

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Rivera offered the following:

Amendment (with directory and title amendments)

Remove line 116, and insert:

Section 5. Effective January 1, 2004, if HB 987 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law, section 627.9742, Florida Statutes, is created to read:

627.9742 Public records exemption for the Office of Insurance Regulation.--Credit scoring methodologies and related data and information that are trade secrets as defined in s. 688.002 and that are filed with the Office of Insurance Regulation pursuant to a rate filing or other filing required by law are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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27 Section 6. (1) Section 627.9742, Florida Statutes, is
28 subject to the Open Government Sunset Review Act of 1995 in
29 accordance with s. 119.15, Florida Statutes, and shall stand
30 repealed on October 2, 2008, unless reviewed and saved from
31 repeal through reenactment by the Legislature.

32 (2) This section shall take effect January 1, 2004, if HB
33 987 or similar legislation is adopted in the same legislative
34 session or an extension thereof and becomes a law.

35 Section 7. (1) The Legislature finds that it is a public
36 necessity that credit scoring methodologies and related data and
37 information that are trade secrets, filed with the Office of
38 Insurance Regulation pursuant to a rate filing or other filing
39 required by law, be made confidential and exempt from public
40 records requirements. Such information could harm the business
41 of an insurance company, as it contains proprietary confidential
42 business information that has economic value derived from not
43 being disclosed to competitors. The Legislature further finds
44 that it is a public necessity to make such information
45 confidential and exempt from public disclosure because release
46 of such information would likely result in an insurer's not
47 providing the Office of Insurance Regulation with adequate
48 information on which to base a determination as to whether a
49 filing meets the requirements of law, resulting in increased
50 administrative and legal disputes with regard to the filing.

51 (2) This section shall take effect January 1, 2004, if HB
52 987 or similar legislation is adopted in the same legislative
53 session or an extension thereof and becomes a law.

54 Section 8. Except as otherwise provided herein, this act
55 shall take effect upon becoming a law.

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===== T I T L E A M E N D M E N T =====

Remove the entire title, and insert:

A bill to be entitled

An act relating to public records and public meetings exemptions; repealing s. 430.015, F.S.; removing a public necessity statement for a public records exemption for identifying information contained in records of elderly persons collected and held by the Department of Elderly Affairs; amending s. 440.132, F.S.; removing a public necessity statement for a public records exemption for investigatory records of the Agency for Health Care Administration made or received pursuant to a workers' compensation managed care arrangement and examination records necessary to complete an investigation; repealing s. 723.0065, F.S.; removing a public necessity statement for a public records exemption for specified financial records of mobile home park owners acquired by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation, and the Bureau of Mobile Homes of the division; repealing s. 768.301, F.S.; removing a public necessity statement for a public records exemption for certain claims files records and minutes of meetings and proceedings relating to risk management programs entered into by the state and its agencies and subdivisions, and a public meetings exemption for proceedings and meetings regarding claims filed; repealing s. 815.045, F.S.;

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85 removing a public necessity statement for a public records
86 exemption for data, programs, or supporting documentation
87 which are trade secrets and which reside or exist internal
88 or external to a computer, computer system, or computer
89 network and which are held by an agency; amending s.
90 943.031, F.S.; removing a public necessity statement for a
91 public records and public meetings exemption for specified
92 portions of meetings of the Florida Violent Crime and Drug
93 Control Council, specified portions of public records
94 generated at closed council meetings, and documents
95 related to active criminal investigations or matters
96 constituting active criminal intelligence; creating s.
97 627.9742, F.S.; creating a public records exemption for
98 credit scoring methodologies and related data and
99 information that are trade secrets filed with the Office
100 of Insurance Regulation; providing for future review and
101 repeal; providing a statement of public necessity;
102 providing effective dates.