

By Senator Perry

8-00938-18

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1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 information obtained by persons or agencies from the
5 First Responder Network Authority and information
6 relating to the Nationwide Public Safety Broadband
7 Network obtained by persons or agencies from entities
8 operating pursuant to a contract with the First
9 Responder Network Authority; providing for future
10 legislative review and repeal of the exemption;
11 providing a statement of public necessity; providing
12 an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Information from the First Responder Network
17 Authority and relating to the Nationwide Public Safety Broadband
18 Network; public records exemption.—

19 (1) Any information obtained by any person or agency from
20 the First Responder Network Authority, or any information
21 relating to the Nationwide Public Safety Broadband Network
22 established pursuant to 47 U.S.C. ss. 1401 et seq. obtained by
23 any person or agency from any entity operating pursuant to a
24 contract with the First Responder Network Authority, is
25 confidential and exempt from s. 119.07(1), Florida Statutes, and
26 s. 24(a), Article I of the State Constitution.

27 (2) For purposes of subsection (1), any information
28 relating to the Nationwide Public Safety Broadband Network
29 includes any information regarding the design, development,

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30 construction, deployment, and operation of network facilities;
31 network coverage, including geographical maps indicating actual
32 or proposed locations of network infrastructure or facilities;
33 the features, functions, and capabilities of network
34 infrastructure and facilities; the features, functions, and
35 capabilities of network services provided to first responders,
36 as that term is defined in s. 112.1815, Florida Statutes, and
37 other network users; the design, features, functions, and
38 capabilities of network devices provided to first responders and
39 other network users; and security, including cybersecurity, of
40 the design, construction, and operation of the network and
41 associated services and products.

42 (3) This section is subject to the Open Government Sunset
43 Review Act in accordance with s. 119.15, Florida Statutes, and
44 shall stand repealed on October 2, 2023, unless reviewed and
45 saved from repeal through reenactment by the Legislature.

46 Section 2. The Legislature finds that it is a public
47 necessity that any information obtained by any person or agency
48 from the First Responder Network Authority, or any information
49 relating to the Nationwide Public Safety Broadband Network
50 established pursuant to 47 U.S.C. ss. 1401 et seq. obtained by
51 any person or agency from any entity operating pursuant to a
52 contract with the First Responder Network Authority, be held
53 confidential and exempt from public records requirements. Such
54 information contains proprietary business information of
55 communications services providers. Disclosure of such
56 information would adversely affect the business interests and
57 compromise the network security of such providers and of their
58 networks. Further, disclosure of such information would impair

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59 competition in the communications services industry because
60 competitors could use such information to impede full and fair
61 competition in the communications services industry to the
62 disadvantage of their consumers. Therefore, the Legislature
63 finds that any information obtained by any person or agency from
64 the First Responder Network Authority, or any information
65 relating to the Nationwide Public Safety Broadband Network
66 established pursuant to 47 U.S.C. ss. 1401 et seq. obtained by
67 any person or agency from any entity operating pursuant to a
68 contract with the First Responder Network Authority, must be
69 held confidential and exempt from disclosure under s. 119.07(1),
70 Florida Statutes, and s. 24(a), Article I of the State
71 Constitution.

72 Section 3. This act shall take effect July 1, 2018.