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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2018	.	
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The Committee on Rules (Broxson) recommended the following:

**Senate Amendment**

Delete lines 202 - 265  
and insert:  
and exempt in order to protect the technology systems,  
resources, and data of the corporation. The Legislature further  
finds that this public records exemption be given retroactive  
application because it is remedial in nature.

(2) (a) The Legislature also finds that it is a public  
necessity that portions of risk assessments, evaluations,  
audits, and other reports of the corporation's information



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12 technology security program for its data, information, and  
13 information technology resources which are held by the  
14 corporation be made confidential and exempt from s. 119.07(1),  
15 Florida Statutes, and s. 24(a), Article I of the State  
16 Constitution if the disclosure of such portions of records would  
17 facilitate unauthorized access to or the unauthorized  
18 modification, disclosure, or destruction of:

19 1. Data or information, whether physical or virtual; or

20 2. Information technology resources, which include:

21 a. Information relating to the security of the

22 corporation's technologies, processes, and practices designed to  
23 protect networks, computers, data processing software, and data  
24 from attack, damage, or unauthorized access; or

25 b. Security information, whether physical or virtual, which  
26 relates to the corporation's existing or proposed information  
27 technology systems.

28 (b) The Legislature finds that it is valuable, prudent, and  
29 critical to the corporation to have an independent entity  
30 conduct a risk assessment, an audit, or an evaluation or  
31 complete a report of the corporation's information technology  
32 program or related systems. Such documents would likely include  
33 an analysis of the corporation's current information technology  
34 program or systems which could clearly identify vulnerabilities  
35 or gaps in current systems or processes and propose  
36 recommendations to remedy identified vulnerabilities.

37 (3) (a) The Legislature further finds that it is a public  
38 necessity that those portions of a public meeting which could  
39 reveal information described in this section be made exempt from  
40 s. 286.011, Florida Statutes, and s. 24(b), Article I of the



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41 State Constitution. It is a public necessity that such meetings  
42 be made exempt from the open meetings requirements in order to  
43 protect the corporation's information technology systems,  
44 resources, and data. The information disclosed during portions  
45 of meetings would clearly identify the corporation's information  
46 technology systems and its vulnerabilities. This disclosure  
47 would jeopardize the information technology security of the  
48 corporation and compromise the integrity and availability of the  
49 corporation's data and information technology resources.

50 (b) The Legislature further finds that it is a public  
51 necessity that the recording and transcript of those portions of  
52 meetings specified in paragraph (a) be made confidential and  
53 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
54 Article I of the State Constitution unless a court determines  
55 that the meeting was not restricted to the discussion of data  
56 and information made confidential and exempt by this act. It is  
57 a public necessity that the resulting recordings and transcripts  
58 be made confidential and exempt from the public records  
59 requirements in order to protect the corporation's information  
60 technology systems, resources, and data. The disclosure of such  
61 recordings and transcripts would clearly identify the  
62 corporation's information technology systems and its  
63 vulnerabilities. This disclosure would jeopardize the  
64 information technology security of the corporation and  
65 compromise the integrity and availability of the corporation's  
66 data and information technology resources.

67 (c) The Legislature further finds that this public records  
68 exemption must be given retroactive