

1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act; amending s. 627.352, F.S., which  
 4           provides an exemption from public record and public  
 5           meeting requirements for certain data and information  
 6           relating to cybersecurity; repealing exemptions  
 7           relating to data and information from technology  
 8           systems; making technical changes; revising specified  
 9           information that is required to be made available to  
 10          certain entities; removing the scheduled repeal of the  
 11          exemption; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Section 627.352, Florida Statutes, is amended  
 16           to read:

17           627.352 Security of data and information technology in  
 18           Citizens Property Insurance Corporation.—

19           (1) ~~The following data and information from technology~~  
 20           ~~systems owned by, under contract with, or maintained by Citizens~~  
 21           ~~Property Insurance Corporation are confidential and exempt from~~  
 22           ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution:~~

23           ~~(a) Records held by the corporation which identify~~  
 24           ~~detection, investigation, or response practices for suspected or~~  
 25           ~~confirmed information technology security incidents, including~~

26 ~~suspected or confirmed breaches, if the disclosure of such~~  
 27 ~~records would facilitate unauthorized access to or unauthorized~~  
 28 ~~modification, disclosure, or destruction of:~~

29 ~~1. Data or information, whether physical or virtual; or~~

30 ~~2. Information technology resources, including:~~

31 ~~a. Information relating to the security of the~~  
 32 ~~corporation's technologies, processes, and practices designed to~~  
 33 ~~protect networks, computers, data processing software, and data~~  
 34 ~~from attack, damage, or unauthorized access; or~~

35 ~~b. Security information, whether physical or virtual,~~  
 36 ~~which relates to the corporation's existing or proposed~~  
 37 ~~information technology systems.~~

38 ~~(b) Any portion ~~These portions~~ of a risk assessment~~  
 39 ~~assessments, an evaluation ~~evaluations~~, an audit ~~audits~~, and any~~  
 40 ~~other report ~~reports~~ of the Citizens Property Insurance~~  
 41 ~~Corporation's information technology security program for its~~  
 42 ~~data, information, and information technology resources which~~  
 43 ~~are held by the corporation are confidential and exempt from s.~~  
 44 ~~119.07(1) and s. 24(a), Art. I of the State Constitution, if the~~  
 45 ~~disclosure of such records would facilitate unauthorized access~~  
 46 ~~to or the unauthorized modification, disclosure, or destruction~~  
 47 ~~of:~~

48 ~~(a)1.~~ Data or information, whether physical or virtual; or

49 ~~(b)2.~~ Information technology resources, which include:

50 ~~1.a.~~ Information relating to the security of the

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51 corporation's technologies, processes, and practices designed to  
52 protect networks, computers, data processing software, and data  
53 from attack, damage, or unauthorized access; or

54 2.b. Security information, whether physical or virtual,  
55 which relates to the corporation's existing or proposed  
56 information technology systems.

57 (2) Those portions of a public meeting as specified in s.  
58 286.011 which would reveal data and information described in  
59 subsection (1) are exempt from s. 286.011 and s. 24(b), Art. I  
60 of the State Constitution. No exempt portion of an exempt  
61 meeting may be off the record. All exempt portions of such a  
62 meeting must be recorded and transcribed. The recording and  
63 transcript of the meeting must remain confidential and exempt  
64 from disclosure under s. 119.07(1) and s. 24(a), Art. I of the  
65 State Constitution unless a court of competent jurisdiction,  
66 following an in camera review, determines that the meeting was  
67 not restricted to the discussion of data and information made  
68 confidential and exempt by this section. In the event of such a  
69 judicial determination, only that portion of the transcript  
70 which reveals nonexempt data and information may be disclosed to  
71 a third party.

72 (3) The confidential and exempt records and portions of  
73 public meeting recordings and transcripts ~~described in~~  
74 ~~subsection (2)~~ must be available to the Auditor General, the  
75 Cybercrime Office of the Department of Law Enforcement, and the

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76 Office of Insurance Regulation. Such records and portions of  
77 public meeting ~~meetings,~~ recordings, and transcripts may be made  
78 available to a state or federal agency for security purposes or  
79 in furtherance of the agency's official duties.

80 (4) The exemptions provided by this section apply to  
81 records held by the corporation before, on, or after March 21,  
82 2018 ~~the effective date of this act.~~

83 ~~(5) This section is subject to the Open Government Sunset~~  
84 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
85 ~~on October 2, 2023, unless reviewed and saved from repeal~~  
86 ~~through reenactment by the Legislature.~~

87 Section 2. This act shall take effect October 1, 2023.