



HB 0135A

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A bill to be entitled
 An act relating to a public records exemption; creating s.
 627.9742, F.S.; creating a public records exemption for
 credit scoring methodologies and related data and
 information that are trade secrets filed with the Office
 of Insurance Regulation; providing for future review and
 repeal; providing a statement of public necessity;
 providing a contingent effective date.

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

Section 1. 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.

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 with s. 119.15, Florida Statutes, and shall stand repealed on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

Section 3. The Legislature finds that it is a public
 necessity that credit scoring methodologies and related data and
 information that are trade secrets, filed with the Office of
 Insurance Regulation pursuant to a rate filing or other filing
 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 or similar legislation is adopted in the same legislative
44 session or an extension thereof and becomes a law.