

CS/HB 1059 — Pub. Rec./Examination Techniques & Procedures/DFS

by Governmental Affairs Policy Committee and Rep. Domino (SB 2230 by Banking and Insurance Committee and Senator Richter)

Current law provides a public records exemption for certain information related to investigations and examinations conducted by the Office of Financial Regulation (OFR) pursuant to the Florida Securities and Investor Protection Act (Act). Generally, the exemption expires once the investigation or examination is completed or ceases to be active; however, certain information remains confidential and exempt, including information that would disclose investigative techniques or procedures. Protection is not provided for information that would reveal examination techniques or procedures.

The bill creates a public records exemption for information that would reveal examination techniques or procedures used by the OFR pursuant to the Act. It provides for retroactive application of the exemption. Information that would reveal such examination techniques or procedures may be provided by the OFR to another governmental entity having oversight or regulatory or law enforcement authority.

The bill provides for repeal of the exemption on October 2, 2015, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-0; House 109-0