



LEGISLATIVE REPORT

-
- Current action
- CS** Committee Substitute
P Passed both Chambers
W Withdrawn from further consideration
-

For Period Ending March 28

COLLEGES AND UNIVERSITIES

CS/HB 115 Exemption/University Direct Support Organizations: As amended, creates an exemption for portions of meetings of a university direct support organization (DSO) board of directors when the board is discussing research funding proposals or plans or programs to support research. Amends s. 1004.28, F.S. Companion to SB 318. *Rep. Cary Pigman (R-Sebring)*

- House: Various amendments to amend and narrow the exemption failed on second reading. CS/HB 115 was rolled to third reading and passed the House by a vote of 83/33. Now in S. Messages.

CS/HB 135 Exemption/Executive Searches – Universities and Colleges: Creates a public record exemption for information identifying applicants for president, provost or dean of a state university or college. Also creates an exemption for meetings held for the purpose of identifying or vetting such applicants, stipulating that the exemption does not apply to those meetings held for the purpose of establishing qualifications or determining compensation except for those portions of such meetings that would disclose personal identifying information of an applicant or potential applicant which shall be closed to the public. Meetings held after a final group of applicants has been selected held for the purpose of making a final selection will be open and the names of the final group of applicants will be subject to disclosure at least 21 days before the meeting at which the finalist will be selected. Creates s. 1004.097, F.S. Companion to SB 728. *Rep. Dave Kerner (D-Palm Springs)* ☹️

- H. Education Committee: An amendment shortening the time for disclosure from 21 days to 10 days before the meeting at which a final selection is made is adopted. Reported favorably as a committee substitute. Now on H. Calendar. ☹️

COURT RECORDS

HB 125 Exemption/Minor Claim Settlements: Creates an exemption for court records relating to the settlement of a claim relating to guardianship on behalf of a minor or ward. Allows access to such records by a guardian ad litem, the minor if over 14, and the minor's attorney. Companion to SB 108. *Rep. Elaine Schwartz (D-Hollywood)*

- H. Government Operations Subcommittee: Reported favorably. Now in H. Judiciary.

CS/HB 111 Exemption/Forensic Behavioral Health Evaluations: Creates an exemption for forensic behavioral health evaluations filed with a court. Defines “forensic behavioral health evaluation” as any record, including supporting documentation, derived from a competency, substance abuse, psychosexual, psychological, psychiatric, psychosocial, cognitive impairment, sanity, or other mental health evaluation of an individual. Creates s. 916.1065, F.S. Companion to SB 256. *Rep. Joe Gibbons (D-Pembroke Park)*

- H. Judiciary Committee: Reported favorably. Now on H. Calendar.

→ **CS/SB 256 Exemption/Forensic Behavioral Health Evaluations:** Companion to HB 111. *Sen. Rene Garcia (R-Hialeah)*

- Senate Special Order Calendar: Rolled to third reading for passage by the Senate.

CRIMINAL JUSTICE

SB 812 Expunction of Criminal Records: Requires those who publish, display, or disseminate information regarding an arrest to remove such information from any publication, Internet posting, or credit report upon receipt of a certified copy of a court order granting a petition to expunge without further notice or cost to the individual whose record was expunged. Amends s. 943.0585, F.S. Companion to HB 1013. *Sen. Nancy Detert (R-Venice)* **WATCH**

- S. Criminal Justice Committee: A strike-all amendment deleting the provision requiring removal of expunged criminal history records and making various other changes to expungement requirements is adopted. Reported favorably as a committee substitute. Now in S. Judiciary.

DATA PRACTICES

HB 1231 Government Data Practices: HB 1231 contains numerous provisions relating to personal identifying information held by government agencies. Among the most significant:

- Department of State: Requires the Department of State (DOS) to adopt rules regarding the procedure for agencies to establish schedules for the destruction of public records containing personal identification information.
- Executive and Legislative Branch Agencies: Requires agencies that collect personal identification information through a website and retain such information to prominently post a privacy policy on the website, and stipulates what those policies must, at a minimum, provide. Stipulates that all contracts between a public agency and a contractor specify that the contractor must also comply with the privacy policy requirement.
- Office of Program and Policy Analysis and Government Accountability: Requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to create a report which (1) identifies personal identification information held by an agency; (2) describes the process by which an individual may view and verify the accuracy of his or her personal identification information; and (3) identifies any obstacles that impede an individual’s access to such records.
- Agency for Health Care Administration: Requires the Agency for Health Care Administration (AHCA) to provide electronic access to data on assisted living facilities, stipulating that such data must be searchable, downloadable, and available in generally accepted formats. At a minimum, the data must include (1) specified information on each assisted living facility; (2) a list of the facility’s violations; and (3) links to inspection reports on file with AHCA. Also requires AHCA to create a comprehensive

health information system to promote accessibility, transparency, and utility of state-collected data and information about health providers, facilities, services, and payment sources, stipulating that such data must be available in a manner allowing for and encouraging multiple and innovative uses of data sets.

Amends various statutory provisions. Companion to SB 782. *Rep. Halsey Beshears (R-Perry)*

- H. Government Operations Subcommittee: An amendment revising the section on reporting by AHCA of certain information to include a statement of legislative intent. Reported favorably as a committee substitute. Now in H. Appropriations.

DATA SECURITY

HB 7087 Exemption/Data Breach Notifications: HB 7085 creates the Florida Information Protection Act of 2014, requiring government agencies and private businesses to report any breach of security to the Department of Legal Affairs (DOLA), and to each individual whose personal information may have been accessed as a result of the breach. HB 7087 creates a public record exemption for all information received by the department pursuant to the required notification. Also creates an exemption for records relating to investigations of security breaches, stipulating that the records are subject to disclosure once the investigation is complete. The following information will remain exempt once the investigation is complete: personal information, including a person's name, social security number, financial information, and email address; computer forensic reports; information revealing weaknesses in data security; and trade secret and proprietary information. Creates s. 501.171, F.S. Companion to SB 1526. *H. Civil Justice Subcommittee ???*

- H. Government Operations Subcommittee: A strike-all amendment is adopted; reported favorably as a committee substitute. As amended, CS/HB 7087 creates a public record exemption for all information received by the Department of Legal Affairs (DOLA) pursuant to the requirement that DOLA be notified of all breaches of data security. Also creates an exemption for records relating to investigations of such breaches held by DOLA or a criminal justice agency, stipulating that the records are subject to disclosure once the investigation is complete. Allows disclosure during the investigation under certain specified conditions. The following information remains exempt once the investigation is complete: personal information; computer forensic reports; information revealing weaknesses in data security; and proprietary business information. "Proprietary business information is defined as information owned or controlled by the entity reporting the breach that is intended to be private in that disclosure would cause harm to the entity's business operations, and has not otherwise been disclosed, including trade secrets and competitive interests. Now in H. Judiciary.

DIRECT SUPPORT ORGANIZATIONS

SB 1194 Citizen Support and Direct Support Organizations: In pertinent part, creates s. 20.058, F.S., making various changes to the reporting requirements of citizen support and direct support organizations and the agencies and institutions such organizations support, including:

- Requires citizen support and direct support organizations created pursuant to law or executive order, to annually submit the following information to the appropriate agency: (1) the name, mailing address, telephone number and web address of the organization; (2) the statutory authority or executive order creating the organization; (3) a brief description of the organization's

mission and the results obtained; (4) a brief description of the organization's plans for the next three fiscal years; and (5) a copy of the organization's code of ethics; (6) a copy of the organization's most recent Form 990. Each organization must also report (7) the amount and source of revenue generated or projected; (8) the amounts and purposes of expenditures or projected expenditures, including lobbying and travel and entertainment expenses; (9) the value of capital improvements made to state property funded by the organization; and (10) the names and compensation of all officers, directors, employees, and independent contractors.

- Requires each agency receiving information from such organizations to post that information on the agency's website, and include a link to the organization's website.
- Stipulates that all contracts between a citizen support organization or a direct support organization are contingent upon the submission and posting of the required information.

Creates s. 20.058, F.S., and amends various statutory provisions. Companion to HB 1153. *S. Governmental Oversight and Accountability* 😊

- S. Appropriations Committee: A minor technical amendment is adopted; reported favorably as a committee substitute. [On S. Special Order Calendar, 4/3.](#) 😊

EDUCATION

SB 646 OGSR/Education Records – Public Postsecondary Educational Institutions: Reenacts, without modification, s. 1006.52, F.S., authorizing public postsecondary educational institutions to prescribe the content and custody of records the institution maintains on its students and applicants for admission, and providing a public record exemption for student education records consistent with the federal Family Educational Rights and Privacy Act (FERPA). Reenacts s. 1006.52, F.S. Companion to HB 7121. *Sen. Bill Montford (D-Tallahassee)*

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#)

SB 648 OGSR/Education Records – Family Educational Rights and Privacy Act: Reenacts, without modification, s. 1002.221, F.S., providing a public record exemption for K-12 education records as required by the federal Family Educational Rights and Privacy Act (FERPA). Reenacts s. 1002.2221, F.S. Companion to HB 7119. *Sen. Bill Montford (D-Tallahassee)*

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#)

CS/SB 656 OGSR/Identifying Information – Testing Misconduct Investigations: Reenacts, without modification, s. 1008.24, F.S., providing an exemption for certain identifying information contained in allegations of misconduct related to the administration of tests by schools and postsecondary educational institutions until the investigations into such allegations are complete or no longer active. Reenacts s. 1008.24, F.S. Companion to HB 7115. *Sen. Bill Montford (D-Tallahassee)*

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#)

ETHICS AND ELECTIONS

CS/SB 846 Government Ethics: In pertinent part, expands the requirement that constitutional officers receive ethics and open government training annually to also require such training of elected city officials. Stipulates that those public officers and officials who are required to undergo such training certify completion of the requirement on his or her financial disclosure and financial statement report, and that

failure to certify completion of the training is *not* “an immaterial, inconsequential, or de minimis error or omission.” Prohibits a member of a board or commission from failing to vote unless there is, or appears to be, a conflict of interest under chapter 112, F.S., or other more stringent ethics standards adopted by the board or commission. If a member asserts a conflict under ch. 112, the member must comply with the disclosure requirements of s. 112.3143 or the additional standards. Amends, in part, ss. 112.3142, 112.3144, 112.3145, and 286.012, F.S. *Sen. Jack Latvala (R-Clearwater)* 😊

- Senate: A lengthy amendment relating to a prohibition on lobbying by “local officers” is adopted on third reading. CS/SB 846, as amended, passed the Senate unanimously and is now in H. Messages. 😊

→ **HB 7155 Open Government Training**: Expands the requirement that constitutional officers receive ethics and open government training annually to also require such training of elected city officials. Stipulates that those public officers and officials who are required to undergo such training certify completion of the requirement on his or her financial disclosure and financial statement report, and that failure to certify completion of the training is *not* “an immaterial, inconsequential, or de minimis error or omission.” Amends ss. 112.3142, 112.3144, and 112.3145, F.S. Companion to SB 846. *H. Ethics and Elections Subcommittee* 😊

EXAMINATIONS and INVESTIGATIONS

CS/HB 415 Exemption/Investigations – Office of Financial Regulation: HB 413 authorizes the Office of Financial Regulation to conduct examinations and investigations of financial institutions without notice. CS/HB 415 creates a public record exemption for records related to the examination or investigation until the examination is complete or no longer active. Stipulates, however, that certain information, including personal identifying information of a consumer unless the consumer is the complainant, will remain exempt once the investigative records are released. Creates s. 559.5558, F.S. Companion to SB 1002. *Rep. David Santiago (R-Deltona)*

- H. Regulatory Affairs Committee: Reported favorably. Now on H. Calendar.

→ **CS/SB 1002 Exemption/Investigations – Office of Financial Regulation**: Companion to HB 415. *Sen. Alan Hays (R-Umatilla)*

- S. Governmental Oversight and Accountability Committee: Reported favorably. Now in S. Rules.

CS/HB 675 Exemption/Examinations – Office of Financial Regulation: Creates a public record exemption for informal enforcement actions until the action is completed or ceases to be active. Stipulates that some information, including information that would impair the safety and soundness of the financial institution and personal financial information, will remain exempt. Also creates a public record exemption for trade secrets held by the Office of Financial Regulation. Amends s. 655.057, F.S. Companion to SB 1278. *Rep. Doug Broxson (R-Milton)*

- H. Government Operations Subcommittee: A lengthy amendment making minor technical changes to the bill is adopted. Reported favorably as a committee substitute. Now in H. Regulatory Affairs.

→ **CS/SB 1278 Exemption/Examinations – Office of Financial Regulation**: Creates a public record exemption for informal enforcement actions until the action is completed or ceases to be active.

Stipulates that some information, including information that would impair the safety and soundness of the financial institution and personal financial information, will remain exempt. Also creates a public record exemption for trade secrets held by the Office of Financial Regulation.

Amends s. 655.057, F.S. Companion to HB 675. *Sen. Garrett Richter (R-Naples)*

- S. Governmental Oversight and Accountability Committee: An amendment making minor technical changes and conforming the bill to its House companion, CS/HB 675, as amended, is adopted. Reported favorably as a committee substitute. Now in S. Rules.

SB 1320 Exemption/Family Trust Companies – Office of Financial Regulation: Creates various public record exemptions for certain records relating to family trust companies held by the Office of Financial Regulation (OFR), including: (1) all records relating to a registration, application or annual certification; (2) all records relating to examinations of such trusts; (3) reports of examinations, operations, or conditions, including working papers; (4) a list of names of shareholders or members ; and (5) information received by OFR that is otherwise confidential or exempt. Allows disclosure under certain, specified conditions, stipulating that the willful disclosure of this information is a third degree felony. Creates s. 663.148, F.S. Companion to HB 1269. *Sen. Garrett Richter (R-Naples) ???*

- S. Banking and Insurance Committee: A strike-all amendment is adopted. Reported favorably as a committee substitute. As amended, CS/SB 1320 creates various public record exemptions for certain records relating to family trust companies held by the Office of Financial Regulation (OFR), including: (1) all records relating to a registration, application or annual certification; (2) all records relating to examinations of such trusts; (3) reports of examinations, operations, or conditions, including working papers; (4) a list of names of shareholders or members ; (5) information received by OFR that is otherwise confidential or exempt, and (6) emergency cease and desist. Allows disclosure under certain, specified conditions, stipulating that the willful disclosure of this information is a third degree felony. Contains definitions. Now in S. Governmental Oversight and Accountability. ???

FINANCIAL INFORMATION

SB 1240 Exemption/Financial Statements - Competitive Solicitations: Under current law, financial statements provided to an agency in order to prequalify for bidding or participating in a competitive solicitation are exempt from public disclosure. SB 1240 expands the exemption to protect financial statements reflecting financial activities, including balance sheets, income statements, and cash flow statements provided in response to a competitive solicitation or other public procurement. Expands s. 119.071(1)(c), F.S. Companion to HB 1167. *Sen. Gwen Margolis (D-Miami) ☹*

- S. Community Affairs Committee: Reported favorably by a vote of 8/1, with Sen. Bradley voting no. Now in S. Governmental Oversight and Accountability. ☹

INSURANCE

SB 506 OGSR/Florida Insurance Guaranty Association: Reenacts, without modification, the public record exemptions in s. 631.582, F.S., held by the Florida Insurance Guaranty Association, including claims files until termination of all litigation, settlement, and final closing of all claims; medical records and other

medical information contained in claims files; and privileged attorney-client communications. Reenacts s. 631.582, F.S. Companion to HB 7045. *S. Banking and Insurance Committee*

- Senate: Passed the Senate unanimously. Now in H. Messages.

SB 1262 Exemption/Insurance Flood Loss Model: Expands the public record exemption in s. 627.0628(3)(f)1., F.S., for trade secrets used in designing and constructing a hurricane flood loss model to also include trade secrets related to flood loss models. Meetings at which such trade secrets are discussed are exempt under s. 627.0628(3)(f)2., F.S. Amends s. 627.0628(3)(f)1., F.S. Companion to HB 7159. *Sen. Jeff Brandes (R-St. Petersburg)*

- S. Governmental Oversight and Accountability Committee: Reported favorably. Now in S. Rules.
→ **HB 7159 Exemption/Insurance Flood Loss Model:** Companion to SB 1262. *H. Insurance and Banking Subcommittee*

MOTOR VEHICLE RECORDS

CS/SB 226 Exemption/Automated License Plate Recognition Systems CS/SB 226 creates a public record exemption for images and data containing or providing personal identifying information obtained through the use of an automated license plate recognition system, as well as personal identifying information in data generated or resulting from images obtained through the use of such systems. Allows disclosure of the exempt information to a criminal justice agency under certain circumstances, and to the person to whom the vehicle is registered, unless the information constitutes active criminal investigative information. Creates s. 316.0777, F.S. Companion to HB 599. *Sen. Jeff Brandes (R-St. Petersburg)*

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#)

HB 555 Exemption/Automated Traffic Law Enforcement System: HB 553 provides conditions for use of automated traffic law enforcement systems, and preempts to state regulation the use of such systems to record vehicle speed. HB 555 creates a public record exemption for recorded images made by an automated traffic law system, allowing access to the images by the alleged violator. Creates s. 316.0777, F.S. *Rep. Charles McBurney (R-Jacksonville)*

- H. Transportation and Highway Safety Subcommittee: A proposed committee substitute for HB 555 is adopted; reported favorably as a committee substitute. CS/HB 555 creates a public record exemption for recorded images obtained through the use of a traffic infraction detector, allowing for disclosure of the images under certain conditions. Allows access by the registered owner of the vehicle. Contains definitions. Now in H. Government Operations Subcommittee.

HB 863 Personal Identifying Information – Motor Vehicle Crash Reports: Section 316.066(2), F.S., provides a public record exemption for information identifying persons involved in a motor vehicle accident that is contained in crash reports for 60 days following the accident. Certain specified persons, including members of the media, are entitled to access the exempt information during that 60 day window. SB 863 amends the provision allowing media access to require a sworn statement from each requestor for each individual crash report requested within the 60 day window of protection. Amends s. 316.066(2), F.S. Companion to SB 876. *Rep. Dave Kerner (D-Palm Springs)* ☹

- H. Transportation and Highway Safety Subcommittee: An amendment unrelated to the required sworn statement is adopted; reported favorably as a committee substitute. Now in H. Banking and Insurance Subcommittee. ☹

HB 865 Exemption/Personal Identifying Information – Motor Vehicle Crash Reports: Expands the media exception to the exemption for personal identifying information contained in motor vehicle crash reports to prohibit disclosure to the media of all contact information for those involved in car accidents. Amends s. 316.066(2), F.S. Companion to SB 1046. *Rep. Dave Kerner (D-Palm Springs)* ☹️

- H. Transportation and Highway Safety Subcommittee: An amendment to the constitutionally-required statement of public necessity is adopted. Reported favorably as a committee substitute. Now in H. Government Operations Subcommittee. ☹️

PERSONAL INFORMATION

HB 457 Exemption/Dental Workforce Surveys: Creates a public record exemption for all personal identifying information contained in dental workforce surveys completed by dentists and dental hygienists held by the Department of Health. Creates s. 466.051. Companion to SB 520. *Rep. Gayle Harrell (R-Port St. Lucie)*

- H. Government Operations Subcommittee: Reported favorably. Now in H. Health and Human Services.

SB 516 Exemption/Individual Identifying Information – Homeless Management Information System: Creates a public record exemption for individual identifying information contained in a Point-in-Time Count and Survey or the Homeless Management Information System collected pursuant to federal law. Defines “individual identifying information” as information that directly or indirectly identifies a specific person. Creates s. 420.6231, F.S. Companion to HB 399. *Sen. Jack Latvala (R-Clearwater)*

- S. Rules Committee: Reported favorably. Now on S. Calendar.

SB 538 Exemption/Email Addresses – Tax Collectors: Creates a public record exemption for a taxpayer’s email address held by a tax collector for the purposes of sending tax notices or obtaining the taxpayer’s consent to send tax notices. Stipulates that email addresses provided by a taxpayer to the tax collector for any other purpose is subject to disclosure under the public records law. Creates s 197.3225, F.S. Companion to HB 421. *Sen. Jack Latvala (R-Clearwater)* ☹️

- S. Rules Committee: Reported favorably. Now on S. Calendar. ☹️

SB 1700 Exemption/Personal Information – Compassionate Use Registry: SB 1030 allows specified physicians to prescribe low-THC marijuana to certain patients and requires the Department of Health (DOH) to create a compassionate use registry for the registration of physicians prescribing and patients receiving such marijuana. SB 1700 creates a public record exemption for the identifying information of physicians and patients contained in the registry. Allows for disclosure of such information under certain specified circumstances. Creates s. 456.61, F.S. *Sen. Aaron Bean (R-Jacksonville)*

PROPRIETARY INFORMATION

CS/SB 366 Exemption/Trade Secrets – Computers: Expands the public record exemption in s. 815.04, F.S., for trade secrets relating to computers, computer systems, and computer networks held by an agency to also exempt trade secrets relating to electronic devices. Stipulates that a person who willfully and knowingly discloses such trade secrets has committed “an offense against intellectual property.” Amends s. 815.04(3)(a), F.S. Companion to HB 643. *Sen. Jeff Brandes (R-St. Petersburg)*

- S. Rules Committee: Reported favorably. Now on S. Calendar.

→ **CS/HB 643 Exemption/Trade Secrets – Computers:** Companion to SB 366. *Rep. Mike LaRosa (R-Saint Cloud)*

- H. Judiciary Committee: Reported favorably. Now on H. Calendar.

HB 775 Exemption/Proprietary Confidential Business Information – State Boxing Commission: HB 773 makes various changes to ch. 548, F.S., relating to the Florida State Boxing Commission. Of particular interest, HB 773 requires boxing promoters to retain certain records and provide copies of those records to the Commission upon request. HB 775 creates a public record exemption for proprietary confidential business information contained in the records provided to the Commission. “Proprietary confidential business information” is defined as information that is treated by the promoter as private in that disclosure would harm the promoter’s business interest, including (1) the number of ticket sales for a match; (2) the amount of gross receipts after a match; (3) trade secrets; (4) business plans; (5) internal auditing controls; (6) security measures; and (7) information relating to the promoter’s competitive interests. Creates s. 548.062, F.S. Companion to SB 808. *Rep. Travis Hutson (R-Palm Coast)* ☹

- H. Government Operations Subcommittee: An amendment to the constitutionally-required statement of public necessity is adopted. Reported favorably as a committee substitute. Now in H. Regulatory Affairs. ☹

→ **CS/SB 808 Exemption/Proprietary Confidential Business Information – State Boxing Commission:** Companion to HB 775. *Sen. Bill Galvano (R-Bradenton)* ☹

- S. Governmental Oversight and Accountability Committee: An amendment expanding the definition of “proprietary confidential business information” is adopted. As amended, CS/SB 808 creates a public record exemption for “proprietary confidential business information” held by the Florida State Boxing Commission that is treated by a boxing promoter as private in that disclosure would harm the promoter’s business interest, including: (1) the number of ticket sales for a match; (2) the amount of gross receipts after a match; (3) trade secrets; (4) business plans; (5) internal auditing controls and reports of internal auditors; and (5) reports of external auditors. Reported favorably as a committee substitute and now in S. Rules. ☹

CS/HB 1051 Exemption/Unsolicited Proposals: Creates a public record exemption for unsolicited proposals received by a “responsible public entity” until the entity provides notice of an intended decision for a qualifying project, at which time the unsolicited proposals are subject to public disclosure. If the entity rejects all proposals and provides notice of its intent to seek additional proposals, then unsolicited proposals will remain exempt until notice of an intended decision. Stipulates that unsolicited proposals are not exempt for more than 90 days after the entity rejects all proposals or more than 180 days if the entity fails to issue a competitive solicitation for a qualifying project. Also creates an exemption for those portions of meetings at which exempt unsolicited proposals are discussed, stipulating that a recording must be made of the closed session. Creates s. 287.05712, F.S. Companion to SB 1318. *Rep. Ken Roberson (R-Port Charlotte)*

- H. Local and Federal Affairs Committee: Reported favorably by a vote of 13/1, with Rep. José Javier Rodríguez voting no. Now in H. State Affairs.

CS/SB 1300 Exemption/Proprietary Confidential Business Information – Office of Insurance Regulation: Creates a public record exemption for proprietary confidential business information held by the Office of

Insurance Regulation (OIR) relating to insurer insolvency and contained in: (1) actuarial opinion summaries; (2) notices of intent to divest controlling stock filed with OIR; (3) enterprise risk reports; information relating to participation in a supervisory college; and (4) other specified documents. “Proprietary confidential business information” is defined as information owned or controlled by an insurer which is intended to be and is treated as private in that disclosure would cause harm to the insurer’s business operations and is not otherwise readily available, including: (1) trade secrets; (2) information relating to competitive interests; (3) the source, nature, and amount of consideration used in carrying out a merger, including the identity of a lender; (4) information relating to bids or other contractual data; and (5) internal auditing controls. Creates s. 624.4212, F.S. *Sen. David Simmons (R-Altamonte Springs)*

- S. Governmental Oversight and Accountability Committee: A minor amendment slightly narrowing the exemption is adopted. Reported favorably as a committee substitute. Now in S. Rules.

CS/SB 1396 Exemption/Unsolicited Proposals: SB 900 authorizes a university board of trustees to receive unsolicited proposals and enter into agreements with a private entity to develop, improve, operate, own, or finance facilities. CS/SB 1396 creates a public record exemption for proprietary confidential business information contained in unsolicited proposals submitted to a university board of trustees by a private entity. “Proprietary confidential business information” is defined as information owned or controlled by the private entity which is intended to be and is treated as private in that disclosure would cause harm to the private entity’s business operations and is not otherwise readily available, including: (1) trade secrets; (2) financial statements or financing terms; (3) patent-pending or copyrighted designs; (4) leasing or real property acquisition plans; and (5) marketing studies. In addition, unsolicited proposals are exempt until the university board of trustees receives and ranks the proposals; if all proposals are rejected, then unsolicited proposals will remain exempt for 90 days. Proprietary confidential information contained in the unsolicited proposals will remain exempt when the proposals are released. Finally, creates an exemption for portions of trustee board meetings at which unsolicited proposals are discussed, requiring that the meeting be recorded and transcribed. Creates s. 1013.505(14), F.S. Companion to HB 543. *Sen. Bill Montford (D-Tallahassee)*

- S. Governmental Oversight and Accountability Committee: Reported favorably. Now in S. Rules.

PUBLIC EMPLOYEES

CS/SB 390 Exemption/Department of Health – Home Addresses: Creates a public record exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former Department of Health (DOH) personnel whose duties include the investigation or prosecution of complaints filed against health care practitioners, the inspection of licensed facilities, or the determination or adjudication of eligibility for social security benefits. Also exempts the names, home addresses, telephone number, dates of birth, and place of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by their children. Creates s. 119.071(4)(d)2.m., F.S. Companion to HB 419. *Sen. Alan Hays (R-Umatilla)*

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#)

SB 414 Exemption/Animal Researchers – Home Addresses: Creates a public record exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former animal researchers employed by a public research facility or university. Requires such personnel to make

reasonable efforts to ensure that such information isn't accessible through other sources available to the public. Creates s. 119.071(4)(d)2.m., F.S. Companion to HB 993. *Sen. Charlie Dean (R-Inverness) ???*

- S. Education Committee: A strike-all amendment conforming SB 414 to its House companion, CS/HB 993 (see below). Now in S. Governmental Oversight and Accountability.

→ **CS/HB 993 Exemption/Animal Researchers – Personal Identifying Information**: Creates a public record exemption for personal identifying information of those persons employed by, under contract with, or volunteering for a public research facility, including a state university, who conduct animal research or are engaged in activities related to animal research, contained in animal records, including animal care and treatment records; research protocols and approvals; purchase and billing records related to animal research or activities; animal care and use committee records; and facility and laboratory records related to animal research or activities. Companion to SB 414. *Rep. Travis Cummings (R-Orange Park)*

- H. Government Operations Subcommittee: Reported favorably. Now in H. Education Committee.

SB 1108 OGSR/Personal Identifying Information – Dependent Children: Reenacts, with minor technical modification, the public record exemption for personal identifying information of the dependent children of current or former agency employees. Reenacts s. 119.071(4)(b)2., F.S. Companion to HB 7049. *S. Community Affairs*

- S. Governmental Oversight and Accountability Committee: Reported favorably. Now in S. Rules.

SB 1678 OGSR/Agency Personnel – Social Security Numbers: Reenacts and modifies the exemption for agency personnel social security numbers in s. 119.071(4)(a), F.S., to allow disclosure of the exempt information under certain, specified conditions. Amends s. 119.071(4)(a), F.S. Companion to HB 7143. *S. Governmental Oversight and Accountability Committee*

- S. Community Affairs Committee: Reported favorably. Now in S. Rules.

PUBLIC HEALTH

HB 109 Exemption/Treatment-Based Drug Court Programs: Creates a public record exemption for information relating to participants in treatment-based drug court programs, as well as persons considered for treatment. The exemption applies to such information in initial screening records; substance abuse screening records; behavioral health evaluations; and treatment status reports. Creates s. 397.334(10), F.S. Companion to SB 280. *Rep. Joe Gibbons (D-Pembroke Park)*

- H. Government Operations Subcommittee: An amendment making technical changes and specifying when such records can be released is adopted; reported favorably as a committee substitute. Now in H. Judiciary Committee.

→ **SB 280 Exemption/Treatment-Based Drug Court Programs**: Companion to HB 109. *Sen. Rene Garcia (R-Hialeah)*

- S. Governmental Oversight and Accountability Committee: An amendment making technical changes and specifying when records can be released, conforming the bill to its House companion as amended, is adopted. Reported favorably as a committee substitute. Now in S. Rules.

PUBLIC RECORDS and MEETINGS

SB 138 Meetings of District School Boards: Requires district school boards to hold at least one regular meeting during evening hours every quarter during the school year. Amends s. 1001.372(1), F.S. Companion to HB 57. *Sen. Jeremy Ring (D-Margate)*

- S. Education Committee: Reported favorably. Now in S. Community Affairs.

HB 503 Governing Bodies/Public Meetings: Authorizes a city governing body to hold joint meetings to receive, discuss, and act upon matters of mutual interest with the governing body of the county in which the city is located. Amends s. 166.0213, F.S. Companion to SB 730. *Rep. Cary Pigman (R-Sebring)* **WATCH**

- H. Government Operations Subcommittee: Reported favorably. Now in H. State Affairs.

SB 1648 Public Records and Meetings: Senate Proposed Bill 7064 was approved by the S. Governmental Oversight and Accountability Committee, and renumbered as SB 1648. The bill makes major changes to chapter 119, Florida's public records law, including:

- Amends s. 119.01 prohibiting an agency from paying dues with public funds to any organization unless certain records of the organization are open for inspection and copying, including all financial, business, and membership records pertaining to the agency paying dues, and all other records that the organization shares publicly or with its members.
- Amends s. 119.011 to include definitions of "confidential and exempt" and "exempt."
- Amends s. 119.07(1), codifying case law by stipulating that an agency can require that a public record request be made in writing *only if* there is a specific statute requiring that requests be made in writing, and requiring the custodian provide the requestor with the statutory citation.
- Amends the extensive use fee provision in s. 119.071(4)(d), stipulating that the cost of clerical or supervisory assistance can be no greater than the hourly rate, less benefits, of the lowest paid person capable of performing the task.
- Amends s. 119.0701, relating to contracts between a public agency and a contractor, to require contractors to notify the public agency (1) before denying a request to inspect or copy public records held by the contractor and (2) if the contractor is going to be sued for failure to comply with the public records law.
- Creates s. 119.0702, requiring public records law training of all agency employees who deal with public record requests.
- Amends s. 119.12 relating to the recovery of attorney fees and court costs to
 - allow recovery of such fees and costs incurred in litigating the entitlement to recover such fees; and
 - stipulate that when suing a public agency for enforcement of the public records law and seeking attorney fees, notice to the Department of Financial Services is *not* required.
- Amends s. 286.011, F.S., to stipulate that when suing a public agency for enforcement of the open meetings law and seeking attorney fees, notice to the Department of Financial Services is *not* required.

Amends various statutory provisions. Companion to HB 1151. *S. Governmental Oversight and Accountability* 😊

- Senate: Unanimously passed the Senate. Now in H. Messages. 😊

RESEARCH FACILITIES

CS/HB 711 Exemption/Alzheimer's Disease Research Grant Advisory Board: In part, HB 709 creates the Ed and Ethel Moor Alzheimer's Disease Research Program within the Department of Health for the purpose of funding research leading to a cure of the disease. CS/HB 711 creates a public record exemption for applications provided to the Alzheimer's Disease Research Grant Advisory Board within the Department of Health for Alzheimer's disease research grants, and all records generated by the board relating to review of such applications. Also creates an exemption for those portions of board meetings during which grant applications are discussed, requiring that closed meetings be recorded and that the recording is subject to the same public record exemptions as outlined above. Final recommendations of the board will be subject to disclosure. Amends s. 381.82, F.S. Companion to SB 840. *Rep. Matt Hudson (R-Naples)*

- H. Health and Human Services Committee: Reported favorably. Now on H. Calendar.

SB 996 OGSR/Scripps Florida Funding Corporation: Repeals s. 288.9551, F.S., providing numerous public record exemptions for the Scripps Florida Funding Corporation, as well as an exemption for those meetings of the corporation's board at which confidential and exempt information is discussed. Repeals s. 288.9551, F.S. Companion to HB 7047. *S. Commerce and Tourism* 😊

- S. Rules Committee: Reported favorably. [On S. Special Order Calendar, 4/3.](#) 😊

SECURITY

HB 1083 Exemption/Surveillance Recordings: Creates a public record exemption for surveillance recordings created to monitor activities occurring inside or outside of public buildings or on public property held by community development districts. Creates s. 190.0121, F.S. Companion to SB 1218. *Rep. Frank Artiles (R-Miami)* 😞

- H. Government Operations Subcommittee: Reported favorably. Now in H. Economic Affairs. 😞

HB 7011 Exemption/Emergency Planning: Expands the exemption in s. 119.071(5)(j), F.S. for information furnished by a person to an agency for the purpose of receiving emergency planning assistance to also include information furnished by a business for such purpose. Amends s. 119.071(5)(j), F.S. Companion to SB 1140. *H. Economic Development and Tourism Subcommittee*

- H. Government Operations Subcommittee: A proposed committee substitute is adopted; reported favorably as a committee substitute. CS/HB 7011 creates s. 252.905, F.S., providing a public record exemption for any information provided to the Division of Emergency Management by a person or business for the purpose of receiving assistance with emergency planning. Now in H. Economic Affairs.

TAXES AND FEES

CS/HB 177 Exemption/Prepaid Wireless E911 Fee: HB 175, in pertinent part, amends s. 365.172, F.S., to require sellers of prepaid wireless service to pay a set fee per transaction to the Department of Revenue (DOR). CS/HB 177 expands the public record exemption in s. 365.174, F.S., for all information in returns, reports, accounts or declarations received by the Department of Revenue (DOR) to include information from providers of prepaid wireless E911 services. Amends s. 365.174, F.S. Companion to SB 292. *Rep. Greg Steube (R-Sarasota)*

- House: Rolled to third reading and passed unanimously by the House. Now in S. Messages.

→ **CS/SB 292 Exemption/Prepaid Wireless E911 Fee**: Companion to HB 177. *Sen. Alan Hays (R-Umatilla)*

- S. Rules Committee: Reported favorably. **On S. Special Order Calendar, 4/3.**

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