

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 627.3518, F.S.; providing an exemption from public
 4 records requirements for all underwriting guidelines,
 5 manuals, rating information, and other underwriting
 6 criteria or instructions submitted by an insurer to
 7 the corporation's policyholder eligibility
 8 clearinghouse program which are used to identify and
 9 select risks from the program; providing for future
 10 review and repeal of the exemption under the Open
 11 Government Sunset Review Act; providing a statement of
 12 public necessity; providing a contingent effective
 13 date.

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

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 17 Section 1. Subsection (10) is added to section 627.3518,
 18 Florida Statutes, as created by HB 7093, 2013 Regular Session,
 19 to read:

20 627.3518 Citizens Property Insurance Corporation
 21 policyholder eligibility clearinghouse program.-

22 (10) All underwriting guidelines, manuals, rating
 23 information, and other underwriting criteria or instructions
 24 submitted by an insurer to the corporation's policyholder
 25 eligibility clearinghouse program which are used to identify and
 26 select risks from the program are confidential and exempt from
 27 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

28 This subsection is subject to the Open Government Sunset Review

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29 Act in accordance with s. 119.15 and shall stand repealed on
30 October 2, 2018, unless reviewed and saved from repeal through
31 reenactment by the Legislature.

32 Section 2. The Legislature finds that it is public
33 necessity that all underwriting guidelines, manuals, rating
34 information, and other underwriting criteria or instructions
35 submitted by an insurer to the Citizens Property Insurance
36 Corporation's policyholder eligibility clearinghouse program
37 which are used to identify and select risks from the program be
38 made confidential and exempt from the requirements of s.
39 119.07(1), Florida Statutes, and s. 24(a), Article I of the
40 State Constitution. The program will facilitate obtaining offers
41 of coverage from insurers for applicants for insurance coverage
42 with Citizens Property Insurance Corporation and for
43 policyholders with existing insurance coverage with Citizens
44 Property Insurance Corporation. Obtaining offers of coverage
45 from insurers through the program will provide more choices for
46 consumers and reduce Citizens Property Insurance Corporation's
47 exposure and potential for assessments on its policyholders and
48 policyholders in the private market. In order for the program to
49 efficiently determine whether there are insurers interested in
50 making an offer of coverage for a particular risk, a substantial
51 amount of detailed data from participating insurers must be
52 provided to the program. Public disclosure of the detailed data
53 could result in a substantial chilling effect on insurer
54 participation in the program, thereby undermining the program's
55 success. Therefore, the Legislature declares that it is a public
56 necessity that all underwriting guidelines, manuals, rating

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57 | information, and other underwriting criteria or instructions
58 | submitted by an insurer to the Citizens Property Insurance
59 | Corporation's policyholder eligibility clearinghouse program
60 | which are used to identify and select risks from the program be
61 | made confidential and exempt from public records requirements.

62 | Section 3. This act shall take effect on the same date
63 | that HB 7093 or similar legislation creating s. 627.3518,
64 | Florida Statutes, the Citizen's Property Insurance Corporation
65 | policyholder eligibility clearinghouse program, takes effect, if
66 | such legislation is adopted in the same legislative session or
67 | an extension thereof and becomes law.