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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2023	.	
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The Committee on Commerce and Tourism (Hooper) recommended the following:

Senate Amendment (with title amendment)

Delete lines 22 - 64

and insert:

Department of Economic Opportunity under s. 288.9962 or pursuant to a federal broadband access grant program implemented by the Department of Economic Opportunity is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if such information is not otherwise publicly available and the release of such information would reveal:



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11 a. The location or capacity of communications network
12 facilities;

13 b. Communications network areas, including geographical
14 maps indicating actual or proposed locations of network
15 infrastructure or facilities;

16 c. The features, functions, and capabilities of
17 communications network infrastructure and facilities;

18 d. Security, including cybersecurity, of the design,
19 construction, and operation of the communications network and
20 associated services and products;

21 e. Specific customer locations; or

22 f. Sources of funding or in-kind contributions for a
23 project.

24 2. This exemption does not apply to any required functions
25 of the department under s. 288.9962 relating to publishing a
26 description of the proposed unserved areas to be served and the
27 proposed broadband Internet speeds of the areas to be served as
28 provided by the applicant and approved by the department.

29 3. This paragraph is subject to the Open Government Sunset
30 Review Act in accordance with s. 119.15 and shall stand repealed
31 on October 2, 2028, unless reviewed and saved from repeal
32 through reenactment by the Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity that certain information relating to communications
35 services locations, project proposals, and challenges submitted
36 to the Department of Economic Opportunity under the Broadband
37 Opportunity Program or pursuant to a federal broadband access
38 grant program implemented by the department be made confidential
39 and exempt from public records requirements. Such information



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40 contains security information and proprietary business
41 information of communications services providers. The disclosure
42 of sensitive information relating to the location, capacity,
43 features, functions, and security of these networks could result
44 in the identification of vulnerabilities in such networks and
45 allow a security breach that could damage the networks or
46 disrupt the networks' safe and reliable operation, adversely
47 impacting the public health and safety of this state. Further,
48 the disclosure of such information would adversely affect the
49 business interests and compromise the network security of the
50 communications services providers and their networks. Therefore,
51 the Legislature finds that it is a public necessity that certain
52 information relating to communications services locations,
53 project proposals, and challenges submitted to the Department of
54 Economic Opportunity under the Broadband Opportunity Program or
55 pursuant to a federal broadband access grant program implemented
56 by the department be

57
58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete line 8
61 and insert:
62 Opportunity Program or pursuant to a federal broadband
63 access grant program implemented by the department;
64 providing applicability; providing for future
65 legislative