

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

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1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Antone offered the following:

3  
4 **Amendment**

5 Remove lines 36-95 and insert:

6 2. Information related to the security of existing or  
7 proposed information technology systems or industrial control  
8 technology systems of a utility owned or operated by a unit of  
9 local government, which, if disclosed, would facilitate  
10 unauthorized access to, and alteration or destruction of, such  
11 systems in a manner that would adversely impact the safe and  
12 reliable operation of the systems and the utility.

13 (b) This exemption applies to such information held by a  
14 utility owned or operated by a unit of local government before,  
15 on, or after the effective date of this exemption.

16 (c) This subsection is subject to the Open Government  
17 Sunset Review Act in accordance with s. 119.15 and shall stand

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18 repealed on October 2, 2021, unless reviewed and saved from  
19 repeal through reenactment by the Legislature.

20 Section 3. (1) The Legislature finds that it is a public  
21 necessity that the following information held by a utility owned  
22 or operated by a unit of local government be exempt from s.  
23 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
24 State Constitution:

25 (a) Information related to the security of the technology,  
26 processes, or practices of a utility owned or operated by a unit  
27 of local government that are designed to protect the utility's  
28 networks, computers, programs, and data from attack, damage, or  
29 unauthorized access, which information, if disclosed, would  
30 facilitate the alteration, disclosure, or destruction of such  
31 data or information technology resources.

32 (b) Information related to the security of existing or  
33 proposed information technology systems or industrial control  
34 technology systems of a utility owned or operated by a unit of  
35 local government, which, if disclosed, would facilitate  
36 unauthorized access to, and alteration or destruction of, such  
37 systems in a manner that would adversely impact the safe and  
38 reliable operation of the systems and the utility.

39 (2) The Legislature finds that, as utility system  
40 infrastructure becomes more connected and integrated through  
41 information and communications technology, the exposure to  
42 damage from attacks through such technology continues to grow.  
43 These attacks may result in the disruption of utility services

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44 and damage to utility systems. Maintaining safe and reliable  
45 utility systems is vital to protecting the public health and  
46 safety and ensuring the economic well-being of the state.  
47 Accordingly, many utilities have adopted technologies,  
48 processes, and practices designed to secure data, information  
49 technology systems, and industrial control technology systems.  
50 Disclosure of sensitive information related to these security  
51 measures could result in the identification of vulnerabilities  
52 that allow a security breach that damages utility systems and  
53 disrupts the safe and reliable operation of such systems,  
54 adversely impacting the public health and safety and the  
55 economic well-being of the state. Because of the interconnected  
56 nature of utility systems, a security breach may also impact  
57 national security concerns. As a result, the Legislature finds  
58 that the public and private harm in disclosing the information  
59 made exempt by this act outweighs any public benefit derived  
60 from disclosure of such information. The protection of  
61 information made exempt by this act will ensure that utilities  
62 have greater safeguards to protect against security threats and  
63 will bolster efforts to develop more resilient information  
64 technology systems and industrial control technology systems.  
65 For these reasons, the Legislature finds that is a public  
66 necessity to make such information exempt from public records  
67 requirements, and to provide for retroactive application of the  
68 public records exemption.