

By Representative Ryan

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 certain computer modeling data, calculations,
5 assumptions, and methodologies used for certain
6 purposes; providing for future review and
7 repeal; providing a finding of public
8 necessity; providing an effective date.

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

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12 Section 1. Any computer modeling data, calculations,
13 assumptions, and methodologies developed for purposes of any
14 rate filing under part I of chapter 627, Florida Statutes, are
15 confidential and exempt from the provisions of s. 119.07(1),
16 Florida Statutes, and s. 24(a), Art. I of the State
17 Constitution, for purposes of use by the Department of
18 Insurance in setting rates under part I of chapter 627,
19 Florida Statutes. This section is subject to the Open
20 Government Sunset Review Act of 1995 in accordance with s.
21 119.15, Florida Statutes, and shall stand repealed on October
22 2, 2006, unless reviewed and saved from repeal through
23 reenactment by the Legislature.

24 Section 2. The Legislature finds that the exemption
25 from public disclosure of computer modeling data,
26 calculations, assumptions, and methodologies developed for
27 purposes of any rate filing under part I of chapter 627,
28 Florida Statutes, is necessary for the Department of Insurance
29 to effectively and efficiently review rate filings made by
30 insurance companies, determine that insurance rates are not
31 excessive, inadequate, or unfairly discriminatory as required

1 by law, and set rates in compliance with applicable provisions
2 of law in regulating insurance companies in this state.
3 Disclosure of such data, calculations, assumptions, and
4 methodologies could thwart the state's interest in ensuring
5 the integrity of the regulatory process and could harm the
6 business of an insurance company.

7 Section 3. The Legislature finds that it is a public
8 necessity that computer modeling data, calculations,
9 assumptions, and methodologies developed for purposes of rate
10 filings under part I of chapter 627, Florida Statutes, be held
11 confidential and exempt. It is a public necessity that
12 insurance rates not be excessive, inadequate, or unfairly
13 discriminatory as required by law and that the Department of
14 Insurance be able to review and analyze the computer modeling
15 data, assumptions, calculations, and methodologies upon which
16 a rate filing is based to determine whether a rate filing
17 complies with the appropriate provisions, restrictions, and
18 limitations of law. It is a public necessity that computer
19 modeling data, assumptions, calculations, and methodologies
20 upon which rate filings are based be held confidential and
21 exempt because such computer modeling contains proprietary
22 confidential business information and disclosure of such
23 computer modeling information could be harmful to the
24 insurance company making the rate filing.

25 Section 4. This act shall take effect upon becoming a
26 law.

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HOUSE SUMMARY

Provides for confidentiality and an exemption from public records requirements for any computer modeling data, calculations, assumptions, and methodologies developed for property and casualty insurance rate purposes and for purposes of use by the Department of Insurance in setting property and casualty insurance rates. See bill for details.