Amendment No.

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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1 | Representative Ross offered the following:

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3 | **Amendment to Amendment (870297) (with title amendment)**

4 | Remove line(s) 2871-2887 and insert:

5 | (3) ATTORNEY-CLIENT PRIVILEGE; WORK PRODUCT.--It is the

6 | intent of the Legislature that the principles of the public

7 | records and open meetings laws apply to the assertion of

8 | attorney-client privilege and work product confidentiality by

9 | the office in connection with a challenge to its actions on a

10 | rate filing. Therefore, in any administrative or judicial

11 | proceeding relating to a rate filing, attorney-client privilege

12 | and work product exemptions from disclosure do not apply to

13 | communications with office attorneys or records prepared by or

14 | at the direction of an office attorney, except when the

15 | conditions of paragraphs (a) and (b) have been met:

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16   (a) The communication or record reflects a mental

17 impression, conclusion, litigation strategy, or legal theory of

18 the attorney or office that was prepared exclusively for civil

19 or criminal litigation or adversarial administrative

20 proceedings.

21   (b) The communication occurred or the record was prepared

22 after the initiation of an action in a court of competent

23 jurisdiction, after the issuance of a notice of intent to deny a

24 rate filing, or after the filing of a request for a proceeding

25 under ss. 120.569 and 120.57.

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32   **T I T L E   A M E N D M E N T**

33   Remove line(s) 3198-3199 and insert:

34 amending s. 215.555, F.S.; extending for an

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