

**FOR CONSIDERATION By** the Committee on Banking and Insurance

597-02523-23

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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 records requirements  
5       for certain data and information from technology  
6       systems owned by, under contract with, or maintained  
7       by Citizens Property Insurance Corporation and an  
8       exemption from public meetings requirements for  
9       portions of meetings which would reveal such data and  
10      information; removing the scheduled repeal of the  
11      exemptions; providing an effective date.

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

14  
15       Section 1. Section 627.352, Florida Statutes, is amended to  
16      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

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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, which  
36 relates to the corporation's existing or proposed information  
37 technology systems.

38 (b) Those portions of risk assessments, evaluations,  
39 audits, and other reports of the corporation's information  
40 technology security program for its data, information, and  
41 information technology resources which are held by the  
42 corporation, if the disclosure of such records would facilitate  
43 unauthorized access to or the unauthorized modification,  
44 disclosure, or destruction of:

45 1. Data or information, whether physical or virtual; or

46 2. Information technology resources, which include:

47 a. Information relating to the security of the  
48 corporation's technologies, processes, and practices designed to  
49 protect networks, computers, data processing software, and data  
50 from attack, damage, or unauthorized access; or

51 b. Security information, whether physical or virtual, which  
52 relates to the corporation's existing or proposed information  
53 technology systems.

54 (2) Those portions of a public meeting as specified in s.  
55 286.011 which would reveal data and information described in  
56 subsection (1) are exempt from s. 286.011 and s. 24(b), Art. I  
57 of the State Constitution. No exempt portion of an exempt  
58 meeting may be off the record. All exempt portions of such a

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59 meeting must be recorded and transcribed. The recording and  
60 transcript of the meeting must remain confidential and exempt  
61 from disclosure under s. 119.07(1) and s. 24(a), Art. I of the  
62 State Constitution unless a court of competent jurisdiction,  
63 following an in camera review, determines that the meeting was  
64 not restricted to the discussion of data and information made  
65 confidential and exempt by this section. In the event of such a  
66 judicial determination, only that portion of the transcript  
67 which reveals nonexempt data and information may be disclosed to  
68 a third party.

69 (3) The records and portions of public meeting recordings  
70 and transcripts described in subsection (2) must be available to  
71 the Auditor General, the Cybercrime Office of the Department of  
72 Law Enforcement, and the Office of Insurance Regulation. Such  
73 records and portions of meetings, recordings, and transcripts  
74 may be made available to a state or federal agency for security  
75 purposes or in furtherance of the agency's official duties.

76 (4) The exemptions provided by this section apply to  
77 records held by the corporation before, on, or after the  
78 effective date of this act.

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

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