

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 information obtained by persons or agencies from the
5 First Responder Network Authority and information
6 relating to the Nationwide Public Safety Broadband
7 Network obtained by persons or agencies from entities
8 operating pursuant to a contract with the First
9 Responder Network Authority; providing for future
10 legislative review and repeal of the exemption;
11 providing a statement of public necessity; providing
12 an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. (1) Any information obtained by any person or
17 agency from the First Responder Network Authority, or any
18 information relating to the Nationwide Public Safety Broadband
19 Network established pursuant to 47 U.S.C s. 1401 et seq.
20 obtained by any person or agency from any entity operating
21 pursuant to a contract with the First Responder Network
22 Authority, is confidential and exempt from s. 119.07(1) and s.
23 24(a), Art. I of the State Constitution.

24 (2) For purposes of subsection (1), any information
25 relating to the Nationwide Public Safety Broadband Network

26 | includes any information regarding the design, development,
27 | construction, deployment, and operation of network facilities;
28 | network coverage, including geographical maps indicating actual
29 | or proposed locations of network infrastructure or facilities;
30 | the features, functions, and capabilities of network
31 | infrastructure and facilities; the features, functions, and
32 | capabilities of network services provided to first responders,
33 | as defined in s. 112.1815, Florida Statutes, and other network
34 | users; the design, features, functions, and capabilities of
35 | network devices provided to first responders and other network
36 | users; and security, including cybersecurity, of the design,
37 | construction, and operation of the network and associated
38 | services and products.

39 | (3) This section is subject to the Open Government Sunset
40 | Review Act in accordance with s. 119.15 and shall stand repealed
41 | on October 2, 2023, unless reviewed and saved from repeal
42 | through reenactment by the Legislature.

43 | Section 2. The Legislature finds that it is a public
44 | necessity that any information obtained by any person or agency
45 | from the First Responder Network Authority, or any information
46 | relating to the Nationwide Public Safety Broadband Network
47 | established pursuant to 47 U.S.C s. 1401 et seq. obtained by any
48 | person or agency from any entity operating pursuant to a
49 | contract with the First Responder Network Authority, be held
50 | confidential and exempt from public records requirements. Such

51 information contains proprietary business information of
52 communications services providers. Disclosure of such
53 information would adversely affect the business interests and
54 compromise the network security of such providers and of their
55 networks. Further, disclosure of such information would impair
56 competition in the communications services industry because
57 competitors could use such information to impede full and fair
58 competition in the communications services industry to the
59 disadvantage of its consumers. Therefore, the Legislature finds
60 that any information obtained by any person or agency from the
61 First Responder Network Authority, or any information relating
62 to the Nationwide Public Safety Broadband Network established
63 pursuant to 47 U.S.C s. 1401 et seq. obtained by any person or
64 agency from any entity operating pursuant to a contract with the
65 First Responder Network Authority, must be held confidential and
66 exempt from disclosure under s. 119.07(1), Florida Statutes, and
67 s. 24(a), Art. I of the State Constitution.

68 Section 3. This act shall take effect July 1, 2018.