An act relating to public records and public meetings; amending s. 286.0113, F.S.; exempting from public meetings requirements certain exempt information concerning information technology systems held by specified utilities; requiring the exempt portions to be recorded and transcribed; exempting from public records requirements recordings and transcripts of such meetings; authorizing the release of portions of such meetings under specified circumstances; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

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

Section 1. Subsection (3) is added to section 286.0113, Florida Statutes, to read:

286.0113 General exemptions from public meetings.—

(a) That portion of a meeting held by a utility owned or operated by a unit of local government which would reveal information that is exempt under s. 119.0713(5) is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. All exempt portions of such a meeting must be recorded and transcribed. The recording and transcript of the meeting are
Section 2. (1) The Legislature finds that it is a public necessity that the portion of a meeting relating directly to or that would reveal the following information, which is exempt under s. 119.0713(5), Florida Statutes, be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Art. I of the State Constitution and that the recording and transcript of such a meeting be made exempt from disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

(a) Information related to the security of the technology, processes, or practices of the utility which are designed to protect the utility's networks, computers, programs, and data from attack, damage, or unauthorized access, and which information, if disclosed, would facilitate the alteration,
disclosure, or destruction of such data or information
technology resources.

(b) Information related to the security of existing or
proposed information technology systems or industrial control
technology systems of the utility, and which information, 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 utility.

(2) The Legislature finds that, as utility system
infrastructure becomes more connected and integrated through
information and communications technology, the exposure to
damage from attacks through such technology grows. These attacks
may result in the disruption of utility services and damage to
utility systems. Maintaining safe and reliable utility systems
is vital to protecting the public health and safety and to
ensuring the economic well-being of this state.

(3) The Legislature finds that the public and private harm
in disclosing the information made exempt by this act outweighs
any public benefit derived from the disclosure of such
information. The protection of information and communications
made exempt by this act will ensure that utilities have greater
safeguards to protect against security threats and will bolster
efforts to develop more resilient information technology systems
and industrial control technology systems.
(4) Therefore, the Legislature finds that it is a public necessity to make such information exempt from public meetings requirements and to make the recording and transcript thereof exempt from public records requirements.

Section 3. This act shall take effect July 1, 2019.