1   A bill to be entitled

2   An act relating to public meetings; amending s.

3   286.0113, F.S.; exempting from public meetings

4   requirements certain exempt information concerning

5   information technology systems held by specified

6   utilities; providing for future legislative review and

7   repeal of the exemption; providing a statement of

8   public necessity; providing an effective date.

9

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

11

12   Section 1. Subsection (3) is added to section 286.0113,

13   Florida Statutes, to read:

14   286.0113 General exemptions from public meetings.—

15   (3) That portion of a meeting held by a utility owned or

16   operated by a unit of local government that would reveal the

17   information that is exempt under s. 119.0713(5) is exempt from

18   s. 286.011 and s. 24(b), Art. I of the State Constitution. This

19   subsection is subject to the Open Government Sunset Review Act

20   in accordance with s. 119.15 and shall stand repealed on October

21   2, 2024, unless reviewed and saved from repeal through

22   reenactment by the Legislature.

23   Section 2. (1) The Legislature finds that it is a public

24   necessity that the portion of a meeting relating directly to or

25   that would reveal the following information, which is

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26 | confidential and exempt under s. 119.0713(5), Florida Statutes,
27 | be made exempt from s. 286.011, Florida Statutes, and s. 24(b),
28 | Art. I of the State Constitution:
29 | (a) Information related to the security of the technology,
30 | processes, or practices of the utility that are designed to
31 | protect the utility's networks, computers, programs, and data
32 | from attack, damage, or unauthorized access, which information,
33 | if disclosed, would facilitate the alteration, disclosure, or
34 | destruction of such data or information technology resources.
35 | (b) Information related to the security of existing or
36 | proposed information technology systems or industrial control
37 | technology systems of the utility, which, if disclosed, would
38 | facilitate unauthorized access to, and alteration or destruction
39 | of, such systems in a manner that would adversely impact the
40 | safe and reliable operation of the systems and the utility.
41 | (2)(a) The Legislature finds that, as utility system
42 | infrastructure becomes more connected and integrated through
43 | information and communications technology, the exposure to
44 | damage from attacks through such technology grows. These attacks
45 | may result in the disruption of utility services and damage to
46 | utility systems. Maintaining safe and reliable utility systems
47 | is vital to protecting the public health and safety and ensuring
48 | the economic well-being of the state. Accordingly, many
49 | utilities have adopted technologies, processes, and practices
50 | designed to secure data, information technology systems, and

51 industrial control technology systems.

52   (b) Disclosure of sensitive information relating to these

53 security measures could result in the identification of

54 vulnerabilities that allow a security breach that could damage

55 utility systems and disrupt the safe and reliable operation of

56 such systems, which, if disclosed, would adversely impact the

57 public health and safety and the economic well-being of the

58 state. Because of the interconnected nature of utility systems,

59 a security breach may also impact national security concerns.

60   (3) The Legislature finds that the public and private harm

61 in disclosing the information made exempt by this act outweighs

62 any public benefit derived from the disclosure of such

63 information. The protection of information and communications

64 made exempt by this act will ensure that utilities have greater

65 safeguards to protect against security threats and will bolster

66 efforts to develop more resilient information technology systems

67 and industrial control technology systems.

68   (4) Therefore, the Legislature finds that it is a public

69 necessity to make such information exempt from public meetings

70 requirements.

71   Section 3. This act shall take effect July 1, 2019.