurricane Loss Projection  
1618 Methodology; public records exemption; public meetings  
1619 exemption.—

1620 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

1621 (g) ~~1. A trade secret, as defined in s. 688.002, which is~~  
1622 ~~used in designing and constructing a hurricane or flood loss~~  
1623 ~~model and which is provided pursuant to this section, by a~~  
1624 ~~private company, to the commission, office, or consumer advocate~~  
1625 ~~appointed pursuant to s. 627.0613 is confidential and exempt~~  
1626 ~~from s. 119.07(1) and s. 24(a), Art. I of the State~~  
1627 ~~Constitution.~~

1628 1.2.a. That portion of a meeting of the commission or of a  
1629 rate proceeding on an insurer's rate filing at which a trade  
1630 secret made confidential and exempt pursuant to s. 688.01 by  
1631 ~~this paragraph~~ is discussed is exempt from s. 286.011 and s.  
1632 24(b), Art. I of the State Constitution. The closed meeting must  
1633 be recorded, and no portion of the closed meeting may be off the  
1634 record.

1635 2.b. The recording of a closed portion of a meeting is  
1636 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1637 Constitution.

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1638 ~~e. This paragraph is subject to the Open Government Sunset~~  
1639 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
1640 ~~on October 2, 2019, unless reviewed and saved from repeal~~  
1641 ~~through reenactment by the Legislature.~~

1642 Section 72. Paragraphs (a) and (c) of subsection (11) of  
1643 section 627.3518, Florida Statutes, is amended to read:

1644 627.3518 Citizens Property Insurance Corporation  
1645 policyholder eligibility clearinghouse program.—The purpose of  
1646 this section is to provide a framework for the corporation to  
1647 implement a clearinghouse program by January 1, 2014.

1648 (11) Proprietary business information provided to the  
1649 corporation's clearinghouse by insurers with respect to  
1650 identifying and selecting risks for an offer of coverage is  
1651 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
1652 of the State Constitution.

1653 (a) As used in this subsection, the term "proprietary  
1654 business information" means information, regardless of form or  
1655 characteristics, which is owned or controlled by an insurer and:

1656 1. Is identified by the insurer as proprietary business  
1657 information and is intended to be and is treated by the insurer  
1658 as private in that the disclosure of the information would cause  
1659 harm to the insurer, an individual, or the company's business  
1660 operations and has not been disclosed unless disclosed pursuant  
1661 to a statutory requirement, an order of a court or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1662 administrative body, or a private agreement that provides that  
1663 the information will not be released to the public;

1664 2. Is not otherwise readily ascertainable or publicly  
1665 available by proper means by other persons from another source  
1666 in the same configuration as provided to the clearinghouse; and

1667 3. Includes, ~~but is not limited to:~~

1668 a. ~~Trade secrets.~~

1669 b. information relating to competitive interests, the  
1670 disclosure of which would impair the competitive business of the  
1671 provider of the information.

1672

1673 Proprietary business information may be found in underwriting  
1674 criteria or instructions which are used to identify and select  
1675 risks through the program for an offer of coverage and are  
1676 shared with the clearinghouse to facilitate the shopping of  
1677 risks with the insurer.

1678 ~~(c) This subsection is subject to the Open Government~~  
1679 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
1680 ~~repealed on October 2, 2018, unless reviewed and saved from~~  
1681 ~~repeal through reenactment by the Legislature.~~

1682 Section 73. Subsections (4), (5), (14), and (15) of  
1683 section 655.057, Florida Statutes, are amended to read:

1684 655.057 Records; limited restrictions upon public access.-

1685 ~~(4) Except as otherwise provided in this section and~~  
1686 ~~except for those portions that are otherwise public record,~~

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1687 ~~trade secrets as defined in s. 688.002 which comply with s.~~  
1688 ~~655.0591 and which are held by the office in accordance with its~~  
1689 ~~statutory duties with respect to the financial institutions~~  
1690 ~~codes are confidential and exempt from s. 119.07(1) and s.~~  
1691 ~~24(a), Art. I of the State Constitution.~~

1692 (4)(5) Neither this section nor s. 688.01 prevents ~~does~~  
1693 ~~not prevent~~ or restricts ~~restrict~~:

1694 (a) Publishing reports that are required to be submitted  
1695 to the office pursuant to s. 655.045(2) or required by  
1696 applicable federal statutes or regulations to be published.

1697 (b) Furnishing records or information to any other state,  
1698 federal, or foreign agency responsible for the regulation or  
1699 supervision of financial institutions.

1700 (c) Disclosing or publishing summaries of the condition  
1701 of financial institutions and general economic and similar  
1702 statistics and data, provided that the identity of a particular  
1703 financial institution is not disclosed.

1704 (d) Reporting any suspected criminal activity, with  
1705 supporting documents and information, to appropriate law  
1706 enforcement and prosecutorial agencies.

1707 (e) Furnishing information upon request to the Chief  
1708 Financial Officer or the Division of Treasury of the Department  
1709 of Financial Services regarding the financial condition of any  
1710 financial institution that is, or has applied to be, designated  
1711 as a qualified public depository pursuant to chapter 280.

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1712 (f) Furnishing information to Federal Home Loan Banks  
1713 regarding its member institutions pursuant to an information  
1714 sharing agreement between the Federal Home Loan Banks and the  
1715 office.

1716  
1717 Any confidential information or records obtained from the office  
1718 pursuant to this subsection shall be maintained as confidential  
1719 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
1720 Constitution.

1721 (14) This section is ~~Subsections (3) and (4) are subject~~  
1722 ~~to the Open Government Sunset Review Act in accordance with s.~~  
1723 ~~119.15 and is are repealed on October 2, 2019, unless reviewed~~  
1724 ~~and saved from repeal through reenactment by the Legislature.~~

1725 ~~(15) Subsections (1), (2), (4) (5), and (8) (9) are subject~~  
1726 ~~to the Open Government Sunset Review Act in accordance with s.~~  
1727 ~~119.15 and is are repealed on October 2, 2022, unless reviewed~~  
1728 ~~and saved from repeal through reenactment by the Legislature.~~

1729 Section 74. Section 655.0591, Florida Statutes, is  
1730 repealed.

1731 Section 75. Subsection (11) of section 663.533, Florida  
1732 Statutes, is amended to read:

1733 663.533 Applicability of the financial institutions  
1734 codes.—A qualified limited service affiliate is subject to the  
1735 financial institutions codes. Without limiting the foregoing,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1736 the following provisions are applicable to a qualified limited  
1737 service affiliate:

1738 (11) Section 688.01 ~~655.0591~~, relating to trade secret  
1739 documents.

1740

1741 This section does not prohibit the office from investigating or  
1742 examining an entity to ensure that it is not in violation of  
1743 this chapter or applicable provisions of the financial  
1744 institutions codes.

1745 Section 76. Section 721.071, Florida Statutes, is  
1746 repealed.

1747 Section 77. Subsections (3) and (4) of section 815.04,  
1748 Florida Statutes, are amended to read:

1749 815.04 Offenses against intellectual property; ~~public~~  
1750 ~~records exemption.~~

1751 ~~(3) Data, programs, or supporting documentation that is a~~  
1752 ~~trade secret as defined in s. 812.081, that is held by an agency~~  
1753 ~~as defined in chapter 119, and that resides or exists internal~~  
1754 ~~or external to a computer, computer system, computer network, or~~  
1755 ~~electronic device is confidential and exempt from the provisions~~  
1756 ~~of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
1757 ~~This subsection is subject to the Open Government Sunset Review~~  
1758 ~~Act in accordance with s. 119.15 and shall stand repealed on~~  
1759 ~~October 2, 2021, unless reviewed and saved from repeal through~~  
1760 ~~reenactment by the Legislature.~~

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1761            (3)~~(4)~~ A person who willfully, knowingly, and without  
1762 authorization discloses or takes data, programs, or supporting  
1763 documentation that is a trade secret as defined in s. 812.081 ~~or~~  
1764 ~~is confidential as provided by law~~ residing or existing internal  
1765 or external to a computer, computer system, computer network, or  
1766 electronic device commits an offense against intellectual  
1767 property.

1768            Section 78. Section 815.045, Florida Statutes, is  
1769 repealed.

1770            Section 79. Subsection (2) of section 1004.22, Florida  
1771 Statutes, is amended to read:

1772            1004.22 Divisions of sponsored research at state  
1773 universities.—

1774            (2) The university shall set such policies to regulate the  
1775 activities of the divisions of sponsored research as it may  
1776 consider necessary to administer the research programs in a  
1777 manner which assures efficiency and effectiveness, producing the  
1778 maximum benefit for the educational programs and maximum service  
1779 to the state. To this end, materials that relate to methods of  
1780 manufacture or production, ~~potential trade secrets,~~ potentially  
1781 patentable material, ~~actual trade secrets,~~ business  
1782 transactions, or proprietary information received, generated,  
1783 ascertained, or discovered during the course of research  
1784 conducted within the state universities shall be confidential  
1785 and exempt from the provisions of s. 119.07(1), except that a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1786 division of sponsored research shall make available upon request  
1787 the title and description of a research project, the name of the  
1788 researcher, and the amount and source of funding provided for  
1789 such project.

1790 Section 80. Paragraph (c) of subsection (2) and  
1791 subsections (3), (4), and (7) of section 1004.30, Florida  
1792 Statutes, are amended to read:

1793 1004.30 University health services support organization;  
1794 confidentiality of information.—

1795 (2) The following university health services support  
1796 organization's records and information are confidential and  
1797 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
1798 of the State Constitution:

1799 ~~(e) Trade secrets, as defined in s. 688.002, including~~  
1800 ~~reimbursement methodologies and rates.~~

1801 (3) Any portion of a governing board or peer review panel  
1802 or committee meeting during which a confidential and exempt  
1803 contract, document, record, or marketing plan, ~~or trade secret~~,  
1804 as provided for in subsection (2), or a confidential and exempt  
1805 trade secret, as provided for in s. 688.01, is discussed is  
1806 exempt from the provisions of s. 286.011 and s. 24(b), Art. I of  
1807 the State Constitution.

1808 (4) Those portions of any public record, such as a tape  
1809 recording, minutes, and notes, generated during that portion of  
1810 a governing board or peer review panel or committee meeting

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1811 which is closed to the public pursuant to this section, ~~which~~  
1812 ~~contain information relating to contracts, documents, records,~~  
1813 ~~marketing plans, or trade secrets which are made confidential~~  
1814 ~~and exempt by this section,~~ are confidential and exempt from the  
1815 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
1816 Constitution.

1817 (7) Those portions of any public record, such as a tape  
1818 recording, minutes, or notes, generated during that portion of a  
1819 governing board meeting at which negotiations for contracts for  
1820 managed-care arrangements occur, are reported on, or are acted  
1821 on by the governing board, which record is made confidential and  
1822 exempt by subsection (4), shall become public records 2 years  
1823 after the termination or completion of the term of the contract  
1824 to which such negotiations relate or, if no contract was  
1825 executed, 2 years after the termination of the negotiations.  
1826 Notwithstanding paragraph (2)(a) and subsection (4), a  
1827 university health services support organization must make  
1828 available, upon request, the title and general description of a  
1829 contract for managed-care arrangements, the names of the  
1830 contracting parties, and the duration of the contract term. All  
1831 contracts for managed-care arrangements which are made  
1832 confidential and exempt by paragraph (2)(a), except those  
1833 portions of any contract containing trade secrets which are made  
1834 confidential and exempt by s. 688.01 ~~paragraph (2)(c)~~, shall

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1835 become public 2 years after the termination or completion of the  
1836 term of the contract.

1837 Section 81. Paragraph (b) of subsection (8) of section  
1838 1004.43, Florida Statutes, is amended to read:

1839 1004.43 H. Lee Moffitt Cancer Center and Research  
1840 Institute.—There is established the H. Lee Moffitt Cancer Center  
1841 and Research Institute, a statewide resource for basic and  
1842 clinical research and multidisciplinary approaches to patient  
1843 care.

1844 (8)

1845 (b) Proprietary confidential business information is  
1846 confidential and exempt from the provisions of s. 119.07(1) and  
1847 s. 24(a), Art. I of the State Constitution. However, the Auditor  
1848 General, the Office of Program Policy Analysis and Government  
1849 Accountability, and the Board of Governors, pursuant to their  
1850 oversight and auditing functions, must be given access to all  
1851 proprietary confidential business information upon request and  
1852 without subpoena and must maintain the confidentiality of  
1853 information so received. As used in this paragraph, the term  
1854 "proprietary confidential business information" means  
1855 information, regardless of its form or characteristics, which is  
1856 owned or controlled by the not-for-profit corporation or its  
1857 subsidiaries; is intended to be and is treated by the not-for-  
1858 profit corporation or its subsidiaries as private and the  
1859 disclosure of which would harm the business operations of the

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Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1860 not-for-profit corporation or its subsidiaries; has not been  
1861 intentionally disclosed by the corporation or its subsidiaries  
1862 unless pursuant to law, an order of a court or administrative  
1863 body, a legislative proceeding pursuant to s. 5, Art. III of the  
1864 State Constitution, or a private agreement that provides that  
1865 the information may be released to the public; and which is  
1866 information concerning:

1867 1. Internal auditing controls and reports of internal  
1868 auditors;

1869 2. Matters reasonably encompassed in privileged attorney-  
1870 client communications;

1871 3. Contracts for managed-care arrangements, including  
1872 preferred provider organization contracts, health maintenance  
1873 organization contracts, and exclusive provider organization  
1874 contracts, and any documents directly relating to the  
1875 negotiation, performance, and implementation of any such  
1876 contracts for managed-care arrangements;

1877 4. Bids or other contractual data, banking records, and  
1878 credit agreements the disclosure of which would impair the  
1879 efforts of the not-for-profit corporation or its subsidiaries to  
1880 contract for goods or services on favorable terms;

1881 5. Information relating to private contractual data, the  
1882 disclosure of which would impair the competitive interest of the  
1883 provider of the information;

1884 6. Corporate officer and employee personnel information;

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1885           7. Information relating to the proceedings and records of  
1886 credentialing panels and committees and of the governing board  
1887 of the not-for-profit corporation or its subsidiaries relating  
1888 to credentialing;

1889           8. Minutes of meetings of the governing board of the not-  
1890 for-profit corporation and its subsidiaries, except minutes of  
1891 meetings open to the public pursuant to subsection (9);

1892           9. Information that reveals plans for marketing services  
1893 that the corporation or its subsidiaries reasonably expect to be  
1894 provided by competitors;

1895           10. ~~Trade secrets as defined in s. 688.002, including:~~

1896           ~~a.~~ Information relating to methods of manufacture or  
1897 production, ~~potential trade secrets~~, potentially patentable  
1898 materials, or proprietary information received, generated,  
1899 ascertained, or discovered during the course of research  
1900 conducted by the not-for-profit corporation or its subsidiaries;  
1901 and

1902           ~~11.b.~~ Reimbursement methodologies or rates;

1903           ~~12.11.~~ The identity of donors or prospective donors of  
1904 property who wish to remain anonymous or any information  
1905 identifying such donors or prospective donors. The anonymity of  
1906 these donors or prospective donors must be maintained in the  
1907 auditor's report; or

1908           ~~13.12.~~ Any information received by the not-for-profit  
1909 corporation or its subsidiaries from an agency in this or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1910 another state or nation or the Federal Government which is  
1911 otherwise exempt or confidential pursuant to the laws of this or  
1912 another state or nation or pursuant to federal law.

1913

1914 As used in this paragraph, the term "managed care" means systems  
1915 or techniques generally used by third-party payors or their  
1916 agents to affect access to and control payment for health care  
1917 services. Managed-care techniques most often include one or more  
1918 of the following: prior, concurrent, and retrospective review of  
1919 the medical necessity and appropriateness of services or site of  
1920 services; contracts with selected health care providers;  
1921 financial incentives or disincentives related to the use of  
1922 specific providers, services, or service sites; controlled  
1923 access to and coordination of services by a case manager; and  
1924 payor efforts to identify treatment alternatives and modify  
1925 benefit restrictions for high-cost patient care.

1926 Section 82. Paragraph (a) of subsection (2) of section  
1927 1004.4472, Florida Statutes, is amended to read:

1928 1004.4472 Florida Institute for Human and Machine  
1929 Cognition, Inc.; public records exemption; public meetings  
1930 exemption.—

1931 (2) The following information held by the corporation or  
1932 its subsidiary is confidential and exempt from s. 119.07(1) and  
1933 s. 24(a), Art. I of the State Constitution:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1934 (a) Material relating to methods of manufacture or  
1935 production, ~~potential trade secrets~~, patentable material, actual  
1936 ~~trade secrets as defined in s. 688.002~~ or proprietary  
1937 information received, generated, ascertained, or discovered  
1938 during the course of research conducted by or through the  
1939 corporation or a subsidiary, and business transactions resulting  
1940 from such research.

1941 Section 83. Subsection (2) of section 1004.78, Florida  
1942 Statutes, is amended to read:

1943 1004.78 Technology transfer centers at Florida College  
1944 System institutions.-

1945 (2) The Florida College System institution board of  
1946 trustees shall set such policies to regulate the activities of  
1947 the technology transfer center as it may consider necessary to  
1948 effectuate the purposes of this section and to administer the  
1949 programs of the center in a manner which assures efficiency and  
1950 effectiveness, producing the maximum benefit for the educational  
1951 programs and maximum service to the state. To this end,  
1952 materials that relate to methods of manufacture or production,  
1953 ~~potential trade secrets~~, potentially patentable material, actual  
1954 ~~trade secrets~~, business transactions, or proprietary information  
1955 received, generated, ascertained, or discovered during the  
1956 course of activities conducted within the Florida College System  
1957 institutions shall be confidential and exempt from the  
1958 provisions of s. 119.07(1), except that a Florida College System

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

1959 institution shall make available upon request the title and  
1960 description of a project, the name of the investigator, and the  
1961 amount and source of funding provided for such project.

1962 Section 84. Section 601.80, Florida Statutes, is amended  
1963 to read:

1964 601.80 Unlawful to use uncertified coloring matter.—It is  
1965 unlawful for any person to use on oranges or citrus hybrids any  
1966 coloring matter which has not first received the approval of the  
1967 Department of Agriculture ~~as provided under s. 601.76.~~

1968 Section 85. Subsection (11) of section 663.533, Florida  
1969 Statutes, is amended to read:

1970 663.533 Applicability of the financial institutions  
1971 codes.—A qualified limited service affiliate is subject to the  
1972 financial institutions codes. Without limiting the foregoing,  
1973 the following provisions are applicable to a qualified limited  
1974 service affiliate:

1975 ~~(11) Section 655.0591, relating to trade secret documents.~~

1976

1977 This section does not prohibit the office from investigating or  
1978 examining an entity to ensure that it is not in violation of  
1979 this chapter or applicable provisions of the financial  
1980 institutions codes.

1981 Section 86. Paragraph (c) of subsection (12) of section  
1982 721.13, Florida Statutes, is amended to read:

1983 721.13 Management.—

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Amendment No.

1984 (12)

1985 (c) The managing entity shall maintain copies of all  
1986 records, data, and information supporting the processes,  
1987 analyses, procedures, and methods utilized by the managing  
1988 entity in its determination to reserve accommodations of the  
1989 timeshare plan pursuant to this subsection for a period of 5  
1990 years from the date of such determination. In the event of an  
1991 investigation by the division for failure of a managing entity  
1992 to comply with this subsection, the managing entity shall make  
1993 all such records, data, and information available to the  
1994 division for inspection, ~~provided that if the managing entity~~  
1995 ~~complies with the provisions of s. 721.071, any such records,~~  
1996 ~~data, and information provided to the division shall constitute~~  
1997 ~~a trade secret pursuant to that section.~~

1998 Section 87. Paragraphs (a) and (c) of subsection (3) of  
1999 section 921.0022, Florida Statutes, are amended to read:

2000 921.0022 Criminal Punishment Code; offense severity  
2001 ranking chart.-

2002 (3) OFFENSE SEVERITY RANKING CHART

2003 (a) LEVEL 1

2004

Florida	Felony	
Statute	Degree	Description

2005

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2006	24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
2007	212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
2008	212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
2009	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
2010	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
2011	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
2012	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2013	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
2014	322.212(4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
2015	322.212(5) (a)	3rd	False application for driver license or identification card.
2016	414.39(3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
2017	443.071(1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2018	509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
2019	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
2020	562.27(1)	3rd	Possess still or still apparatus.
2021	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
2022	812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
2023	812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2024	<u>815.04(4)(a)</u> <del>815.04(5)(a)</del>	3rd	Offense against intellectual property (i.e., computer programs, data).
2025	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
2026	817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
2027	826.01	3rd	Bigamy.
2028	828.122(3)	3rd	Fighting or baiting animals.
2029	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

			substances, all but s. 893.03(5) drugs.
2030	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
2031	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.
2032	838.15(2)	3rd	Commercial bribe receiving.
2033	838.16	3rd	Commercial bribery.
2034	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
2035	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
2036	849.01	3rd	Keeping gambling house.
2037			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2038	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
2039	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
2040	849.25(2)	3rd	Engaging in bookmaking.
2041	860.08	3rd	Interfere with a railroad signal.
2042	860.13(1)(a)	3rd	Operate aircraft while under the influence.
2043	893.13(2)(a)2.	3rd	Purchase of cannabis.
2044	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2045	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
2046	(c) LEVEL 3		
2047			
	Florida	Felony	
	Statute	Degree	Description
2048			
	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
2049			
	316.066	3rd	Unlawfully obtaining or using confidential crash reports.
	(3)(b)-(d)		
2050			
	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
2051			
	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2052			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2053	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2054	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2055	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
2056	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2057	327.35(2)(b)	3rd	Felony BUI.
2058	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2059	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2060	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2061	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.
2062	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.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2063	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2064	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2065	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2066	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2067	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2068	624.401(4) (a)	3rd	Transacting insurance without a certificate of authority.
2069	624.401(4) (b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2070	626.902(1) (a) & (b)	3rd	Representing an unauthorized insurer.
2071	697.08	3rd	Equity skimming.
2072	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
2073	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2074	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2075	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2076	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2077	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2078	<u>815.04(4)(b)</u> <del>815.04(5)(b)</del>	2nd	Computer offense devised to defraud or obtain property.
2079	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2080	817.233	3rd	Burning to defraud insurer.
	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2081	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
2082	817.236	3rd	Filing a false motor vehicle insurance application.
2083	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2084	817.413(2)	3rd	Sale of used goods as new.
2085	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2086	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2087			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2088	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2089	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
2090	843.19	3rd	Injure, disable, or kill police dog or horse.
2091	860.15(3)	3rd	Overcharging for repairs and parts.
2092	870.01(2)	3rd	Riot; inciting or encouraging.
2093	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)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
	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)5.,



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs  
within 1,000 feet of  
university.

2094

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) 5.,  
(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs  
within 1,000 feet of public  
housing facility.

2095

893.13 (4) (c)            3rd    Use or hire of minor; deliver  
to minor other controlled  
substances.

2096

893.13 (6) (a)            3rd    Possession of any controlled  
substance other than felony  
possession of cannabis.

2097

893.13 (7) (a) 8.            3rd    Withhold information from  
practitioner regarding previous  
receipt of or prescription for  
a controlled substance.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2098	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2099	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
2100	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2101	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.
2102			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2103	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.
2104	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2105	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.
2106	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
2107	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2108 944.47(1)(c) 2nd Possess contraband while upon  
the grounds of a correctional  
institution.

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

2109 Section 88. This act shall take effect upon becoming a law  
2110 if HB 461 or similar legislation is adopted in the same  
2111 legislative session or an extension thereof and becomes law.  
2112  
2113

2114 -----  
2115 T I T L E A M E N D M E N T

2116 Remove everything before the enacting clause and insert:  
2117 An act relating to public records; creating s. 119.07135, F.S.;  
2118 providing that certain information related to agency contracts  
2119 is not confidential or exempt from public records requirements;  
2120 amending s. 24.105, F.S.; deleting provisions relating to  
2121 exemptions from public records requirements for certain  
2122 information held by the Department of the Lottery; amending s.  
2123 73.0155, F.S.; deleting provisions relating to public records  
2124 exemptions for trade secrets held by governmental condemning  
2125 authorities; amending s. 119.071, F.S.; deleting a provision

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2126 declaring that certain data processing software exempt from  
2127 public records requirements is considered a trade secret;  
2128 removing the scheduled repeal of the public record exemption;  
2129 amending s. 119.0713, F.S.; deleting a provision exempting trade  
2130 secrets held by local government agencies from public records  
2131 requirements; amending s. 125.0104, F.S.; deleting a provision  
2132 exempting trade secrets held by county tourism development  
2133 agencies from public records requirements; amending s. 163.01,  
2134 F.S.; deleting a provision exempting trade secrets held by  
2135 public agencies that are electric utilities from public records  
2136 requirements; amending s. 202.195, F.S.; deleting a provision  
2137 exempting trade secrets obtained from a telecommunications  
2138 company or franchised cable company for certain purposes from  
2139 public records requirements; amending s. 215.4401, F.S.;  
2140 deleting provisions relating to confidentiality of trade secrets  
2141 held by the State Board of Administration; amending s. 252.88,  
2142 F.S.; deleting provisions exempting certain information from  
2143 public records requirements under the Florida Emergency Planning  
2144 and Community Right-to-Know Act; repealing s. 252.943, F.S.,  
2145 relating to a public records exemption under the Florida  
2146 Accidental Release Prevention and Risk Management Planning Act;  
2147 amending s. 287.0943, F.S.; deleting provisions relating to  
2148 confidentiality of certain information relating to applications  
2149 for certification of minority business enterprises; amending s.  
2150 288.047, F.S.; deleting provisions exempting potential trade

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Page 101 of 107

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2151 secrets from public records requirements; amending s. 288.075,  
2152 F.S.; deleting provisions relating to a public records exemption  
2153 for trade secrets held by economic development agencies;  
2154 amending s. 288.1226, F.S.; deleting provisions relating to a  
2155 public records exemption for trade secrets held by the Florida  
2156 Tourism Industry Marketing Corporation; amending s. 288.776,  
2157 F.S.; deleting provisions relating to a public records exemption  
2158 for trade secrets held by the Florida Export Finance  
2159 Corporation; amending s. 288.9520, F.S.; deleting provisions  
2160 relating to a public records exemption for trade secrets and  
2161 potential trade secrets held by Enterprise Florida, Inc., and  
2162 related entities; amending s. 288.9607, F.S.; deleting  
2163 provisions relating to a public records exemption for trade  
2164 secrets held by the Florida Development Finance Corporation;  
2165 amending s. 288.9626, F.S.; deleting provisions relating to a  
2166 public records exemption for trade secrets and potential trade  
2167 secrets held by the Florida Opportunity Fund; making conforming  
2168 changes; amending s. 288.9627, F.S.; deleting provisions  
2169 relating to a public records exemption for trade secrets and  
2170 potential trade secrets held by the Institute for  
2171 Commercialization of Public Research; making conforming changes;  
2172 amending s. 331.326, F.S.; deleting provisions relating to a  
2173 public records exemption for trade secrets held by Space  
2174 Florida; amending s. 334.049, F.S.; deleting provisions relating  
2175 to a public records exemption for trade secrets held by the

196695 - HB 459 Strike-All Amendment.docx

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2176 Department of State; amending ss. 350.121 and 364.183, F.S. ;  
2177 deleting provisions relating to public records exemptions for  
2178 trade secrets held by the Florida Public Service Commission;  
2179 amending 365.174, F.S. ; deleting provisions relating to public  
2180 records exemptions for trade secrets held by the E911 Board and  
2181 the Technology Program within the Department of Management  
2182 Services; amending ss. 366.093, 367.156, and 368.108, F.S. ;  
2183 deleting provisions relating to public records exemptions for  
2184 trade secrets held by the Florida Public Service Commission;  
2185 amending s. 377.24075, F.S. ; deleting provisions relating to a  
2186 public records exemption for trade secrets held by the  
2187 Department of Environmental Protection; repealing s. 381.83,  
2188 F.S., relating to confidentiality of certain information  
2189 containing trade secrets obtained by the Department of Health;  
2190 amending s. 395.3035, F.S. ; deleting provisions relating to a  
2191 public records exemption for trade secrets of hospitals;  
2192 amending s. 403.7046, F.S. ; revising provisions relating to an  
2193 exemption for trade secrets contained in certain reports to the  
2194 Department of Environmental Protection; repealing s. 403.73,  
2195 F.S., relating to confidentiality of certain information  
2196 containing trade secrets obtained by the Department of  
2197 Environmental Protection; amending s. 408.061, F.S. ; deleting a  
2198 requirement that certain trade secret information submitted to  
2199 the Agency for Healthcare Administration be clearly designated  
2200 as such; amending s. 408.185, F.S. ; deleting provisions relating

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2201 to public records exemptions for certain trade secrets held by  
2202 the Office of the Attorney General; amending s. 408.910, F.S.;  
2203 deleting provisions relating to public records exemptions for  
2204 trade secrets held by the Florida Health Choices Program;  
2205 amending s. 409.91196, F.S.; deleting provisions relating to  
2206 public records exemptions for trade secrets held by the Agency  
2207 for Healthcare Administration; amending s. 440.108, F.S.;  
2208 deleting provisions relating to public records exemptions for  
2209 trade secrets held by the Department of Financial Services;  
2210 amending s. 494.00125, F.S.; deleting provisions relating to  
2211 public records exemptions for trade secrets held by the Office  
2212 of Financial Regulation; amending s. 497.172, F.S.; deleting  
2213 provisions relating to public records exemptions for trade  
2214 secrets held by the Department of Financial Services or the  
2215 Board of Funeral, Cemetery, and Consumer Services; amending ss.  
2216 499.012, 499.0121, 499.05, and 499.051, F.S.; deleting  
2217 provisions relating to public records exemptions for trade  
2218 secrets held by the Department of Business and Professional  
2219 Regulation; repealing s. 499.931, F.S., relating to maintenance  
2220 of information held by the Department of Business and  
2221 Professional Regulation that is deemed to be a trade secret;  
2222 amending s. 501.171, F.S.; deleting provisions relating to  
2223 public records exemptions for trade secrets held by the  
2224 Department of Legal Affairs; repealing s. 502.222, F.S.,  
2225 relating to trade secrets of a dairy business held by the

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Page 104 of 107



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2226 Department of Agriculture and Consumer Services; amending ss.  
2227 517.2015 and 520.9965, F.S.; deleting provisions relating to  
2228 public records exemptions for trade secrets held by the Office  
2229 of Financial Regulation; amending s. 526.311, F.S.; deleting  
2230 provisions relating to public records exemptions for trade  
2231 secrets held by the Department of Agriculture and Consumer  
2232 Services; amending s. 548.062, F.S.; deleting provisions  
2233 relating to public records exemptions for trade secrets held by  
2234 the Florida State Boxing Commission; amending s. 556.113, F.S.;  
2235 deleting provisions relating to public records exemptions for  
2236 trade secrets held by Sunshine State One-Call of Florida, Inc.;  
2237 amending s. 559.5558, F.S.; deleting provisions relating to  
2238 public records exemptions for trade secrets held by the Office  
2239 of Financial Regulation; amending s. 559.9285, F.S.; revising  
2240 provisions specifying that certain information provided to the  
2241 Department of Agriculture and Consumer Services does not  
2242 constitute a trade secret; amending s. 560.129, F.S.; deleting  
2243 provisions relating to public records exemptions for trade  
2244 secrets held by the Office of Financial Regulation; amending s.  
2245 570.48, F.S.; deleting provisions relating to public records  
2246 exemptions for trade secrets held by the Division of Fruit and  
2247 Vegetables; amending ss. 570.544 and 573.123, F.S.; deleting  
2248 provisions relating to public records exemptions for trade  
2249 secrets held by the Division of Consumer Services; repealing s.  
2250 581.199, F.S., relating to a prohibition on the use of trade

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2251 secret information obtained under specified provisions for  
2252 personal use or gain; amending ss. 601.10, 601.15, and 601.152,  
2253 F.S.; deleting provisions relating to public records exemptions  
2254 for trade secrets held by the Department of Citrus; repealing s.  
2255 601.76, F.S., relating to a public records for certain formulas  
2256 filed with the Department of Agriculture; amending ss. 607.0505  
2257 and 617.0503, F.S.; deleting provisions relating to public  
2258 records exemptions for certain information that might reveal  
2259 trade secrets held by the Department of Legal Affairs; amending  
2260 s. 624.4212, F.S.; deleting provisions relating to public  
2261 records exemptions for trade secrets held by the Office of  
2262 Insurance Regulation; repealing s. 624.4213, F.S., relating to  
2263 trade secret documents submitted to the Department of Financial  
2264 Services or the Office of Insurance Regulation; amending ss.  
2265 626.84195, 626.884, 626.9936, 627.0628, and 627.3518, F.S.;  
2266 deleting provisions relating to public records exemptions for  
2267 trade secrets held by the Department of Financial Services or  
2268 the Office of Insurance Regulation; amending s. 655.057, F.S.;  
2269 revising provisions relating to a public records exemption for  
2270 trade secrets held by the Office of Financial Regulation;  
2271 repealing s. 655.0591, F.S., relating to trade secret documents  
2272 held by the Office of Financial Regulation; amending s. 663.533,  
2273 F.S.; revising a cross-reference; repealing s. 721.071, F.S.,  
2274 relating to trade secret material filed with the Division of  
2275 Florida Condominiums, Timeshares, and Mobile Homes of the

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Published On: 1/16/2018 3:50:49 PM

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2018)

Amendment No.

2276 Department of Business and Professional Regulation; amending s.  
2277 815.04, F.S.; deleting a public records exemption for certain  
2278 trade secret information relating to offenses against  
2279 intellectual property; repealing s. 815.045, F.S., relating to  
2280 trade secret information; amending s. 1004.22, F.S.; deleting  
2281 provisions relating to public records exemptions for trade  
2282 secrets and potential trade secrets received, generated,  
2283 ascertained, or discovered during the course of research  
2284 conducted within the state universities; amending s. 1004.30,  
2285 F.S.; revising provisions relating to public records exemptions  
2286 for trade secrets held by state university health support  
2287 organizations; amending s. 1004.43, F.S.; deleting provisions  
2288 relating to public records exemptions for trade secrets and  
2289 potential trade secrets held by the H. Lee Moffitt Cancer Center  
2290 and Research Institute; amending s. 1004.4472, F.S.; deleting  
2291 provisions relating to public records exemptions for trade  
2292 secrets and potential trade secrets held by the Florida  
2293 Institute for Human and Machine Cognition, Inc.; amending s.  
2294 1004.78, F.S.; deleting provisions relating to public records  
2295 exemptions for trade secrets and potential trade secrets held by  
2296 the technology transfers centers at Florida College System  
2297 institutions; amending ss. 601.80, 663.533, 721.13, and  
2298 921.0022, F.S.; conforming provisions to changes made by the  
2299 act; providing an effective date.

196695 - HB 459 Strike-All Amendment.docx

Published On: 1/16/2018 3:50:49 PM

Page 107 of 107

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 461 : Pub. Rec./Trade Secrets Held by an Agency**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 461 Amendments**

**Amendment 667739**

*Adopted Without Objection*

**Appearances:**

Heon, Tammy (General Public) - Waive In Opposition  
 Hernando County  
 Manager, Tourism Development  
 15800 Flight Drive  
 Brooksville Florida 34604  
 Phone: 352-754-4405

Committee meeting was reported out: **Wednesday, January 17, 2018 10:15AM**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 461 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                   \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION               \_\_\_ (Y/N)  
FAILED TO ADOPT                       \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Massullo offered the following:  
4

5           **Amendment**

6           Remove lines 29-100 and insert:

7           2. Financial information related to any contract or  
8 agreement, or an addendum thereto, with an agency. Such  
9 financial information includes the amount of money paid, any  
10 payment structure or plan, expenditures, incentives, bonuses,  
11 fees, and penalties.

12           (2) PUBLIC RECORD EXEMPTION.—A trade secret held by an  
13 agency is confidential and exempt from s. 119.07(1) and s.  
14 24(a), Art. I of the State Constitution.

15           (3) NOTICE OF TRADE SECRET.—

Amendment No.

16        (a) If a person who submits records to an agency claims  
17 that such submission contains a trade secret, such person shall  
18 submit to the agency a notice of trade secret when such records  
19 are submitted to the agency. Failure to submit such notice  
20 constitutes a waiver of any claim by such person that the record  
21 contains a trade secret. The notice must provide the name,  
22 telephone number, and mailing address of the person claiming the  
23 record contains a trade secret. Such person is responsible for  
24 updating his or her contact information with the agency.

25        (b) Each page of a record or specific portion of a record  
26 that contains a trade secret must be clearly marked with the  
27 words "trade secret."

28        (c) In submitting a notice of trade secret to the agency,  
29 the submitting party shall verify to the agency through a  
30 written declaration in the manner provided in s. 92.525 the  
31 following:

32  
33        [...I have/my company has...] read the definition of a  
34 trade secret in s. 688.01, Florida Statutes, and [...I  
35 believe/my company believes...] the information contained in  
36 this record is a trade secret as defined in s. 688.01, Florida  
37 Statutes.

38        [...I have/my company has...] taken measures to prevent the  
39 disclosure of the record or specific portion of a record claimed  
40 to be a trade secret to anyone other than those who have been

Amendment No.

41 selected to have access for limited purposes, and [...I  
42 intend/my company intends...] to continue to take such measures.

43 The record or specific portion of a record claimed to be a  
44 trade secret is not, and has not been, reasonably obtainable  
45 without [...my/our...] consent by other persons by use of  
46 legitimate means.

47 The record or specific portion of a record claimed to be a  
48 trade secret is not publicly available elsewhere.

49

50 (4) RESPONSE TO A REQUEST FOR PUBLIC RECORDS.-

51 (a) If an agency receives a request for a public record  
52 and the requested record or a specific portion of the record is  
53 marked and verified as containing a trade secret, the agency  
54 shall, as soon as practical, notify the person who requested the  
55 record or specific portion of the record that is marked and  
56 verified as containing a trade secret. The notice must inform  
57 the person requesting such record of the process outlined in  
58 paragraph (b) and direct such person to respond to the notice if  
59 he or she desires access to the record marked and verified as  
60 containing a trade secret.

61 (b) If the person requesting the record indicates he or  
62 she desires access to the requested record or a specific portion  
63 of the record that has been marked and verified as containing a  
64 trade secret, the agency shall promptly notify the person who  
65 verified the record, or specific portion of the record, as

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 461 (2018)

Amendment No.

66 containing a trade secret of the request. The notice shall be  
67 sent to the address provided to the agency and must inform such  
68 person that, in order to avoid disclosure of the trade secret,  
69 the person must file an action in circuit court within 30 days  
70 after the date of the notice seeking a declaratory judgment that  
71 the record in question contains a trade secret and an order  
72 barring public disclosure of the record. If an action is filed,  
73 the agency must notify the person who requested the record.

74 (c) The petition or other initial pleading shall be served  
75 on the agency.

76 (d)1. Whenever an action is filed pursuant to this  
77 section, the court shall set an immediate hearing, giving the  
78 case priority over other pending cases.

79 2. If a court determines that the record in question does  
80 not contain a trade secret, the agency must make the record  
81 available to the requester within 48 hours, unless otherwise  
82 provided by the court issuing such order, or unless the  
83 appellate court issues a stay order within the 48-hour period.

84 3. Upon service of a petition or other initial pleading in  
85 an action brought under this section, the agency may not  
86 transfer custody, alter, destroy, or otherwise dispose of the  
87 record sought until the court makes a determination regarding  
88 whether the record contains a trade secret.

89  
90



Amendment No.

91       (e) The agency may not release the record pending the  
92 outcome of the legal action. Failure to file an action within 30  
93 days after the date of the notice constitutes a waiver of any  
94 claim of confidentiality, and the agency shall release the  
95 record as requested.

96       (f) Any action under this subsection must be brought in  
97 the county in which the agency in possession of the record is  
98 headquartered.

99       (g) If the person who requested the record or specific  
100 portion of the record marked and verified as containing a trade  
101 secret notifies the agency that he or she no longer desires  
102 access to such record, the agency shall notify the person who  
103 verified the record or specific portion of the record as  
104 containing a trade secret that the person requesting the record  
105 no longer desires access. The agency must notify the person who  
106 verified such record that the request has been withdrawn and  
107 that obtaining a declaratory judgment is no longer necessary. If  
108 the records request is withdrawn prior to a judicial finding,  
109 the agency must continue to maintain the confidentiality of such  
110 record.

111

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 707 : Campaign Finance**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake		X			
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia			X		
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 1</b>			

**HB 707 Amendments**

**Amendment 627195**

*Adopted Without Objection*

Committee meeting was reported out: **Wednesday, January 17, 2018 10:15AM**

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

---

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Jenne offered the following:  
4

**Amendment (with title amendment)**

Remove lines 17-26 and insert:

7 (7) (a) The Governor, Lieutenant Governor, or a member of  
8 the Cabinet may contribute to his or her own campaign but may  
9 not solicit or accept a contribution during the 60-day regular  
10 legislative session or any extended or special session:

- 11 1. On his or her own behalf.
- 12 2. On behalf of a political party.
- 13 3. On behalf of any organization with respect to which his  
14 or her solicitation is regulated under s. 106.0701.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 707 (2018)

Amendment No.

15        4. On behalf of a candidate for the Legislature or a  
16 candidate for the office of Governor, Lieutenant Governor, or  
17 Cabinet member.

18

19

20

-----  
T I T L E   A M E N D M E N T

21

Remove line 3 and insert:

22

106.08, F.S.; prohibiting the Governor, Lieutenant Governor, or

23

a Cabinet officer

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 755 : Pub. Rec./First Responder Network Authority/Nationwide Public Safety Broadband Network**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**HB 755 Amendments**

**Amendment 633211**

*Adopted Without Objection*

**Appearances:**

Reed, Casey (Lobbyist) - Waive In Support  
 AT&T  
 State Director of Legislative Affairs  
 150 S. Monroe Street Suite 400  
 Tallahassee FL 32301  
 Phone: (850) 451-6002

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 755 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                   \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION               \_\_\_ (Y/N)  
FAILED TO ADOPT                       \_\_\_ (Y/N)  
WITHDRAWN                              \_\_\_ (Y/N)  
OTHER                                    \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Williamson offered the following:  
4

5       **Amendment (with title amendment)**

6       Remove everything after the enacting clause and insert:  
7       Section 1. Paragraph (d) is added to subsection (3) of  
8 section 119.071, Florida Statutes, to read:

9       119.071 General exemptions from inspection or copying of  
10 public records.—

11       (3) SECURITY.—

12       (d)1. Information relating to the Nationwide Public  
13 Broadband Network established pursuant to 47 U.S.C s. 1401 et  
14 seq. held by an agency is confidential and exempt from s.  
15 119.07(1) and s. 24(a), Art. I of the State Constitution if  
16 release of such information would reveal:

Amendment No.

17 a. The design, development, construction, deployment, and  
18 operation of network facilities;

19 b. Network coverage, including geographical maps  
20 indicating actual or proposed locations of network  
21 infrastructure or facilities; the features, functions, and  
22 capabilities of network infrastructure and facilities;

23 c. The features, functions, and capabilities of network  
24 services provided to first responders, as defined in s.  
25 112.1815, and other network users;

26 d. The design, features, functions, and capabilities of  
27 network devices provided to first responders and other network  
28 users; and

29 e. Security, including cybersecurity, of the design,  
30 construction, and operation of the network and associated  
31 services and products.

32 2. This paragraph is subject to the Open Government Sunset  
33 Review Act in accordance with s. 119.15 and shall stand repealed  
34 on October 2, 2023, unless reviewed and saved from repeal  
35 through reenactment by the Legislature.

36 Section 2. The Legislature finds that it is a public  
37 necessity that any information relating to the Nationwide Public  
38 Safety Broadband Network established pursuant to 47 U.S.C s.  
39 1401 et seq. held by an agency be made confidential and exempt  
40 from public records requirements. Such information contains  
41 security information and proprietary business information of

Amendment No.

42 communications services providers. The disclosure of sensitive  
43 information relating to the Nationwide Public Safety Broadband  
44 Network could result in identification of vulnerabilities in  
45 such network and allow a security breach that could damage the  
46 network or disrupt the safe and reliable operation, adversely  
47 impacting the public health and safety of the state. Disclosure  
48 of such information would adversely affect the business  
49 interests and compromise the network security of such providers  
50 and of their networks. Further, disclosure of such information  
51 would impair competition in the communications services industry  
52 because competitors could use such information to impede full  
53 and fair competition in the communications services industry to  
54 the disadvantage of its consumers. Therefore, the Legislature  
55 finds that any information relating to the Nationwide Public  
56 Safety Broadband Network established pursuant to 47 U.S.C s.  
57 1401 et seq. held by an agency must be held confidential and  
58 exempt from disclosure under s. 119.07(1), Florida Statutes, and  
59 s. 24(a), Art. I of the State Constitution.

60 Section 3. This act shall take effect July 1, 2018.

61 -----  
62  
63 T I T L E A M E N D M E N T

64 Remove everything before the enacting clause and insert:  
65 An act relating to public records; amending s. 119.071, F.S.;  
66 providing an exemption from public records requirements for



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 755 (2018)

Amendment No.

67 certain information relating to the Nationwide Public Safety  
68 Broadband Network held by an agency; providing for future  
69 legislative review and repeal of the exemption; providing a  
70 statement of public necessity; providing an effective date.

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 767 : Pay-For-Success Contracts**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia			X		
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pfeiffer, Summer (Lobbyist) - Proponent  
 The Children's Home Society of Florida  
 1801 Miccosukee Commons Dr  
 Tallahassee FL 32308  
 Phone: (850) 339-5463

Granger, Ted (Lobbyist) - Waive In Support  
 United Way of Florida  
 307 E. 7th Avenue  
 Tallahassee FL 32303  
 Phone: 850-488-8276

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HJR 989 : Repeal of Public Campaign Financing Requirement**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**Appearances:**

Zander, Skylar (Lobbyist) - Waive In Support  
 Americans for Prosperity  
 Deputy State Director  
 200 W College Ave  
 Tallahassee FL 32301  
 Phone: (850) 728-4522

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 991 : Campaign Finance**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole		X			
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 1</b>			

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 1127 : Pub. Rec./Citizens Property Insurance Corporation**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 1127 Amendments**

**Amendment 686789**

*Adopted Without Objection*

**Appearances:**

Ashburn, Christine (Lobbyist) - Waive In Support  
 Citizens Property Insurance Corporation  
 2101 Maryland Circle  
 Tallahassee FL 32303  
 Phone: (850) 513-3757

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1127 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Lee offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove lines 89-266 and insert:  
7 transcripts held by the corporation before, on, or after the  
8 effective date of the bill.

9 (5) This section is subject to the Open Government Sunset  
10 Review Act in accordance with s. 119.15 and shall stand repealed  
11 on October 2, 2023, unless reviewed and saved from repeal  
12 through reenactment by the Legislature.

13 Section 2. (1) (a) The Legislature finds that it is a  
14 public necessity that the following data or information from  
15 technology systems owned, under contract, or maintained by the  
16 corporation be confidential and exempt from s. 119.07 (1),

686789 - HB 1127 amendment line 89.docx

Published On: 1/16/2018 5:04:30 PM

Amendment No.

17 Florida Statutes, and s. 24 (a), Article I of the State  
18 Constitution:

19 1. Records held by the corporation which identify  
20 detection, investigation, or response practices for suspected or  
21 confirmed information technology security incidents, including  
22 suspected or confirmed breaches, if the disclosure of such  
23 records would facilitate unauthorized access to or unauthorized  
24 modification, disclosure, or destruction of:

25 a. Data or information, whether physical or virtual; or

26 b. Information technology resources, which include:

27 (I) Information relating to the security of the  
28 corporation's technologies, processes, and practices designed to  
29 protect networks, computers, data processing software, and data  
30 from attack, damage, or unauthorized access; or

31 (II) Security information, whether physical or virtual,  
32 which relates to the corporation's existing or proposed  
33 information technology systems.

34 2. Those portions of risk assessments, evaluations,  
35 audits, and other reports of the corporation's information  
36 technology security program for its data, information, and  
37 information technology resources which are held by the  
38 corporation, if the disclosure of such records would facilitate  
39 unauthorized access to or the unauthorized modification,  
40 disclosure, or destruction of:

41 a. Data or information, whether physical or virtual; or

Amendment No.

- 42        b. Information technology resources, which include:
- 43        (I) Information relating to the security of the
- 44        corporation's technologies, processes, and practices designed to
- 45        protect networks, computers, data processing software, and data
- 46        from attack , damage, or unauthorized access; or
- 47        (II) Security information, whether physical or virtual,
- 48        which relates to the corporation's existing or proposed
- 49        information technology systems.
- 50        (b) The Legislature also finds that those portions of a
- 51        public meeting as specified in s. 286.011, Florida Statutes,
- 52        which would reveal data and information described in subsection
- 53        (1) are exempt from s. 286.011, Florida Statutes, and s. 24 (b),
- 54        Article I of the State Constitution. The recording and
- 55        transcript of the meeting must remain confidential and exempt
- 56        from disclosure under s. 119. 07 (1), Florida Statutes, and s.
- 57        24 (a), Article I of the State Constitution unless a court of
- 58        competent jurisdiction, following an in camera review,
- 59        determines that the meeting was not restricted to the discussion
- 60        of data and information made confidential and exempt by this
- 61        section. In the event of such a judicial determination, only
- 62        that portion of the transcript which reveals nonexempt data and
- 63        information may be disclosed to a third party.
- 64        (c) The Legislature further finds that it is a public
- 65        necessity that records held by the corporation which identify
- 66        detection, investigation, or response practices for suspected or



Amendment No.

67 confirmed information technology security incidents, including  
68 suspected or confirmed breaches, be made confidential and exempt  
69 from s. 119.07 (1), Florida Statutes, and s. 24 (a), Article I  
70 of the State Constitution if the disclosure of such records  
71 would facilitate unauthorized access to or the unauthorized  
72 modification, disclosure, or destruction of:

- 73 1. Data or information, whether physical or virtual; or  
74 2. Information technology resources, which include:  
75 a. Information relating to the security of the  
76 corporation's technologies, processes, and practices designed to  
77 protect networks, computers, data processing software, and data  
78 from attack, damage, or unauthorized access; or  
79 b. Security information, whether physical or virtual,  
80 which relates to the corporation's existing or proposed  
81 information technology systems.

82 (d) Such records must be made confidential and exempt for  
83 the following reasons:

- 84 1. Records held by the corporation which identify  
85 information technology detection, investigation, or response  
86 practices for suspected or confirmed information technology  
87 security incidents or breaches are likely to be used in the  
88 investigations of the incidents or breaches. The release of such  
89 information could impede the investigation and impair the  
90 ability of reviewing entities to effectively and efficiently  
91 execute their investigative duties. In addition, the release of

Amendment No.

92 such information before an active investigation is completed  
93 could jeopardize the ongoing investigation.

94 2. An investigation of an information technology security  
95 incident or breach is likely to result in the gathering of  
96 sensitive personal information, including identification numbers  
97 and personal financial and health information. Such information  
98 could be used to commit identity theft or other crimes. In  
99 addition, release of such information could subject possible  
100 victims of the security incident or breach to further harm.

101 3. Disclosure of a record, including a computer forensic  
102 analysis, or other information that would reveal weaknesses in  
103 the corporation's data security could compromise that security  
104 in the future if such information were available upon conclusion  
105 of an investigation or once an investigation ceased to be  
106 active.

107 4. Such records are likely to contain proprietary  
108 information about the security of the system at issue. The  
109 disclosure of such information could result in the  
110 identification of vulnerabilities and further breaches of that  
111 system. In addition, the release of such information could give  
112 business competitors an unfair advantage and weaken the security  
113 technology supplier supplying the proprietary information in the  
114 marketplace.

115 5. The disclosure of such records could potentially  
116 compromise the confidentiality, integrity, and availability of

Amendment No.

117 the corporation's data and information technology resources. It  
118 is a public necessity that this information be made confidential  
119 in order to protect the technology systems, resources, and data  
120 of the corporation. The Legislature further finds that this  
121 public records exemption be given retroactive application  
122 because it is remedial in nature.

123 (2) (a) The Legislature also finds that it is a public  
124 necessity that portions of risk assessments, evaluations,  
125 audits, and other reports of the corporation's information  
126 technology security program for its data, information, and  
127 information technology resources which are held by the  
128 corporation be made confidential and exempt from s. 119.07 (1),  
129 Florida Statutes, and s. 24 (a), Article I of the State  
130 Constitution if the disclosure of such portions of records would  
131 facilitate unauthorized access to or the unauthorized  
132 modification, disclosure, or destruction of:

- 133 1. Data or information, whether physical or virtual; or  
134 2. Information technology resources, which include:  
135 a. Information relating to the security of the  
136 corporation's technologies, processes, and practices designed to  
137 protect networks, computers, data processing software, and data  
138 from attack, damage, or unauthorized access; or  
139 b. Security information, whether physical or virtual,  
140 which relates to the corporation's existing or proposed  
141 information technology systems.

Amendment No.

142       (b) The Legislature finds that it is valuable, prudent,  
143 and critical to the corporation to have an independent entity  
144 conduct a risk assessment, an audit, or an evaluation or  
145 complete a report of the corporation's information technology  
146 program or related systems. Such documents would likely include  
147 an analysis of the corporation's current information technology  
148 program or systems which could clearly identify vulnerabilities  
149 or gaps in current systems or processes and propose  
150 recommendations to remedy identified vulnerabilities.

151       (3) (a) The Legislature further finds that it is a public  
152 necessity that those portions of a public meeting which could  
153 reveal information described in this section be made exempt from  
154 s. 286.011, Florida Statutes, and s. 24 (b), Article I of the  
155 State Constitution. It is a public necessity that such meetings  
156 be made exempt from the open meetings requirements in order to  
157 protect the corporation's information technology systems,  
158 resources, and data. The information disclosed during portions  
159 of meetings would clearly identify the corporation's information  
160 technology systems and its vulnerabilities. This disclosure  
161 would jeopardize the information technology security of the  
162 corporation and compromise the integrity and availability of the  
163 corporation's data and information technology resources.

164       (b) The Legislature further finds that it is a public  
165 necessity that the recording and transcript of those portions of  
166 meetings specified in paragraph (a) be made confidential and

Amendment No.

167 exempt from s. 119.07 (1), Florida Statutes, and s. 24 (a),  
168 Article I of the State Constitution unless a court determines  
169 that the meeting was not restricted to the discussion of data  
170 and information made confidential and exempt by this act. It is  
171 a public necessity that the resulting recordings and transcripts  
172 be made confidential and exempt from the public records  
173 requirements in order to protect the corporation's information  
174 technology systems, resources, and data. The disclosure of such  
175 recordings and transcripts would clearly identify the  
176 corporation's information technology systems and its  
177 vulnerabilities. This disclosure would jeopardize the  
178 information technology security of the corporation and  
179 compromise the integrity and availability of the corporation's  
180 data and information technology resources.

181 (c) The Legislature further finds that this public meeting  
182 and public records exemption must be given retroactive  
183 application because it is remedial in nature.

184 Section 3. This act shall take effect upon becoming a law.  
185

186 -----

187 T I T L E A M E N D M E N T

188 Remove line 2 and insert:

189 An act relating to public records and public meetings;  
190 creating s.

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 1177 : Joint Task Force on State Agency Law Enforcement Communications**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 1177 Amendments**

**Amendment 130543**

*Adopted Without Objection*

**Appearances:**

Dunagan, Matthew (Lobbyist) - Waive In Support  
 Florida Sheriffs Association  
 2617 Mahan Dr  
 Tallahassee FL  
 Phone: (850) 877-2165

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1177 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
2 Administration Subcommittee  
3 Representative Ingoglia offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Paragraphs (a) and (e) of subsection (2) of  
8 section 282.709, Florida Statutes, are amended to read:

9 282.709 State agency law enforcement radio system and  
10 interoperability network.—

11 (2) The Joint Task Force on State Agency Law Enforcement  
12 Communications is created adjunct to the department to advise  
13 the department of member-agency needs relating to the planning,  
14 designing, and establishment of the statewide communication  
15 system.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1177 (2018)

Amendment No.

16 (a) The Joint Task Force on State Agency Law Enforcement  
17 Communications shall consist of the following members:

18 1. A representative of the Division of Alcoholic Beverages  
19 and Tobacco of the Department of Business and Professional  
20 Regulation who shall be appointed by the secretary of the  
21 department.

22 2. A representative of the Division of Florida Highway  
23 Patrol of the Department of Highway Safety and Motor Vehicles  
24 who shall be appointed by the executive director of the  
25 department.

26 3. A representative of the Department of Law Enforcement  
27 who shall be appointed by the executive director of the  
28 department.

29 4. A representative of the Fish and Wildlife Conservation  
30 Commission who shall be appointed by the executive director of  
31 the commission.

32 5. A representative of the Department of Corrections who  
33 shall be appointed by the secretary of the department.

34 6. A representative of the Department of Financial  
35 Services who shall be appointed by the Chief Financial Officer.

36 7. A representative of the Department of Agriculture and  
37 Consumer Services who shall be appointed by the Commissioner of  
38 Agriculture.



Amendment No.

39       8. A representative of the Florida Sheriffs Association  
40 who shall be appointed by the president of the Florida Sheriffs  
41 Association.

42       (e) The per diem and travel expenses incurred by a member  
43 of the joint task force who represents a state agency in  
44 attending task force ~~its~~ meetings and in attending to task force  
45 ~~its~~ affairs shall be paid pursuant to s. 112.061, from funds  
46 budgeted to the state agency that the member represents. The per  
47 diem and travel expenses incurred by the member of the task  
48 force who represents the Florida Sheriffs Association in  
49 attending task force meetings and in attending to task force  
50 affairs shall be paid pursuant to s. 112.061, by the sheriff's  
51 office that employs the representative.

52       Section 2. This act shall take effect July 1, 2018.

53

54

55

-----  
**T I T L E   A M E N D M E N T**

56

Remove everything before the enacting clause and insert:

57

An act relating to the Joint Task Force on State Agency Law

58

Enforcement Communications; amending s. 282.709, F.S.;

59

providing that a representative of the Florida Sheriffs

60

Association shall be an appointed member of the Joint Task

61

Force on State Agency Law Enforcement Communications;

62

providing that the sheriff's office that employs the

63

representative must pay the per diem and travel expenses

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1177 (2018)

Amendment No.

64 incurred by the representative; providing an effective  
65 date.

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 6033 : Volunteer Florida, Inc.**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough			X		
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

**Location:** Morris Hall (17 HOB)

**HB 7019 : Pub. Rec./Minor Victims of Sexual Offenses**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels			X		
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**1/17/2018 8:30AM**

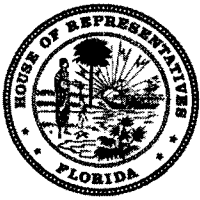
**Location:** Morris Hall (17 HOB)

**PCB OTA 18-05 : OGSR/Ethics Complaints and Investigations**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daniel Burgess, Jr.	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards-Walpole	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Lawrence McClure	X				
Cary Pigman	X				
Bob Rommel	X				
Charlie Stone	X				
Jayer Williamson	X				
Clay Yarborough	X				
Jennifer Sullivan (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, January 17, 2018 10:15AM



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [checked] Amendment [ ]
Bill/PCS/PCB Number: 411
Amendment Number: [ ]

Name: John Pastore

Representing: Alarm Association of Florida

Title: [ ]

Address: [ ]

City: [ ] State/Zip: [ ]

Phone Number: [ ] Meeting Date: [ ]

Committee/Subcommittee: Oversight, Transparency & Administration

Presentation/Workshop Topic: Public Records Freshly System

Registered Lobbyist: YES [ ] NO [checked]

State Employee: YES [ ] NO [checked]

[checked] I wish to speak Waive in Support

[ ] Appearing in response to an inquiry for information made by member, committee, or staff

[ ] Appearing in response to subpoena

[ ] Appearing at the written request of the chair

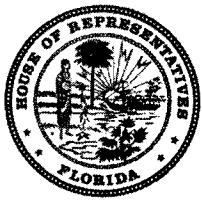
[ ] Judge or elected officer appearing in official capacity

[ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [checked] Opponent [ ] Info only [ ]

Amendment: Proponent [ ] Opponent [ ] Info only [ ]



WIS

### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>0439</u>	
Amendment Number: _____	

Name: JOSE BERMUDEZ

Representing: CITY OF MIAMI

Title: GOV. CONSULTANT

Address: 121 ALHAMBRA PLAZA

City: CORAL GABLES State/Zip: 33143

Phone Number: 305 262 4433 Meeting Date: \_\_\_\_\_

Committee/Subcommittee: OVERSIGHT

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



W10

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>HB 461</u>			
Amendment Number: _____			

Name: Tammy J. Heon

Representing: Hernando County

Title: Manager, Tourism Development

Address: 15800 Flight Drive

City: Brooksville State/Zip: FL 31604

Phone Number: 352-757-4405 Meeting Date: 1/17/18

Committee/Subcommittee: Oversight, Transparency + Administration

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

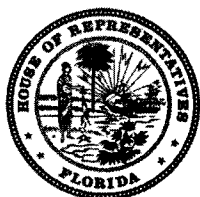
- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only





WIS

### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>755</u>	
Amendment Number: _____	

Name: Casey Reed

Representing: AT&T

Title: State Director of Legislative Affairs

Address: 150 S. MONROE Street Ste 400

City: Tallahassee State/Zip: FL, 32301

Phone Number: (850) 591-6002 Meeting Date: 1/17

Committee/Subcommittee: Oversight, Transparency & Administration

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

**Bill:** Proponent  Opponent  Info only

**Amendment:** Proponent  Opponent  Info only



WIS

### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>767</u>	
Amendment Number: _____	

Name: Ted Granger Ted Granger

Representing: ~~UNITED WAY OF FLORIDA~~ UNITED WAY FL

Title: President

Address: 307 E. 7<sup>th</sup> AVE

City: TALLAHASSEE State/Zip: FL 32303

Phone Number: 850-488-8276 Meeting Date: 1-17-17

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: PAY FOR SUCCESS

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>767</u>	
Amendment Number: _____	

Name: Summer Pfeiffer Pisor

Representing: Children's Home Society of FL

Title: Vice President of Governmental Relations

Address: 1801 Miccosukee Commers Dr.

City: TLH State/Zip: FL

Phone Number: (850) 337-5463 Meeting Date: 1/17/18

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: Pay for Success

Registered Lobbyist: YES  NO

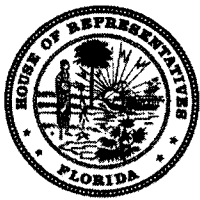
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



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### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>989</u>	
Amendment Number: _____	

Name: Skylar Zander

Representing: Americans for Prosperity

Title: Deputy State Director

Address: 200 W. College Ave

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-728-4522 Meeting Date: 1/17/18

Committee/Subcommittee: House Oversight, Transparency Administration

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

**Bill:** Proponent  Opponent  Info only

**Amendment:** Proponent  Opponent  Info only



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### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>HB 1127</u>	
Amendment Number: _____	

Name: Christine Ashburn

Representing: Citizens Property Insurance Corporation

Title: VP, Chief, Communications, Legislative + External Affairs

Address: 2101 Maryland Circle

City: Tallahassee State/Zip: 32303

Phone Number: (850) 513 3757 Meeting Date: 1/17/18

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: Public Records - Citizens Property Insurance Corp.

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



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### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee administrative assistant at the meeting.

<input checked="" type="checkbox"/> Bill <input type="checkbox"/> Amendment Bill Number: <b>HB 1177 : Joint Task Force on State Agency Law Enforcement Communications</b> Amendment: <b>N/A</b>
---

Name: **Dunagan, Matthew**

Representing: **Florida Sheriffs Association**

Title:

Address: **2617 Mahan Dr**

City: **Tallahassee** State/Zip: **FL**

Phone Number: **(850) 877-2165** Meeting Date: **January 17, 2018 8:30 AM**

Committee/Subcommittee: **Oversight, Transparency & Administration Subcommittee**

Presentation/Workshop Topic: **N/A**

- Registered Lobbyist
- State Employee
- I Wish To Speak
- Appearing in response to subpoena
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted

<u>Bill</u>
<b>Waive In Support</b>
<u>Amendment</u>
N/A