

Bill No. CS for CS for SB 1770

Amendment No. \_\_\_\_ Barcode 364126

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2	05/02/2003 11:55 AM	.	
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11	Senator Miller moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 5, lines 7-9, delete section 3		
15			
16	and insert:		
17	Section 3. Section 627.9742, Florida Statutes, is		
18	created to read:		
19	<u>627.9742 Public records exemption for the Office of</u>		
20	<u>Insurance Regulation.--Credit scoring methodologies and</u>		
21	<u>related data and information that are trade secrets as defined</u>		
22	<u>in s. 688.002 and that are filed with the Office of Insurance</u>		
23	<u>Regulation pursuant to a rate filing or other filing required</u>		
24	<u>by law are confidential and exempt from the provisions of s.</u>		
25	<u>119.07(1) and s. 24(a), Art. I of the State Constitution.</u>		
26	Section 4. <u>Section 627.9742, Florida Statutes, is</u>		
27	<u>subject to the Open Government Sunset Review Act of 1995 in</u>		
28	<u>accordance with s. 119.15, Florida Statutes, and shall stand</u>		
29	<u>repealed on October 2, 2008, unless reviewed and saved from</u>		
30	<u>repeal through reenactment by the Legislature.</u>		
31	Section 5. <u>The Legislature finds that it is a public</u>		

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

17           Section 6. Sections 1 and 2 of this act shall take  
18 effect July 1, 2003, if SB 1414 or similar legislation is  
19 adopted in the same legislative session or an extension  
20 thereof and becomes law. Sections 3, 4, and 5 of this act  
21 shall take effect January 1, 2004 if SB 204 or similar  
22 legislation adopted in the same legislative session or an  
23 extension thereof and becomes a law.

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

27 And the title is amended as follows:

28           On page 1, lines 2-18, delete those lines

29

30 and insert:

31           An act relating to public records exemptions;

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1           creating exemptions for trade secret  
2           information; creating an exemption from public  
3           records and public meetings requirements for  
4           certain information held by the Florida  
5           Institute of Human and Machine Cognition;  
6           creating an exemption from public records  
7           requirements for specified materials, actual  
8           and potential trade secrets, information  
9           identifying donors to the institute; providing  
10          for specified access to certain information by  
11          governmental entities; creating an exemption  
12          from public meetings requirements for meetings  
13          of the governing board of the not-for-profit  
14          corporation at which exempt records are  
15          discussed; providing for future review and  
16          repeal; providing a statement of public  
17          necessity; creating s. 627.9742, F.S.; creating  
18          a public records exemption for credit scoring  
19          methodologies and related data and information  
20          that are trade secrets filed with the Office of  
21          Insurance Regulation; providing for future  
22          review and repeal; providing a statement of  
23          public necessity; providing a contingent  
24          effective date.

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