

Committee on Communications, Energy, And Public Utilities

CS/CS/HB 1025 — Public Records/Utility Security Information

by State Affairs Committee; Energy and Utilities Subcommittee; and Reps. Antone and Cortes, B. (CS/CS/SB 776 by Governmental Oversight and Accountability Committee; Communication, Energy, and Public Utilities Committee; and Senator Bradley)

The bill creates a public record exemption for the following information held by a local government utility:

- Information related to the security of the technology, processes, or practices of a utility owned or operated by a unit of local government that are designed to protect the utility's networks, computers, programs, and data from attack, damage, or unauthorized access, which information, if disclosed, would facilitate the alteration, disclosure, or destruction of such data or information technology resources.
- Information related to the security of existing or proposed information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government which, if disclosed, would facilitate unauthorized access to, and alteration or destruction of, such systems in a manner that would adversely impact the safe and reliable operation of the systems and the utility.

For the purposes of the chapter, the bill provides for retroactive application of the public record exemption. This public records exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.15, F.S., and stands repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature. The bill also provides a statement of public necessity as required by the Florida Constitution.

The bill defines the term “utility” to mean a person or entity that provides electricity, natural gas, telecommunications, water, chilled water, reuse water, or wastewater.

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

Vote: Senate 36-0; House 113-0