

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.071, F.S.; providing an exemption from public  
 4           records requirements for certain information relating  
 5           to the Nationwide Public Safety Broadband Network held  
 6           by an agency; providing for future legislative review  
 7           and repeal of the exemption; providing a statement of  
 8           public necessity; providing an effective date.  
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10 Be It Enacted by the Legislature of the State of Florida:  
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12           Section 1. Paragraph (d) is added to subsection (3) of  
 13 section 119.071, Florida Statutes, to read:

14           119.071 General exemptions from inspection or copying of  
 15 public records.—

16           (3) SECURITY.—

17           (d)1. Information relating to the Nationwide Public Safety  
 18 Broadband Network established pursuant to 47 U.S.C s. 1401 et  
 19 seq. held by an agency is confidential and exempt from s.  
 20 119.07(1) and s. 24(a), Art. I of the State Constitution if  
 21 release of such information would reveal:

22           a. The design, development, construction, deployment, and  
 23 operation of network facilities;

24 b. Network coverage, including geographical maps  
25 indicating actual or proposed locations of network  
26 infrastructure or facilities;

27 c. The features, functions, and capabilities of network  
28 infrastructure and facilities;

29 d. The features, functions, and capabilities of network  
30 services provided to first responders, as defined in s.  
31 112.1815, and other network users;

32 e. The design, features, functions, and capabilities of  
33 network devices provided to first responders and other network  
34 users; or

35 f. Security, including cybersecurity, of the design,  
36 construction, and operation of the network and associated  
37 services and products.

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39 Review Act in accordance with s. 119.15 and shall stand repealed  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

42 Section 2. The Legislature finds that it is a public  
43 necessity that any information relating to the Nationwide Public  
44 Safety Broadband Network established pursuant to 47 U.S.C s.  
45 1401 et seq. held by an agency be made confidential and exempt  
46 from public records requirements. Such information contains  
47 security information and proprietary business information of  
48 communications services providers. The disclosure of sensitive

49 information relating to the Nationwide Public Safety Broadband  
50 Network could result in identification of vulnerabilities in  
51 such network and allow a security breach that could damage the  
52 network or disrupt the network's safe and reliable operation,  
53 adversely impacting the public health and safety of the state.  
54 Disclosure of such information would adversely affect the  
55 business interests and compromise the network security of such  
56 providers and their networks. Further, disclosure of such  
57 information would impair competition in the communications  
58 services industry because competitors could use such information  
59 to impede full and fair competition in the communications  
60 services industry to the disadvantage of its consumers.  
61 Therefore, the Legislature finds that any information relating  
62 to the Nationwide Public Safety Broadband Network established  
63 pursuant to 47 U.S.C s. 1401 et seq. held by an agency must be  
64 held confidential and exempt from disclosure under s. 119.07(1),  
65 Florida Statutes, and s. 24(a), Art. I of the State  
66 Constitution.

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