Florida Senate - 1998

By Senator Holzendorf

2-1822-98 A bill to be entitled 1 2 An act relating to the confidentiality of records relating to internal audits conducted 3 4 by insurance companies; providing an exemption 5 from public records requirements for certain 6 documents submitted to the Department of 7 Insurance in connection with a voluntary internal evaluation or audit; providing for 8 9 future legislative review and repeal; providing a statement of public necessity; providing a 10 contingent effective date. 11 12 Be It Enacted by the Legislature of the State of Florida: 13 14 Section 1. (1) Any document prepared as a result of a 15 voluntary internal evaluation, review, assessment, audit, or 16 17 investigation conducted by or on behalf of any company licensed or regulated under the Florida Insurance Code which 18 19 is submitted to the Department of Insurance is confidential and exempt from section 119.07(1), Florida Statutes, and 20 Section 24(a), Article I of the State Constitution. 21 22 (2) This section is subject to the Open Government 23 Sunset Review Act of 1995 in accordance with section 119.15, Florida Statutes, and is repealed on October 2, 2003, unless 24 25 reviewed and saved from repeal through reenactment by the 26 Legislature before that date. 27 Section 2. The Legislature finds that it is a public 28 necessity that the information voluntarily submitted to the 29 Department of Insurance by an insurance company for the 30 purpose of assessing and improving the company's compliance with the Florida Insurance Code and with state and federal 31 1

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laws, rules, and orders be kept confidential and exempt from the public records law. The Legislature further finds that the public will benefit from incentives for insurance companies to identify and remedy noncompliance and that a limited protection against disclosure of certain information will encourage voluntary compliance and improve the quality of the insurance market and will not inhibit the regulatory authority of the Department of Insurance. Section 3. This act shall take effect on the date

8 of the Department of Insurance. Section 3. This act shall take effect on the date 9 10 Senate Bill ____, relating to self-evaluative audit documents, or similar legislation becomes a law, and shall not take 11 effect if such legislation does not become a law. 12 13 14 15 SENATE SUMMARY Provides an exemption from the public records law for records produced as a result of an internal audit conducted by an insurance company. Provides for future review and repeal. Provides a statement of public 16 17 18 necessity. 19 20 21 22 23 24 25 26 27 28 29 30

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