ENROLLED CS/HB 677

2011 Legislature

1	A bill to be entitled
2	An act relating to public records; amending s. 119.0712,
3	F.S.; providing an exemption from public records
4	requirements for information held by the Office of
5	Financial Regulation that is received from another state
6	or federal regulatory, administrative, or criminal justice
7	agency and that is otherwise confidential or exempt
8	pursuant to the laws of that state or pursuant to federal
9	law; providing an exemption from public records
10	requirements for information held by the office that is
11	received or developed by the office as part of a joint or
12	multiagency examination or investigation with another
13	state or federal regulatory, administrative, or criminal
14	justice agency; specifying conditions under which the
15	Office of Financial Regulation may obtain and use such
16	information; providing for retroactive application;
17	providing for future review and repeal of the exemptions;
18	providing a statement of public necessity; providing an
19	effective date.
20	
21	Be It Enacted by the Legislature of the State of Florida:
22	
23	Section 1. Subsection (3) is added to section 119.0712,
24	Florida Statutes, to read:
25	119.0712 Executive branch agency-specific exemptions from
26	inspection or copying of public records
27	(3) OFFICE OF FINANCIAL REGULATION
28	(a) The following information held by the Office of
•	Dogo 1 of 2

```
Page 1 of 3
```

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

## ENROLLED CS/HB 677

2011 Legislature

29	Financial Regulation before, on, or after July 1, 2011, is
30	confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
31	of the State Constitution:
32	1. Any information received from another state or federal
33	regulatory, administrative, or criminal justice agency that is
34	otherwise confidential or exempt pursuant to the laws of that
35	state or pursuant to federal law.
36	2. Any information that is received or developed by the
37	office as part of a joint or multiagency examination or
38	investigation with another state or federal regulatory,
39	administrative, or criminal justice agency. The office may
40	obtain and use the information in accordance with the conditions
41	imposed by the joint or multiagency agreement. This exemption
42	does not apply to information obtained or developed by the
43	office that would otherwise be available for public inspection
44	if the office had conducted an independent examination or
45	investigation under Florida law.
46	(b) This subsection is subject to the Open Government
47	Sunset Review Act in accordance with s. 119.15 and shall stand
48	repealed on October 2, 2016, unless reviewed and saved from
49	repeal through reenactment by the Legislature.
50	Section 2. (1) The Legislature finds that it is a public
51	necessity that information held by the Office of Financial
52	Regulation before, on, or after July 1, 2011, that is received
53	from another state or federal regulatory, administrative, or
54	criminal justice agency that is confidential or exempt pursuant
55	to the laws of that state or pursuant to federal law be made
56	confidential and exempt from public records requirements.
I	Page 2 of 3

## Page 2 of 3

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

## ENROLLED CS/HB 677

2011 Legislature

57 Without the exemption, the office will be unable to obtain 58 information that could assist it in pursuing violations of law under its jurisdiction. Without this exemption, the effective 59 60 and efficient administration of the regulatory programs 61 administered by the Office of Financial Regulation would be 62 significantly impaired. 63 (2) The Legislature finds that it is a public necessity 64 that information held by the Office of Financial Regulation that 65 is received or developed by the office as part of a joint or multiagency examination or investigation with another state or 66 federal regulatory, administrative, or criminal justice agency 67 68 be made confidential and exempt from public records 69 requirements. The exemption is necessary to enable the office to 70 participate in joint or multiagency investigations and examinations. Without the exemption, the office will be unable 71 72 to participate in these activities, which impairs its ability to 73 leverage its limited resources. Without the sharing and 74 coordination of information, governmental agencies may be 75 required to conduct duplicative independent investigations or 76 examinations in order to meet their regulatory responsibilities. 77 With the exemption, that burden can be reduced or eliminated 78 through joint or alternating investigations or examinations, or 79 by off-site reviews of other governmental agency investigations 80 or examinations. Section 3. This act shall take effect July 1, 2011. 81

## Page 3 of 3

CODING: Words stricken are deletions; words underlined are additions.