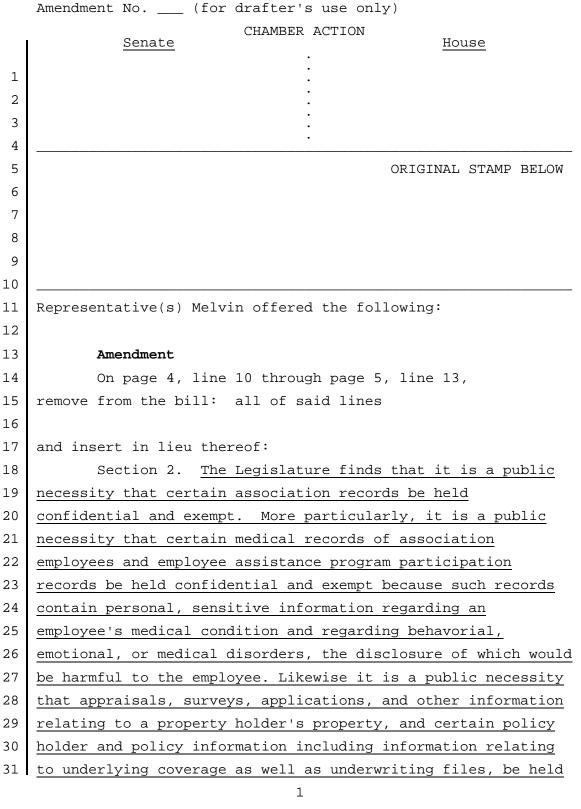
HOUSE AMENDMENT

Bill No. HB 2333



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Amendment No. \_\_\_\_ (for drafter's use only)

confidential and exempt because such records and information 1 2 contain proprietary confidential business information and 3 disclosure of such records and information could be harmful to 4 the policyholder. Additionally, it is a public necessity that matters reasonably encompassed in privileged attorney-client 5 communications be held confidential and exempt because the 6 7 release of such information could jeopardize ongoing or pending litigation or other business matters. It is a public 8 necessity that open claims files records be held confidential 9 10 and exempt because if such records were not confidential and exempt, claimants would have unfettered access to information 11 12 held by the association which could be used as evidence and for purposes of negotiation, claim evaluation, and settlement 13 considerations, which would result in higher awards and 14 15 settlements paid out by the association and ultimately the consumer. Additionally, it is a public necessity that records 16 17 held by an internal auditor while an audit is incomplete or 18 while an investigation is pending be held confidential and exempt because otherwise inaccurate information would possibly 19 be released or investigations jeopardized. It is also a public 20 necessity that vendor responses to an association request for 21 proposal to perform specialized professional services be held 22 confidential and exempt because the disclosure of such 23 responses, prior to the selection of the successful vendor, 24 would reveal competitive information, interfere with the 25 association's ability to administer the vendor selection 26 27 process, and negatively affect the content and quality of the proposals that are submitted. Finally, it is a public 28 29 necessity that all proprietary information and trade secrets furnished to the association as part of a response to a 30 request for proposal, or under separate contract, be held 31 2

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1	confidential and exempt when such response or contract
2	provides for confidentiality. If proprietary information and
3	trade secrets were not held confidential and exempt, the type
4	and quality of information the association receives in a
5	response would be limited and inadequate for the association
6	to make an informed decision that is in the public interest.
7	Likewise, the association's ability to enter into necessary
8	contracts, that require confidentiality, would be impaired if
9	proprietary information and trade secrets related to those
10	contracts are not held confidential and exempt from public
11	disclosure.
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