

Bill No. CS for CS for SB 1770, 1st Eng.

Amendment No. \_\_\_\_ Barcode 035592

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Clary moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 2, line 1, through		
15	page 6, line 24, delete those lines		
16			
17	and insert:		
18	Section 1. Section 627.9742, Florida Statutes, is		
19	created to read:		
20	<u>627.9742 Public records exemption for the Office of</u>		
21	<u>Insurance Regulation.--Credit scoring methodologies and</u>		
22	<u>related data and information that are trade secrets as defined</u>		
23	<u>in s. 688.002 and that are filed with the Office of Insurance</u>		
24	<u>Regulation pursuant to a rate filing or other filing required</u>		
25	<u>by law are confidential and exempt from the provisions of s.</u>		
26	<u>119.07(1) and s. 24(a), Art. I of the State Constitution.</u>		
27	Section 2. <u>Section 627.9742, Florida Statutes, is</u>		
28	<u>subject to the Open Government Sunset Review Act of 1995 in</u>		
29	<u>accordance with section 119.15, Florida Statutes, and shall</u>		
30	<u>stand repealed on October 2, 2008, unless reviewed and saved</u>		
31	<u>from repeal through reenactment by the Legislature.</u>		

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1           Section 3. The Legislature finds that it is a public  
2 necessity that credit scoring methodologies and related data  
3 and information that are trade secrets, filed with the Office  
4 of Insurance Regulation pursuant to a rate filing or other  
5 filing required by law, be made confidential and exempt from  
6 public records requirements. Such information could harm the  
7 business of an insurance company, as it contains proprietary  
8 confidential business information that has economic value  
9 derived from not being disclosed to competitors. The  
10 Legislature further finds that it is a public necessity to  
11 make such information confidential and exempt from public  
12 disclosure because release of such information would likely  
13 result in an insurer's not providing the Office of Insurance  
14 Regulation with adequate information on which to base a  
15 determination as to whether a filing meets the requirements of  
16 law, resulting in increased administrative and legal disputes  
17 with regard to the filing.

18           Section 4. Sections 1, 2, and 3 of this act shall take  
19 effect January 1, 2004 if SB 204 or similar legislation  
20 adopted in the same legislative session or an extension  
21 thereof and becomes a law.

22  
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24 ===== T I T L E   A M E N D M E N T =====

25 And the title is amended as follows:

26           On page 1, lines 3-19, delete those lines

27

28 and insert:

29           creating s. 627.9742, F.S.; creating

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