

Committee on Innovation, Industry, and Technology

CS/CS/HB 821 — Public Records and Meetings/Information Technology Security Information

by State Affairs Committee; Oversight, Transparency and Public Management Subcommittee;
and Rep. Williamson and others (CS/SB 1170 by Senators Baxley and Hutson)

The bill expands two existing public records exemptions relating to information technology records to add “network schematics, hardware and software configurations, and encryption” records to an existing exemption; and streamline and simplify the exemptions by deleting duplicative provisions and restructuring the remaining provisions to maintain the same effect. It provides for the release of confidential and exempt records to the Auditor General, the Cybercrime Office of the Department of Law Enforcement, the Division of State Technology and to the Chief Inspector General. The bill provides for retroactive application of the exemption.

The bill also creates a public meetings exemption for those portions of a public meeting which would reveal records that the above-discussed provisions make exempt. No exempt portion of an exempt meeting may be off the record, but must be recorded and transcribed. A recording and transcript is confidential and exempt from disclosure unless a court of competent jurisdiction, after an in camera review, determines that the meeting was not restricted to the discussion of data and information made confidential and exempt by this section. In the event of such a judicial determination, only that portion of the recording and transcript which reveals nonexempt data and information may be disclosed to a third party.

Pursuant to the Open Government Sunset Review Act, these public records and meetings exemptions are scheduled to repeal October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 117-0