

1 initiated by the department or office or other administrative
2 or law enforcement agency. After an investigation is completed
3 or ceases to be active, portions of the investigation report
4 relating to the investigation remain confidential and exempt
5 from ~~the provisions of~~ s. 119.07(1) if disclosure would:

6 ~~a.1.~~ Jeopardize the integrity of another active
7 investigation;

8 ~~b.2.~~ Impair the safety and financial soundness of the
9 licensee or affiliated party;

10 ~~c.3.~~ Reveal personal financial information;

11 ~~d.4.~~ Reveal the identity of a confidential source;

12 ~~e.5.~~ Defame or cause unwarranted damage to the good
13 name or reputation of an individual or jeopardize the safety
14 of an individual; or

15 ~~f.6.~~ Reveal investigative techniques or procedures.

16 (b)1. As used in this paragraph, the term "work
17 papers" means the records of the procedures followed, tests
18 performed, information obtained, and conclusions reached in an
19 examination or investigation performed under ss. 624.316,
20 624.3161, 624.317, and 624.318. Work papers include planning
21 documentation, work programs, analyses, memoranda, letters of
22 confirmation and representation, abstracts of company
23 documents, schedules or commentaries prepared or obtained in
24 the course of such examination or investigation, and
25 information based on civil and criminal complaints and
26 investigations.

27 2.a. Work papers ~~Workpapers~~ and other information held
28 by the department or office are confidential and exempt from
29 s. 119.07(1) and s. 24(a), Art. I of the State Constitution
30 until the examination report is filed or until the
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1 investigation is completed or ceases to be active., and
2 ~~workpapers and other~~

3 b. Information received from another governmental
4 entity or the National Association of Insurance Commissioners,
5 which is confidential or exempt when held by that entity, for
6 use by the department or office ~~department's or office's use~~
7 in the performance of its examination or investigation duties
8 pursuant to this section or ~~and~~ ss. 624.316, 624.3161,
9 624.317, and 624.318 is ~~are~~ confidential and exempt from ~~the~~
10 ~~provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State
11 Constitution.

12 c. This exemption applies to work papers ~~workpapers~~
13 ~~and other information~~ held by the department or office before,
14 on, or after the effective date of this exemption.

15 3. Such confidential and exempt work papers
16 ~~information~~ may be disclosed to:

17 a. Another governmental entity, if disclosure is
18 necessary for the receiving entity to perform its duties and
19 responsibilities; or, ~~and may be disclosed to~~

20 b. The National Association of Insurance
21 Commissioners. ~~The receiving governmental entity or the~~
22 ~~association must maintain the confidential and exempt status~~
23 ~~of the information. The information made confidential and~~
24 ~~exempt by this paragraph may be used in a criminal, civil, or~~
25 ~~administrative proceeding so long as the confidential and~~
26 ~~exempt status of such information is maintained. This~~
27 ~~paragraph is subject to the Open Government Sunset Review Act~~
28 ~~of 1995 in accordance with s. 119.15 and shall stand repealed~~
29 ~~on October 2, 2007, unless reviewed and saved from repeal~~
30 ~~through reenactment by the Legislature.~~

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1 4. After an examination report is filed or an
2 investigation is completed or ceases to be active, portions of
3 the work papers may remain confidential and exempt from s.
4 119.07(1) and s. 24(a), Art. I of the State Constitution if
5 disclosure would:

6 a. Jeopardize the integrity of another active
7 examination or investigation;

8 b. Impair the safety and financial soundness of the
9 licensee or affiliated party;

10 c. Reveal personal financial, medical, or health
11 information;

12 d. Reveal the identity of a confidential source;

13 e. Defame or cause unwarranted damage to the good name
14 or reputation of an individual or jeopardize the safety of an
15 individual;

16 f. Reveal examination techniques or procedures; or

17 g. Reveal information that is confidential or exempt
18 under sub-subparagraph 2.b.

19 (c) Lists of insurers or regulated companies are
20 confidential and exempt from ~~the provisions of~~ s. 119.07(1)
21 if:

22 1. The financial solvency, condition, or soundness of
23 such insurers or regulated companies is being monitored by the
24 office;

25 2. The list is prepared to internally coordinate
26 regulation by the office of the financial solvency, condition,
27 or soundness of the insurers or regulated companies; and

28 3. The office determines that public inspection of
29 such list could impair the financial solvency, condition, or
30 soundness of such insurers or regulated companies.

31 Section 2. This act shall take effect October 1, 2007.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1850

Retains confidential and exempt status of information received from another governmental entity or the National Association of Insurance Commissioners if that information is confidential or exempt when held by that entity.

Exempts work papers until examination report is filed or until the investigation is completed or ceases to be active, with exceptions.