



HB 0111A

2003

1 A bill to be entitled

2 An act relating to a public records exemption; creating s.
3 627.9742, F.S.; creating a public records exemption for
4 credit scoring methodologies and related data and
5 information that are trade secrets filed with the Office
6 of Insurance Regulation; providing for future review and
7 repeal; providing a statement of public necessity;
8 providing a contingent 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. Section 627.9742, Florida Statutes, is created
13 to read:

14 627.9742 Public records exemption for the Office of
15 Insurance Regulation.--Credit scoring methodologies and related
16 data and information that are trade secrets as defined in s.
17 688.002 and that are filed with the Office of Insurance
18 Regulation pursuant to a rate filing or other filing required by
19 law are confidential and exempt from the provisions of s.
20 119.07(1) and s. 24(a), Art. I of the State Constitution.

21 Section 2. Section 627.9742, Florida Statutes, is subject
22 to the Open Government Sunset Review Act of 1995 in accordance
23 with s. 119.15, Florida Statutes, and shall stand repealed on
24 October 2, 2008, unless reviewed and saved from repeal through
25 reenactment by the Legislature.

26 Section 3. The Legislature finds that it is a public
27 necessity that credit scoring methodologies and related data and
28 information that are trade secrets, filed with the Office of
29 Insurance Regulation pursuant to a rate filing or other filing
30 required by law, be made confidential and exempt from public



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31 records requirements. Such information could harm the business
32 of an insurance company, as it contains proprietary confidential
33 business information that has economic value derived from not
34 being disclosed to competitors. The Legislature further finds
35 that it is a public necessity to make such information
36 confidential and exempt from public disclosure because release
37 of such information would likely result in an insurer's not
38 providing the Office of Insurance Regulation with adequate
39 information on which to base a determination as to whether a
40 filing meets the requirements of law, resulting in increased
41 administrative and legal disputes with regard to the filing.

42 Section 4. This act shall take effect January 1, 2004, if
43 HB 0109A or substantially similar legislation is adopted in the
44 same legislative session, or an extension thereof, and becomes a
45 law.