



401556

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2023	.	
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The Committee on Rules (Boyd) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(1) ~~The following data and information from technology  
systems owned by, under contract with, or maintained by Citizens  
Property Insurance Corporation are confidential and exempt from~~



401556

12 ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution:~~  
13 ~~(a) Records held by the corporation which identify~~  
14 ~~detection, investigation, or response practices for suspected or~~  
15 ~~confirmed information technology security incidents, including~~  
16 ~~suspected or confirmed breaches, if the disclosure of such~~  
17 ~~records would facilitate unauthorized access to or unauthorized~~  
18 ~~modification, disclosure, or destruction of:~~  
19 ~~1. Data or information, whether physical or virtual; or~~  
20 ~~2. Information technology resources, including:~~  
21 ~~a. Information relating to the security of the~~  
22 ~~corporation's technologies, processes, and practices designed to~~  
23 ~~protect networks, computers, data processing software, and data~~  
24 ~~from attack, damage, or unauthorized access; or~~  
25 ~~b. Security information, whether physical or virtual, which~~  
26 ~~relates to the corporation's existing or proposed information~~  
27 ~~technology systems.~~  
28 ~~(b) Any portion Those portions of a risk assessment~~  
29 ~~assessments, an evaluation evaluations, an audit audits, and any~~  
30 ~~other report reports of the Citizens Property Insurance~~  
31 ~~Corporation's information technology security program for its~~  
32 ~~data, information, and information technology resources which~~  
33 ~~are held by the corporation are confidential and exempt from s.~~  
34 ~~119.07(1) and s. 24(a), Art. I of the State Constitution, if the~~  
35 ~~disclosure of such records would facilitate unauthorized access~~  
36 ~~to or the unauthorized modification, disclosure, or destruction~~  
37 ~~of:~~  
38 ~~(a)1. Data or information, whether physical or virtual; or~~  
39 ~~(b)2. Information technology resources, which include:~~  
40 ~~1.a. Information relating to the security of the~~



401556

41 corporation's technologies, processes, and practices designed to  
42 protect networks, computers, data processing software, and data  
43 from attack, damage, or unauthorized access; or

44 ~~2.b.~~ Security information, whether physical or virtual,  
45 which relates to the corporation's existing or proposed  
46 information technology systems.

47 (2) Those portions of a public meeting as specified in s.  
48 286.011 which would reveal data and information described in  
49 subsection (1) are exempt from s. 286.011 and s. 24(b), Art. I  
50 of the State Constitution. No exempt portion of an exempt  
51 meeting may be off the record. All exempt portions of such a  
52 meeting must be recorded and transcribed. The recording and  
53 transcript of the meeting must remain confidential and exempt  
54 from disclosure under s. 119.07(1) and s. 24(a), Art. I of the  
55 State Constitution unless a court of competent jurisdiction,  
56 following an in camera review, determines that the meeting was  
57 not restricted to the discussion of data and information made  
58 confidential and exempt by this section. In the event of such a  
59 judicial determination, only that portion of the transcript  
60 which reveals nonexempt data and information may be disclosed to  
61 a third party.

62 (3) The confidential and exempt records and portions of  
63 public meeting recordings and transcripts ~~described in~~  
64 ~~subsection (2)~~ must be available to the Auditor General, the  
65 Cybercrime Office of the Department of Law Enforcement, and the  
66 Office of Insurance Regulation. Such records and portions of  
67 public meeting ~~meetings,~~ recordings, and transcripts may be made  
68 available to a state or federal agency for security purposes or  
69 in furtherance of the agency's official duties.



401556

70 (4) The exemptions provided by this section apply to  
71 records held by the corporation before, on, or after March 21,  
72 2018 ~~the effective date of this act.~~

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

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

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79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete everything before the enacting clause  
82 and insert:

83 A bill to be entitled  
84 An act relating to a review under the Open Government  
85 Sunset Review Act; amending s. 627.352, F.S., which  
86 provides an exemption from public record and public  
87 meeting requirements for certain data and information  
88 relating to cybersecurity; repealing exemptions  
89 relating to data and information from technology  
90 systems; making technical changes; revising specified  
91 information that is required to be made available to  
92 certain entities; removing the scheduled repeal of the  
93 exemption; providing an effective date.