

Senate Study Bill 274

Conference Committee Text

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1 1 Section 1. Section [88.12](#), Code 1995, is amended to read as
1 2 follows:
1 3 88.12 CONFIDENTIALITY OF TRADE SECRETS.
1 4 Notwithstanding any provisions of this chapter, all
1 5 information reported to or otherwise obtained by the
1 6 commissioner,

~~or~~

- the commissioner's representative, or a
1 7 person under contract with the commissioner pursuant to
1 8 section 88.2, subsection 4, in connection with any inspection
1 9 or proceeding under this chapter which contains or might
1 10 reveal a trade secret shall be considered confidential, except
1 11 that such information may be disclosed to other officers or
1 12 employees concerned with carrying out this chapter or when
1 13 relevant to any proceeding under this chapter. In any such
1 14 proceeding the commissioner, the appeal board, or the court
1 15 shall issue such orders as may be appropriate to protect the
1 16 confidentiality of trade secrets.
1 17 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 18 immediate importance, takes effect upon enactment.
1 19 Sec. 3. RETROACTIVE APPLICABILITY. This Act is
1 20 retroactively applicable to January 1, 1995, and is applicable
1 21 on and after that date.

1 22 EXPLANATION

1 23 This bill provides that information that might reveal a
1 24 trade secret obtained by a person under contract with the
1 25 labor commissioner pursuant to section 88.12, subsection 4,
1 26 shall be deemed to be confidential. The commissioner has
1 27 authority pursuant to section 88.12, subsection 4, to hire
1 28 experts, consultants, or organizations to investigate
1 29 complaints under the occupational safety and health law.
1 30 The bill takes effect upon enactment and is retroactively
1 31 applicable to January 1, 1995.
1 32 LSB 2567SC 76
1 33 ec/cf/24