

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0713, F.S.; providing an exemption from public
 4 records requirements for information related to the
 5 security of a utility agency's technology; providing
 6 for future legislative review and repeal of the
 7 exemption; providing a statement of public necessity;
 8 providing an effective date.

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

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 12 Section 1. Subsection (5) is added to section 119.0713,
 13 Florida Statutes, to read:

14 119.0713 Local government agency exemptions from
 15 inspection or copying of public records.—

16 (5) (a) The following information is exempt from s.
 17 119.07(1) and s. 24(a), Art. I of the State Constitution:

18 1. Information related to the security of a utility
 19 agency's technology, processes, and practices designed to
 20 protect networks, computers, programs, and data from attack,
 21 damage, or unauthorized access which, if disclosed, would
 22 facilitate the alteration, disclosure, or destruction of data or
 23 information technology resources.

24 2. Security information related to a utility agency's
 25 existing or proposed information or industrial control
 26 technology systems or assets, whether physical or virtual,

27 which, if disclosed, would affect security, economic security,
28 public health or safety, or any combination thereof.

29 3. Security systems and information that would disclose
30 the identity of security firms used by a utility agency to
31 secure and store data or provide any information technology to
32 the utility agency.

33 (b) This exemption applies to such information obtained
34 before, on, or after the effective date of this exemption.

35 (c) This subsection is subject to the Open Government
36 Sunset Review Act in accordance with s. 119.15 and shall stand
37 repealed on October 2, 2021, unless reviewed and saved from
38 repeal through reenactment by the Legislature.

39 Section 2. (1) The Legislature finds that it is a public
40 necessity that the following information relating to a utility
41 agency subject to chapter 119, Florida Statutes, be exempt from
42 public records requirements:

43 (a) Information relating to the security of the utility
44 agency's technologies, processes, and practices designed to
45 protect networks, computers, programs, and data from attack,
46 damage, or unauthorized access which, if disclosed, would
47 facilitate the alteration, disclosure, or destruction of data or
48 information technology resources.

49 (b) Security information, whether in physical or virtual
50 form, relating to the utility agency's existing or proposed
51 information technology systems or industrial control systems
52 which, if disclosed, would affect security, economic security,

53 public health or safety, or any combination thereof.

54 (c) Information that would disclose the identity of
55 security firms used by a utility agency to secure and store data
56 or provide information technology services.

57 (2) The cybersecurity of utility agencies has grown in
58 importance as utilities have moved toward a more connected and
59 integrated infrastructure. As more utility agency systems become
60 interconnected with each other and with other sectors of the
61 economy, the risk of cyberattacks continues to grow. Critical
62 infrastructure for utility agencies is vital to personal safety,
63 economic growth, and national security. The release of sensitive
64 information relating to the administration of a utility agency's
65 information technology security measures could result in the
66 identification of vulnerabilities that could result in a
67 security breach or otherwise negatively impact personal safety,
68 economic growth, and national security. As a result, the
69 Legislature finds that the public and private harm in disclosing
70 the information made exempt by this act outweighs any public
71 benefit derived from disclosure of such information. The
72 protection of the information made exempt by this act will
73 ensure that utility agencies have greater safeguards to protect
74 against security threats and will bolster efforts to develop
75 more resilient information technology systems.

76 Section 3. This act shall take effect upon becoming a law.