

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0712, F.S.; providing an exemption from public
 4 records requirements for certain information relating
 5 to communications services locations, project
 6 proposals, and challenges submitted to and held by the
 7 Department of Economic Opportunity under the Broadband
 8 Opportunity Program; providing for future legislative
 9 review and repeal of the exemption; providing a
 10 statement of public necessity; providing an effective
 11 date.

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

15 Section 1. Subsection (5) is added to section 119.0712,
 16 Florida Statutes, to read:

17 119.0712 Executive branch agency-specific exemptions from
 18 inspection or copying of public records.—

19 (5) DEPARTMENT OF ECONOMIC OPPORTUNITY.—Information
 20 relating to communications services locations, project
 21 proposals, and challenges submitted to and held by the
 22 Department of Economic Opportunity under s. 288.9962 is
 23 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 24 of the State Constitution if such information is not otherwise
 25 publicly available and would reveal:

26 (a) The location and capacity of communications network
27 facilities;

28 (b) Communications network coverage areas, including
29 geographical maps indicating actual or proposed locations of
30 network infrastructure, facilities, or coverage;

31 (c) The features, functions, and capabilities of
32 communications network infrastructure and facilities;

33 (d) Security, including cybersecurity, of the design,
34 construction, and operation of the communications network and
35 associated services and products;

36 (e) Specific customer locations; or

37 (f) Sources of funding or in-kind contributions for a
38 project.

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40 This subsection is subject to the Open Government Sunset Review
41 Act in accordance with s. 119.15 and shall stand repealed on
42 October 2, 2028, unless reviewed and saved from repeal through
43 reenactment by the Legislature.

44 Section 2. The Legislature finds that it is a public
45 necessity that information relating to communications services
46 locations, project proposals, and challenges submitted to and
47 held by the Department of Economic Opportunity under s.
48 288.9962, Florida Statutes, be made exempt from s. 119.07(1),
49 Florida Statutes, and s. 24(a), Article I of the State
50 Constitution if such information is not otherwise publicly

51 available and would reveal the location and capacity of
52 communications network facilities; communications network
53 coverage areas, including geographical maps indicating actual or
54 proposed locations of network infrastructure, facilities, or
55 coverage; the features, functions, and capabilities of
56 communications network infrastructure and facilities; security,
57 including cybersecurity, of the design, construction, and
58 operation of the communications network and associated services
59 and products; specific customer locations; or sources of funding
60 or in-kind contributions for a project. Such information
61 contains security information and proprietary business
62 information of communications services providers. The disclosure
63 of sensitive information relating to the locations, capacities,
64 features, and functions of communications networks and
65 facilities could result in identification of vulnerabilities in
66 such networks and facilities and allow security breaches that
67 may damage and disrupt the safe and reliable operation of such
68 networks, adversely impacting the public health and safety of
69 the state. Disclosure of such information would adversely affect
70 the business interests and compromise the network security of
71 such communications services providers and their networks and
72 facilities.

73 Section 3. This act shall take effect July 1, 2023.