

CHAPTER 2016-21

Committee Substitute for House Bill No. 381

An act relating to public records; amending s. 548.062, F.S.; revising an exemption from public records requirements with respect to certain proprietary confidential business information obtained by the Florida State Boxing Commission; extending the period for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Subsections (2) and (3) of section 548.062, Florida Statutes, is amended to read:

548.062 Public records exemption.—

(2) ~~Proprietary confidential business information provided by a promoter in the written report required to be filed with the commission after a match~~ or obtained by the commission through an audit of the promoter's books and records pursuant to s. 548.06 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Information made confidential and exempt by this subsection may be disclosed to another governmental entity in the performance of its duties and responsibilities.

(3) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, ~~2021~~ 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that proprietary confidential business information provided by a promoter to the Florida State Boxing Commission be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The disclosure of proprietary confidential business information could injure a promoter in the marketplace by giving the promoter's competitors insights into the promoter's financial status and business plan, thereby putting the promoter at a competitive disadvantage. The Legislature also finds that the harm to a promoter in disclosing proprietary confidential business information significantly outweighs any public benefit derived from the disclosure of such information. Therefore, extending the public records exemption to proprietary confidential business information provided by a promoter to the commission, no matter if the information is provided in a report or otherwise, ensures that the public records exemption is maintained and not undermined. For these reasons, the Legislature declares that any proprietary confidential business information provided by a promoter to the Florida State Boxing Commission is confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution.

Section 3. This act shall take effect July 1, 2016.

Approved by the Governor March 8, 2016.

Filed in Office Secretary of State March 8, 2016.